

1 HB273
2 204893-2
3 By Representative Gray
4 RFD: Public Safety and Homeland Security
5 First Read: 18-FEB-20

1 "(1) ALLEY. A street or highway intended to provide
2 access to the rear or side of lots or buildings in urban
3 districts and not intended for the purpose of through
4 vehicular traffic.

5 "(2) ARTERIAL STREET. Any United States or state
6 numbered route, controlled-access highway, or other major
7 radial or circumferential street or highway designated by
8 local authorities within their respective jurisdictions as
9 part of a major arterial system of streets or highways.

10 "(3) AUTHORIZED EMERGENCY VEHICLE. Such fire
11 department vehicles, police vehicles, and ambulances as are
12 publicly owned, and such other publicly or privately owned
13 vehicles as are designated by the Secretary of the Alabama
14 State Law Enforcement Agency or the chief of police of an
15 incorporated city.

16 "(4) BICYCLE. Every device propelled by human power
17 upon which any person may ride, having two tandem wheels
18 either of which is more than 14 inches in diameter.

19 "(5) BUS. Every motor vehicle designed for carrying
20 more than 10 passengers and used for the transportation of
21 persons; and every motor vehicle other than a taxicab,
22 designed and used for the transportation of persons for
23 compensation.

24 "(6) BUSINESS DISTRICT. The territory contiguous to
25 and including a highway when within any 600 feet along such
26 highway there are buildings in use for business or industrial
27 purposes, including, but not limited to, hotels, banks or

1 office buildings, railroad stations, and public buildings
2 which occupy at least 300 feet of frontage on one side or 300
3 feet collectively on both sides of the highway.

4 "(7) CANCELLATION OF DRIVER'S LICENSE. The annulment
5 or termination by formal action of the Secretary of the
6 Alabama State Law Enforcement Agency of a person's driver's
7 license because of some error or defect in the license or
8 because the licensee is no longer entitled to such license,
9 but the cancellation of a license is without prejudice and
10 application for a new license may be made at any time after
11 such cancellation.

12 "(8) CONTROLLED-ACCESS HIGHWAY. Every highway,
13 street, or roadway in respect to which owners or occupants of
14 abutting lands and other persons have no legal right of access
15 to or from the same except at such points only and in such
16 manner as may be determined by the public authority having
17 jurisdiction over such highway, street, or roadway.

18 "(9) CROSSWALK. Either of the following:

19 "a. That part of a roadway at an intersection
20 included within the connections of the lateral lines of the
21 sidewalks on opposite sides of the highway measured from the
22 curbs or, in the absence of curbs, from the edges of the
23 traversable roadway.

24 "b. Any portion of a roadway at an intersection or
25 elsewhere distinctly indicated for pedestrian crossing by
26 lines or other markings on the surface.

1 "(10) DEALER. Every person engaged in the business
2 of buying, selling, or exchanging vehicles who has an
3 established place of business for such purpose in this state
4 and to whom current dealer registration plates have been
5 issued by the Department of Revenue.

6 "(11) DEPARTMENT. The Alabama State Law Enforcement
7 Agency acting directly or through its duly authorized officers
8 and agents.

9 "(12) DIRECTOR. The Secretary of the Alabama State
10 Law Enforcement Agency.

11 "(13) DRIVEAWAY-TOWAWAY OPERATION. Any operation in
12 which any motor vehicle, trailer, or semitrailer, singly or in
13 combination, new or used, constitutes the commodity being
14 transported, when one set or more of wheels of any such
15 vehicle are on the roadway during the course of
16 transportation, whether or not any such vehicle furnishes the
17 motive power.

18 "(14) DRIVER. Every person who drives or is in
19 actual physical control of a vehicle.

20 "(15) DRIVER'S LICENSE. Any license to operate a
21 motor vehicle issued under the laws of this state.

22 "(16) ELECTRIC BICYCLE. A bicycle equipped with
23 fully operable pedals, a saddle or seat for the rider, and an
24 electric motor of less than 750 watts that meets the
25 requirements of one of the following three classes:

26 "a. Class 1 electric bicycle means an electric
27 bicycle equipped with a motor that provides assistance only

1 when the rider is pedaling and that ceases to provide
2 assistance when the bicycle reaches the speed of 20 miles per
3 hour.

4 "b. Class 2 electric bicycle means an electric
5 bicycle equipped with a motor that may be used exclusively to
6 propel the bicycle and that is not capable of providing
7 assistance when the bicycle reaches the speed of 20 miles per
8 hour.

9 "c. Class 3 electric bicycle means an electric
10 bicycle equipped with a motor that provides assistance only
11 when the rider is pedaling and that ceases to provide
12 assistance when the bicycle reaches the speed of 28 miles per
13 hour.

14 ~~"(16)~~ (17) ELECTRIC PERSONAL ASSISTIVE MOBILITY
15 DEVICE. A self-balancing, two non-tandem wheeled device
16 designed to transport only one person with an electric
17 propulsion system with an average power of 750 watts (1 h.p.),
18 that has a maximum speed on a paved level surface, when
19 powered solely by such a propulsion system while ridden by an
20 operator who weighs not more than 170 pounds, of less than 20
21 m.p.h. The term shall not include a motorized bicycle,
22 motorized scooter, or motorized skateboard.

23 ~~"(17)~~ (18) ESSENTIAL PARTS. All integral and body
24 parts of a vehicle of a type required to be registered
25 hereunder, the removal, alteration, or substitution of which
26 would tend to conceal the identity of the vehicle or

1 substantially alter its appearance, model, type, or mode of
2 operation.

3 "~~(18)~~ (19) ESTABLISHED PLACE OF BUSINESS. The place
4 actually occupied either continuously or at regular periods by
5 a dealer or manufacturer where his or her books and records
6 are kept and a large share of his or her business is
7 transacted.

8 "~~(19)~~ (20) EXPLOSIVES. Any chemical compound or
9 mechanical mixture that is commonly used or intended for the
10 purpose of producing an explosion and which contains any
11 oxidizing and combustive units or other ingredients in such
12 proportions, quantities, or packing that an ignition by fire,
13 by friction, by concussion, by percussion, or by detonator of
14 any part of the compound or mixture may cause such a sudden
15 generation of highly heated gases that the resultant gaseous
16 pressures are capable of producing destructive effects on
17 contiguous objects or of destroying life or limb.

18 "~~(20)~~ (21) FARM TRACTOR. Every motor vehicle designed
19 and used primarily as a farm implement, for drawing plows,
20 mowing machines, and other implements of husbandry.

21 "~~(21)~~ (22) FLAMMABLE LIQUID. Any liquid which has a
22 flash point of 70 F. or less, as determined by a fagliabue or
23 equivalent closed-cup test device.

24 "~~(22)~~ (23) FOREIGN VEHICLE. Every vehicle of a type
25 required to be registered hereunder brought into this state
26 from another state, territory, or country other than in the

1 ordinary course of business by or through a manufacturer or
2 dealer and not registered in this state.

3 ~~"(23)~~ (24) GROSS WEIGHT. The weight of a vehicle
4 without load plus the weight of any load thereon.

5 ~~"(24)~~ (25) HIGHWAY. The entire width between the
6 boundary lines of every way publicly maintained when any part
7 thereof is open to the use of the public for purposes of
8 vehicular travel.

9 ~~"(25)~~ (26) HOUSE TRAILER. Either of the following:

10 "a. A trailer or semitrailer that is designed,
11 constructed, and equipped as a dwelling place, living abode,
12 or sleeping place, either permanently or temporarily, and is
13 equipped for use as a conveyance on streets and highways.

14 "b. A trailer or semitrailer that has a chassis and
15 exterior shell that is designed and constructed for use as a
16 house trailer, as defined in paragraph a., but which is used
17 instead permanently or temporarily for the advertising, sales,
18 display, or promotion of merchandise or services, or for any
19 other commercial purpose except the transportation of property
20 for hire or the transportation of property for distribution by
21 a private carrier.

22 ~~"(26)~~ (27) IMPLEMENT OF HUSBANDRY. Every vehicle
23 designed and adapted exclusively for agricultural,
24 horticultural, or livestock raising operations or for lifting
25 or carrying an implement of husbandry and in either case not
26 subject to registration if used upon the highways.

27 ~~"(27)~~ (28) INTERSECTION. Any of the following:

1 "a. The area embraced within the prolongation or
2 connection of the lateral curb lines, or, if none, then the
3 lateral boundary lines of the roadways of two highways which
4 join one another at, or approximately at, right angles, or the
5 area within which vehicles traveling upon different highways
6 joining at any other angle may come in conflict.

7 "b. Where a highway includes two roadways 30 feet or
8 more apart, then every crossing of each roadway of such
9 divided highway by an intersecting highway shall be regarded
10 as a separate intersection. In the event such intersecting
11 highway also includes two roadways 30 feet or more apart, then
12 every crossing of two roadways of such highways shall be
13 regarded as a separate intersection.

14 "c. The junction of an alley with a street or
15 highway shall not constitute an intersection.

16 "~~(28)~~ (29) LANED ROADWAY. A roadway which is divided
17 into two or more clearly marked lanes for vehicular traffic.

18 "~~(29)~~ (30) LICENSE or LICENSE TO OPERATE A MOTOR
19 VEHICLE. Any driver's license or any other license or permit
20 to operate a motor vehicle issued by the director under the
21 laws of this state, including any nonresident's operating
22 privilege as defined herein.

23 "~~(30)~~ (31) LOCAL AUTHORITIES. Either of the
24 following:

25 "a. Every county commission.

1 "b. Every municipal and other local board or body
2 having authority to enact laws relating to traffic under the
3 constitution and laws of this state.

4 "~~(31)~~ (32) MAIL. To deposit in the United States mail
5 properly addressed and with postage prepaid.

6 "~~(32)~~ (33) METAL TIRE. Every tire the surface of
7 which in contact with the highway is wholly or partly of metal
8 or other hard, nonresilient material.

9 "~~(33)~~ (34) MOTOR VEHICLE. Every vehicle which is
10 self-propelled and every vehicle which is propelled by
11 electric power obtained from overhead trolley wires, but not
12 operated upon rails, except for electric personal assistive
13 mobility devices and electric bicycles.

14 "~~(34)~~ (35) MOTORCYCLE. Every motor vehicle having a
15 seat or saddle for the use of the rider and designed to travel
16 on not more than three wheels in contact with the ground, but
17 excluding a tractor and an electric bicycle.

18 "~~(35)~~ (36) MOTOR-DRIVEN CYCLE. Every motorcycle,
19 including every motor scooter, with a motor that produces not
20 more than five brake horsepower nor exceeds 150 cubic
21 centimeter engine displacement, and weighs less than 200
22 pounds fully equipped, and every bicycle with a motor
23 attached. The term does not include electric bicycles.

24 "~~(36)~~ (37) NONRESIDENT. Every person who is not a
25 resident of this state.

26 "~~(37)~~ (38) NONRESIDENT'S OPERATING PRIVILEGE. The
27 privilege conferred upon a nonresident by the laws of this

1 state pertaining to the operation by such person of a motor
2 vehicle, or the use of a vehicle owned by such person, in this
3 state.

4 "~~(38)~~ (39) OFFICIAL TRAFFIC-CONTROL DEVICES. All
5 signs, signals, markings, and devices not inconsistent with
6 this title placed or erected by authority of a public body or
7 official having jurisdiction, for the purpose of regulating,
8 warning, or guiding traffic.

9 "~~(39)~~ (40) OWNER. A person, other than a lienholder,
10 having the property in or title to a vehicle. The term
11 includes a person entitled to the use and possession of a
12 vehicle subject to a security interest in another person, but
13 excludes a lessee under a lease not intended as security.

14 "~~(40)~~ (41) PARK or PARKING. The standing of a
15 vehicle, whether occupied or not. The term does not include a
16 vehicle that is stopped temporarily for the purpose of and
17 actually engaged in loading or unloading merchandise or
18 passengers.

19 "~~(41)~~ (42) PASSENGER CAR. Every motor vehicle, except
20 motorcycles and motor-driven cycles, designed for carrying 10
21 passengers or less and used for the transportation of persons.

22 "~~(42)~~ (43) PEDESTRIAN. Any person afoot.

23 "~~(43)~~ (44) PERSON. Every natural person, firm,
24 copartnership, association, or corporation.

25 "~~(44)~~ (45) PNEUMATIC TIRE. Every tire in which
26 compressed air is designed to support the load.

1 "~~(45)~~(46) POLE TRAILER. Every vehicle without motive
2 power designed to be drawn by another vehicle and attached to
3 the towing vehicle by means of a reach or pole, or by being
4 boomed or otherwise secured to the towing vehicle, and
5 ordinarily used for transporting long or irregularly shaped
6 loads such as poles, pipes, or structural members capable,
7 generally, of sustaining themselves as beams between the
8 supporting connections.

9 "~~(46)~~(47) POLICE OFFICER. Every officer authorized
10 to direct or regulate traffic or to make arrests for
11 violations of traffic regulations.

12 "~~(47)~~(48) PRIVATE ROAD or DRIVEWAY. Every way or
13 place in private ownership and used for vehicular travel by
14 the owner and those having express or implied permission from
15 the owner, but not by other persons.

16 "~~(48)~~(49) RAILROAD. A carrier of persons or property
17 upon cars other than street cars, operated upon stationary
18 rails.

19 "~~(49)~~(50) RAILROAD SIGN or SIGNAL. Any sign, signal,
20 or device erected by authority of a public body or official or
21 by a railroad and intended to give notice of the presence of
22 railroad tracks or the approach of a railroad train.

23 "~~(50)~~(51) RAILROAD TRAIN. A steam engine, electric
24 or other motor, with or without cars coupled thereto, operated
25 upon rails.

26 "~~(51)~~(52) RECONSTRUCTED VEHICLE. Every vehicle of a
27 type required to be registered hereunder materially altered

1 from its original construction by the removal, addition, or
2 substitution of essential parts, new or used.

3 "~~(52)~~ (53) REGISTRATION. The registration certificate
4 or certificates and registration plates issued under the laws
5 of this state pertaining to the registration of vehicles.

6 "~~(53)~~ (54) RESIDENCE DISTRICT. The territory
7 contiguous to and including a highway not comprising a
8 business district when the property on such highway for a
9 distance of 300 feet or more is in the main improved with
10 residences or residences and buildings in use for business.

11 "~~(54)~~ (55) REVOCATION OF DRIVER'S LICENSE. The
12 termination by formal action of the director of a person's
13 license or privilege to operate a motor vehicle on the public
14 highways, which termination shall not be subject to renewal or
15 restoration except that an application for a new license may
16 be presented and acted upon by the director after the
17 expiration of the applicable period of time prescribed in this
18 title.

19 "~~(55)~~ (56) RIGHT-OF-WAY. The right of one vehicle or
20 pedestrian to proceed in a lawful manner in preference to
21 another vehicle or pedestrian approaching under such
22 circumstances of direction, speed, and proximity as to give
23 rise to danger of collision unless one grants precedence to
24 the other.

25 "~~(56)~~ (57) ROAD TRACTOR. Every motor vehicle designed
26 and used for drawing other vehicles and not so constructed as

1 to carry any load thereon either independently or any part of
2 the weight of a vehicle or load so drawn.

3 "~~(57)~~ (58) ROADWAY. That portion of a highway
4 improved, designed, or ordinarily used for vehicular travel,
5 exclusive of the berm or shoulder. In the event a highway
6 includes two or more separate roadways the term refers to any
7 such roadway separately but not to all such roadways
8 collectively.

9 "~~(58)~~ (59) SAFETY ZONE. The area or space officially
10 set apart within a roadway for the exclusive use of
11 pedestrians and which is protected or is so marked or
12 indicated by adequate signs as to be plainly visible at all
13 times while set apart as a safety zone.

14 "~~(59)~~ (60) SCHOOL BUS. Every motor vehicle that
15 complies with the color and identification requirements set
16 forth by statute or regulation and is used to transport
17 children to or from school or in connection with school
18 activities, but not including buses operated by common
19 carriers in urban transportation of school children.

20 "~~(60)~~ (61) SCOOTER. A device weighing less than 100
21 pounds that satisfies all of the following:

22 "a. Has handlebars and an electric motor.

23 "b. Is solely powered by the electric motor or human
24 power.

25 "c. Has a maximum speed of no more than 20 m.p.h. on
26 a paved level surface when powered solely by the electric
27 motor.

1 "This term does not include an e-bike, EPAMD,
2 Segway, motorcycle, or moped.

3 "~~(61)~~ (62) SECURITY AGREEMENT. A written agreement
4 which reserves or creates a security interest.

5 "~~(62)~~ (63) SECURITY INTEREST. An interest in a
6 vehicle reserved or created by agreement and which secures
7 payment or performance of an obligation. The term includes the
8 interest of a lessor under a lease intended as security. A
9 security interest is perfected when it is valid against third
10 parties generally, subject only to specific statutory
11 exceptions.

12 "~~(63)~~ (64) SEMITRAILER. Every vehicle with or without
13 motive power, other than a pole trailer, designed for carrying
14 persons or property and for being drawn by a motor vehicle and
15 so constructed that some part of its weight and that of its
16 load rests upon or is carried by another vehicle.

17 "~~(64)~~ (65) SHARED MICROMOBILITY DEVICE. A type of
18 transportation device that includes a bicycle, electric
19 bicycle, tricycle, scooter, hoverboard, skateboard, pedal car,
20 or similar device, except a device used as an electrical
21 personal assistive mobility device by a person with
22 disabilities, used in a shared micromobility device system.

23 "~~(65)~~ (66) SHARED MICROMOBILITY DEVICE SYSTEM. A
24 system that provides shared micromobility devices to users for
25 short-term rentals, whether or not the system requires docking
26 stations or other similar fixed infrastructure to receive or
27 return the shared micromobility device.

1 "~~(66)~~ (67) SIDEWALK. That portion of a street between
2 the curb lines, or the lateral lines of a roadway, and the
3 adjacent property lines, intended for use by pedestrians.

4 "~~(67)~~ (68) SOLID TIRE. Every tire of rubber or other
5 resilient material which does not depend upon compressed air
6 for the support of the load.

7 "~~(68)~~ (69) SPECIAL MOBILE EQUIPMENT. Every vehicle
8 not designed or used primarily for the transportation of
9 persons or property and only incidentally operated or moved
10 over a highway, including, but not limited to: Ditch digging
11 apparatus, well boring apparatus, and road construction and
12 maintenance machinery such as asphalt spreaders, bituminous
13 mixers, bucket loaders, tractors other than truck tractors,
14 ditchers, levelling graders, finishing machines, motor
15 graders, road rollers, scarifiers, earth moving carry-alls and
16 scrapers, power shovels and drag lines, and self-propelled
17 cranes, and earth moving equipment. The term does not include
18 house trailers, dump trucks, truck mounted transit mixers,
19 cranes or shovels, or other vehicles designed for the
20 transportation of persons or property to which machinery has
21 been attached.

22 "~~(69)~~ (70) SPECIALLY CONSTRUCTED VEHICLE. Every
23 vehicle of a type required to be registered hereunder not
24 originally constructed under a distinctive name, make, model,
25 or type by a generally recognized manufacturer of vehicles and
26 not materially altered from its original construction.

1 "~~(70)~~(71) STAND or STANDING. The halting of a
2 vehicle, whether occupied or not. The term does not include a
3 vehicle that is halted temporarily for the purpose of and
4 actually engaged in receiving or discharging passengers.

5 "~~(71)~~(72) STATE. A state, territory, or possession
6 of the United States, the District of Columbia, the
7 Commonwealth of Puerto Rico, or a province of Canada.

8 "~~(72)~~(73) STOP. When required, means complete
9 cessation from movement.

10 "~~(73)~~(74) STOP or STOPPING. When prohibited, means
11 any halting, even momentarily, of a vehicle, whether occupied
12 or not, except when necessary to avoid conflict with other
13 traffic or in compliance with the directions of a police
14 officer or traffic-control sign or signal.

15 "~~(74)~~(75) STREET. The entire width between boundary
16 lines of every way publicly maintained when any part thereof
17 is open to the use of the public for purposes of vehicular
18 travel.

19 "~~(75)~~(76) SUSPENSION OF DRIVER'S LICENSE. The
20 temporary withdrawal by formal action of the Secretary of the
21 Alabama State Law Enforcement Agency of a person's license or
22 privilege to operate a motor vehicle on the public highways,
23 which temporary withdrawal shall be for a period specifically
24 designated by the secretary.

25 "~~(76)~~(77) THROUGH HIGHWAY. Every highway or portion
26 thereof on which vehicular traffic is given preferential
27 right-of-way, and at the entrances to which vehicular traffic

1 from intersecting highways is required by law to yield the
2 right-of-way to vehicles on such through highway in obedience
3 to a stop sign, yield sign, or other official traffic-control
4 device, when such signs or devices are erected as provided in
5 this title.

6 "~~(77)~~ (78) TRACKLESS TROLLEY COACH. Every motor
7 vehicle which is propelled by electric power obtained from
8 overhead trolley wires but not operated upon rails.

9 "~~(78)~~ (79) TRAFFIC. Pedestrians, ridden or herded
10 animals, vehicles, streetcars, and other conveyances either
11 singly or together while using any highway for purposes of
12 travel.

13 "~~(79)~~ (80) TRAFFIC-CONTROL SIGNAL. Any device,
14 whether manually, electrically, or mechanically operated, by
15 which traffic is alternately directed to stop and permitted to
16 proceed.

17 "~~(80)~~ (81) TRAILER. Every vehicle with or without
18 motive power, other than a pole trailer, designed for carrying
19 persons or property and for being drawn by a motor vehicle and
20 so constructed that no part of its weight rests upon the
21 towing vehicle.

22 "~~(81)~~ (82) TRANSPORTER. Every person engaged in the
23 business of delivering vehicles of a type required to be
24 registered hereunder from a manufacturing, assembling, or
25 distributing plant to dealers or sales agents of a
26 manufacturer.

1 "~~(82)~~(83) TRUCK. Every motor vehicle designed, used,
2 or maintained primarily for the transportation of property.

3 "~~(83)~~(84) TRUCK PLATOON. A group of individual
4 commercial trucks traveling in a unified manner at
5 electronically coordinated speeds at following distances that
6 are closer than would be reasonable and prudent without the
7 electronic coordination.

8 "~~(84)~~(85) TRUCK TRACTOR. Every motor vehicle
9 designed and used primarily for drawing other vehicles and not
10 so constructed as to carry a load other than a part of the
11 weight of the vehicle and load so drawn.

12 "~~(85)~~(86) URBAN DISTRICT. The territory contiguous
13 to and including any street which is built up with structures
14 devoted to business, industry, or dwelling houses situated at
15 intervals of less than 100 feet for a distance of a quarter of
16 a mile or more.

17 "~~(86)~~(87) VEHICLE. Every device in, upon, or by
18 which any person or property is or may be transported or drawn
19 upon a highway, excepting devices moved by human power or used
20 exclusively upon stationary rails or tracks or electric
21 personal assistive mobility devices; provided, that for the
22 purposes of this title, a bicycle, an electric bicycle, or a
23 ridden animal shall be deemed a vehicle, except those
24 provisions of this title, which by their very nature can have
25 no application."

26 Section 2. Section 32-5A-267 is added to the Code of
27 Alabama 1975, to read as follows:

1 §32-5A-267.

2 (a) Except as otherwise provided in this title, an
3 electric bicycle or an operator of an electric bicycle shall
4 be afforded all the rights and privileges, and be subject to
5 all of the duties, of a bicycle or the operator of a bicycle.
6 An electric bicycle shall be deemed a vehicle to the same
7 extent as a bicycle.

8 (b) An electric bicycle or person operating an
9 electric bicycle is not subject to the requirements of this
10 title relating to driver's licenses, registration,
11 certificates or title, off-road vehicles, all-terrain
12 vehicles, motor vehicle dealers, license tags or plates,
13 financial responsibility, or motor vehicle insurance.

14 (c) On and after January 1, 2021, manufacturers and
15 distributors of electric bicycles shall apply a label that is
16 permanently affixed in a prominent location to each electric
17 bicycle. The label shall contain the classification number,
18 top assisted speed, and motor wattage of the electric bicycle.
19 ~~The label shall be printed in Arial typeface in at least~~
20 ~~9-point font.~~

21 The label shall be printed in a typeface and font
22 legible to the operator.

23 (d) A person may not tamper with or modify an
24 electric bicycle so as to change the motor-powered speed
25 capability or engagement of an electric bicycle unless the
26 label indicating the classification required under subsection
27 (c) is replaced after modification.

1 (e) An electric bicycle shall comply with the
2 equipment and manufacturing requirements for bicycles adopted
3 by the United States Consumer Product Safety Commission under
4 16 C.F.R. Part 1512.

5 (f) An electric bicycle shall be manufactured so
6 that the electric motor is disengaged or otherwise ceases to
7 propel the electric bicycle when the rider stops pedaling or
8 when the brakes are applied.

9 (g) An electric bicycle may be ridden in places
10 where bicycles are allowed, including, but not limited to,
11 streets, roadways, highways, shoulders, bicycle lanes, and
12 bicycle or multi-use paths.

13 (h) (1) Following notice and a public hearing, a
14 county, municipality, or other political subdivision of the
15 state that has jurisdiction over a bicycle or multi-use path
16 may do both of the following:

17 a. Prohibit the operation of Class 1 or Class 2
18 electric bicycles on bicycle or multi-use paths if the entity
19 finds that the prohibition is needed for safety reasons or
20 compliance with other laws or legal obligations.

21 b. Prohibit the operation of Class 3 electric
22 bicycles on bicycle or multi-use paths.

23 (2) This subsection does not apply to a trail that
24 is specifically designated as non-motorized and that has a
25 natural surface tread that is made by clearing and grading the
26 native soil with no added surface materials.

1 (i) A person under the age of 16 years may not
2 operate a Class 3 electric bicycle. A person under the age of
3 16 years may ride as a passenger on a Class 3 electric bicycle
4 if the bicycle is designed to accommodate passengers.

5 (j) All operators and passengers of Class 3 electric
6 bicycles shall wear a properly fitted and fastened protective
7 bicycle helmet that meets the standards provided by either the
8 United States Consumer Product Safety Commission or the
9 American Society for Testing and Materials, or standards
10 subsequently established by those entities. A violation of
11 this subsection is not admissible as evidence of negligence or
12 negligence per se in any action.

13 (k) All Class 3 electric bicycles shall be equipped
14 with a speedometer that displays the speed the bicycle is
15 traveling in miles per hour.

16 Section 3. Sections 32-12-20 and 32-12A-1, Code of
17 Alabama 1975, as last amended by Act 2019-104, 2019 Regular
18 Session, are amended to read as follows:

19 "§32-12-20.

20 "It is unlawful for any person to do any act
21 forbidden or to fail to perform any act required by this
22 chapter. The parent of any child and the guardian of any ward
23 shall not authorize or knowingly permit any such child or ward
24 to violate any of the provisions of this chapter. As used
25 herein, the term motor-driven cycle shall include every
26 motorcycle weighing when fully equipped less than 200 pounds

1 and every bicycle with motor attached, excluding an electric
2 bicycle, and every motor scooter.

3 "§32-12A-1.

4 "For purposes of this chapter, the following terms
5 shall have the following meanings:

6 "(1) ALL-TERRAIN VEHICLES (ATV). Every motor vehicle
7 60 inches or less in width, having a dry weight of 1,500
8 pounds or less, designed to travel on three or more
9 non-highway tires, and manufactured for off-road use by a
10 single operator or by an operator and not more than one
11 passenger as provided by the manufacturer.

12 "(2) OFF-ROAD VEHICLE. Any motorized vehicle not
13 designed for use on a highway and capable of cross-country
14 travel on land, snow, ice, marsh, swampland, or other natural
15 terrain. The term includes any all-terrain vehicle and
16 recreational off-highway vehicle. The term excludes any
17 electric bicycle; any golf cart; any vehicle used for
18 military, fire, emergency, or law enforcement purposes; any
19 motorboat; any vehicles used exclusively on airport property;
20 all farm machinery, farm tractors, and other self-propelled
21 equipment for harvesting and transportation of forest
22 products, for clearing land for planting, for utility services
23 and maintenance, or for earth moving, construction, or mining;
24 and self-propelled lawnmowers, snowblowers, and garden or lawn
25 tractors while such vehicles are being used exclusively for
26 their designed purposes. The term does not include any motor

1 vehicle for which a certificate of title is required by
2 Chapter 8.

3 "(3) RECREATIONAL OFF-HIGHWAY VEHICLE. Any off-road
4 vehicle 80 inches or less in width, having a dry weight of
5 2,500 pounds or less, designed and manufactured to travel on
6 four or more non-highway tires for off-road use by an operator
7 and the number of passengers as provided by the manufacturer.

8 "(4) SECRETARY. The Secretary of the Alabama State
9 Law Enforcement Agency."

10 Section 4. This act shall become effective on the
11 first day of the third month following its passage and
12 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Public Safety
and Homeland Security..... 18-FEB-20

Read for the second time and placed
on the calendar 2 amendments 05-MAR-20

Read for the third time and passed
as amended..... 10-MAR-20

Yeas 103, Nays 1, Abstains 0

Jeff Woodard
Clerk