

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

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8 SYNOPSIS: This bill would provide for the operation of
9 electric bicycles in the state.

10
11 A BILL
12 TO BE ENTITLED
13 AN ACT

14
15 Relating to vehicles; to amend Section 32-1-1.1,
16 Code of Alabama 1975, as last amended by Act 2019-437, 2019
17 Regular Session, to provide for the definition of electric
18 bicycle and the classifications of the electric bicycle; to
19 add Section 32-5A-267 to the Code of Alabama 1975, to provide
20 for the operation and regulation of electric bicycles; and to
21 amend Sections 32-12-20 and 32-12A-1, as last amended by Act
22 2019-104, 2019 Regular Session, Code of Alabama 1975, to
23 exclude electric bicycles from the definitions of motorcycles
24 and off-road vehicles.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 32-1-1.1, Code of Alabama 1975,
2 as last amended by Act 2019-437, 2019 Regular Session, is
3 amended to read as follows:

4 "§32-1-1.1.

5 "The following words and phrases when used in this
6 title, for the purpose of this title, shall have meanings
7 respectively ascribed to them in this section, except when the
8 context otherwise requires:

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

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

18 "(3) AUTHORIZED EMERGENCY VEHICLE. Such fire
19 department vehicles, police vehicles, and ambulances as are
20 publicly owned, and such other publicly or privately owned
21 vehicles as are designated by the Secretary of the Alabama
22 State Law Enforcement Agency or the chief of police of an
23 incorporated city.

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

1 "(5) BUS. Every motor vehicle designed for carrying
2 more than 10 passengers and used for the transportation of
3 persons; and every motor vehicle other than a taxicab,
4 designed and used for the transportation of persons for
5 compensation.

6 "(6) BUSINESS DISTRICT. The territory contiguous to
7 and including a highway when within any 600 feet along such
8 highway there are buildings in use for business or industrial
9 purposes, including, but not limited to, hotels, banks or
10 office buildings, railroad stations, and public buildings
11 which occupy at least 300 feet of frontage on one side or 300
12 feet collectively on both sides of the highway.

13 "(7) CANCELLATION OF DRIVER'S LICENSE. The annulment
14 or termination by formal action of the Secretary of the
15 Alabama State Law Enforcement Agency of a person's driver's
16 license because of some error or defect in the license or
17 because the licensee is no longer entitled to such license,
18 but the cancellation of a license is without prejudice and
19 application for a new license may be made at any time after
20 such cancellation.

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

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

1 "a. That part of a roadway at an intersection
2 included within the connections of the lateral lines of the
3 sidewalks on opposite sides of the highway measured from the
4 curbs or, in the absence of curbs, from the edges of the
5 traversable roadway.

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

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

14 "(11) DEPARTMENT. The Alabama State Law Enforcement
15 Agency acting directly or through its duly authorized officers
16 and agents.

17 "(12) DIRECTOR. The Secretary of the Alabama State
18 Law Enforcement Agency.

19 "(13) DRIVEAWAY-TOWAWAY OPERATION. Any operation in
20 which any motor vehicle, trailer, or semitrailer, singly or in
21 combination, new or used, constitutes the commodity being
22 transported, when one set or more of wheels of any such
23 vehicle are on the roadway during the course of
24 transportation, whether or not any such vehicle furnishes the
25 motive power.

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

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

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

7 "a. Class 1 electric bicycle means an electric
8 bicycle equipped with a motor that provides assistance only
9 when the rider is pedaling and that ceases to provide
10 assistance when the bicycle reaches the speed of 20 miles per
11 hour.

12 "b. Class 2 electric bicycle means an electric
13 bicycle equipped with a motor that may be used exclusively to
14 propel the bicycle and that is not capable of providing
15 assistance when the bicycle reaches the speed of 20 miles per
16 hour.

17 "c. Class 3 electric bicycle means an electric
18 bicycle equipped with a motor that provides assistance only
19 when the rider is pedaling and that ceases to provide
20 assistance when the bicycle reaches the speed of 28 miles per
21 hour.

22 "~~(16)~~ (17) ELECTRIC PERSONAL ASSISTIVE MOBILITY
23 DEVICE. A self-balancing, two non-tandem wheeled device
24 designed to transport only one person with an electric
25 propulsion system with an average power of 750 watts (1 h.p.),
26 that has a maximum speed on a paved level surface, when
27 powered solely by such a propulsion system while ridden by an

1 operator who weighs not more than 170 pounds, of less than 20
2 m.p.h. The term shall not include a motorized bicycle,
3 motorized scooter, or motorized skateboard.

4 "~~(17)~~(18) ESSENTIAL PARTS. All integral and body
5 parts of a vehicle of a type required to be registered
6 hereunder, the removal, alteration, or substitution of which
7 would tend to conceal the identity of the vehicle or
8 substantially alter its appearance, model, type, or mode of
9 operation.

10 "~~(18)~~(19) ESTABLISHED PLACE OF BUSINESS. The place
11 actually occupied either continuously or at regular periods by
12 a dealer or manufacturer where his or her books and records
13 are kept and a large share of his or her business is
14 transacted.

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

25 "~~(20)~~(21) FARM TRACTOR. Every motor vehicle designed
26 and used primarily as a farm implement, for drawing plows,
27 mowing machines, and other implements of husbandry.

1 "~~(21)~~ (22) FLAMMABLE LIQUID. Any liquid which has a
2 flash point of 70 F. or less, as determined by a fagliabue or
3 equivalent closed-cup test device.

4 "~~(22)~~ (23) FOREIGN VEHICLE. Every vehicle of a type
5 required to be registered hereunder brought into this state
6 from another state, territory, or country other than in the
7 ordinary course of business by or through a manufacturer or
8 dealer and not registered in this state.

9 "~~(23)~~ (24) GROSS WEIGHT. The weight of a vehicle
10 without load plus the weight of any load thereon.

11 "~~(24)~~ (25) HIGHWAY. The entire width between the
12 boundary lines of every way publicly maintained when any part
13 thereof is open to the use of the public for purposes of
14 vehicular travel.

15 "~~(25)~~ (26) HOUSE TRAILER. Either of the following:

16 "a. A trailer or semitrailer that is designed,
17 constructed, and equipped as a dwelling place, living abode,
18 or sleeping place, either permanently or temporarily, and is
19 equipped for use as a conveyance on streets and highways.

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

1 "~~(26)~~ (27) IMPLEMENT OF HUSBANDRY. Every vehicle
2 designed and adapted exclusively for agricultural,
3 horticultural, or livestock raising operations or for lifting
4 or carrying an implement of husbandry and in either case not
5 subject to registration if used upon the highways.

6 "~~(27)~~ (28) INTERSECTION. Any of the following:

7 "a. The area embraced within the prolongation or
8 connection of the lateral curb lines, or, if none, then the
9 lateral boundary lines of the roadways of two highways which
10 join one another at, or approximately at, right angles, or the
11 area within which vehicles traveling upon different highways
12 joining at any other angle may come in conflict.

13 "b. Where a highway includes two roadways 30 feet or
14 more apart, then every crossing of each roadway of such
15 divided highway by an intersecting highway shall be regarded
16 as a separate intersection. In the event such intersecting
17 highway also includes two roadways 30 feet or more apart, then
18 every crossing of two roadways of such highways shall be
19 regarded as a separate intersection.

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

22 "~~(28)~~ (29) LANED ROADWAY. A roadway which is divided
23 into two or more clearly marked lanes for vehicular traffic.

24 "~~(29)~~ (30) LICENSE or LICENSE TO OPERATE A MOTOR
25 VEHICLE. Any driver's license or any other license or permit
26 to operate a motor vehicle issued by the director under the

1 laws of this state, including any nonresident's operating
2 privilege as defined herein.

3 "~~(30)~~ (31) LOCAL AUTHORITIES. Either of the
4 following:

5 "a. Every county commission.

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

9 "~~(31)~~ (32) MAIL. To deposit in the United States mail
10 properly addressed and with postage prepaid.

11 "~~(32)~~ (33) METAL TIRE. Every tire the surface of
12 which in contact with the highway is wholly or partly of metal
13 or other hard, nonresilient material.

14 "~~(33)~~ (34) MOTOR VEHICLE. Every vehicle which is
15 self-propelled and every vehicle which is propelled by
16 electric power obtained from overhead trolley wires, but not
17 operated upon rails, except for electric personal assistive
18 mobility devices and electric bicycles.

19 "~~(34)~~ (35) MOTORCYCLE. Every motor vehicle having a
20 seat or saddle for the use of the rider and designed to travel
21 on not more than three wheels in contact with the ground, but
22 excluding a tractor and an electric bicycle.

23 "~~(35)~~ (36) MOTOR-DRIVEN CYCLE. Every motorcycle,
24 including every motor scooter, with a motor that produces not
25 more than five brake horsepower nor exceeds 150 cubic
26 centimeter engine displacement, and weighs less than 200

1 pounds fully equipped, and every bicycle with a motor
2 attached. The term does not include electric bicycles.

3 "~~(36)~~ (37) NONRESIDENT. Every person who is not a
4 resident of this state.

5 "~~(37)~~ (38) NONRESIDENT'S OPERATING PRIVILEGE. The
6 privilege conferred upon a nonresident by the laws of this
7 state pertaining to the operation by such person of a motor
8 vehicle, or the use of a vehicle owned by such person, in this
9 state.

10 "~~(38)~~ (39) OFFICIAL TRAFFIC-CONTROL DEVICES. All
11 signs, signals, markings, and devices not inconsistent with
12 this title placed or erected by authority of a public body or
13 official having jurisdiction, for the purpose of regulating,
14 warning, or guiding traffic.

15 "~~(39)~~ (40) OWNER. A person, other than a lienholder,
16 having the property in or title to a vehicle. The term
17 includes a person entitled to the use and possession of a
18 vehicle subject to a security interest in another person, but
19 excludes a lessee under a lease not intended as security.

20 "~~(40)~~ (41) PARK or PARKING. The standing of a
21 vehicle, whether occupied or not. The term does not include a
22 vehicle that is stopped temporarily for the purpose of and
23 actually engaged in loading or unloading merchandise or
24 passengers.

25 "~~(41)~~ (42) PASSENGER CAR. Every motor vehicle, except
26 motorcycles and motor-driven cycles, designed for carrying 10
27 passengers or less and used for the transportation of persons.

1 "~~(42)~~(43) PEDESTRIAN. Any person afoot.

2 "~~(43)~~(44) PERSON. Every natural person, firm,
3 copartnership, association, or corporation.

4 "~~(44)~~(45) PNEUMATIC TIRE. Every tire in which
5 compressed air is designed to support the load.

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

14 "~~(46)~~(47) POLICE OFFICER. Every officer authorized
15 to direct or regulate traffic or to make arrests for
16 violations of traffic regulations.

17 "~~(47)~~(48) PRIVATE ROAD or DRIVEWAY. Every way or
18 place in private ownership and used for vehicular travel by
19 the owner and those having express or implied permission from
20 the owner, but not by other persons.

21 "~~(48)~~(49) RAILROAD. A carrier of persons or property
22 upon cars other than street cars, operated upon stationary
23 rails.

24 "~~(49)~~(50) RAILROAD SIGN or SIGNAL. Any sign, signal,
25 or device erected by authority of a public body or official or
26 by a railroad and intended to give notice of the presence of
27 railroad tracks or the approach of a railroad train.

1 "~~(50)~~ (51) RAILROAD TRAIN. A steam engine, electric
2 or other motor, with or without cars coupled thereto, operated
3 upon rails.

4 "~~(51)~~ (52) RECONSTRUCTED VEHICLE. Every vehicle of a
5 type required to be registered hereunder materially altered
6 from its original construction by the removal, addition, or
7 substitution of essential parts, new or used.

8 "~~(52)~~ (53) REGISTRATION. The registration certificate
9 or certificates and registration plates issued under the laws
10 of this state pertaining to the registration of vehicles.

11 "~~(53)~~ (54) RESIDENCE DISTRICT. The territory
12 contiguous to and including a highway not comprising a
13 business district when the property on such highway for a
14 distance of 300 feet or more is in the main improved with
15 residences or residences and buildings in use for business.

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

24 "~~(55)~~ (56) RIGHT-OF-WAY. The right of one vehicle or
25 pedestrian to proceed in a lawful manner in preference to
26 another vehicle or pedestrian approaching under such
27 circumstances of direction, speed, and proximity as to give

1 rise to danger of collision unless one grants precedence to
2 the other.

3 "~~(56)~~ (57) ROAD TRACTOR. Every motor vehicle designed
4 and used for drawing other vehicles and not so constructed as
5 to carry any load thereon either independently or any part of
6 the weight of a vehicle or load so drawn.

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

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

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

24 "~~(60)~~ (61) SCOOTER. A device weighing less than 100
25 pounds that satisfies all of the following:

26 "a. Has handlebars and an electric motor.

1 "b. Is solely powered by the electric motor or human
2 power.

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

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

8 "~~(61)~~ (62) SECURITY AGREEMENT. A written agreement
9 which reserves or creates a security interest.

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

17 "~~(63)~~ (64) SEMITRAILER. 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 some part of its weight and that of its
21 load rests upon or is carried by another vehicle.

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

1 "~~(65)~~ (66) SHARED MICROMOBILITY DEVICE SYSTEM. A
2 system that provides shared micromobility devices to users for
3 short-term rentals, whether or not the system requires docking
4 stations or other similar fixed infrastructure to receive or
5 return the shared micromobility device.

6 "~~(66)~~ (67) SIDEWALK. That portion of a street between
7 the curb lines, or the lateral lines of a roadway, and the
8 adjacent property lines, intended for use by pedestrians.

9 "~~(67)~~ (68) SOLID TIRE. Every tire of rubber or other
10 resilient material which does not depend upon compressed air
11 for the support of the load.

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

1 "~~(69)~~ (70) SPECIALLY CONSTRUCTED VEHICLE. Every
2 vehicle of a type required to be registered hereunder not
3 originally constructed under a distinctive name, make, model,
4 or type by a generally recognized manufacturer of vehicles and
5 not materially altered from its original construction.

6 "~~(70)~~ (71) STAND or STANDING. The halting of a
7 vehicle, whether occupied or not. The term does not include a
8 vehicle that is halted temporarily for the purpose of and
9 actually engaged in receiving or discharging passengers.

10 "~~(71)~~ (72) STATE. A state, territory, or possession
11 of the United States, the District of Columbia, the
12 Commonwealth of Puerto Rico, or a province of Canada.

13 "~~(72)~~ (73) STOP. When required, means complete
14 cessation from movement.

15 "~~(73)~~ (74) STOP or STOPPING. When prohibited, means
16 any halting, even momentarily, of a vehicle, whether occupied
17 or not, except when necessary to avoid conflict with other
18 traffic or in compliance with the directions of a police
19 officer or traffic-control sign or signal.

20 "~~(74)~~ (75) STREET. The entire width between boundary
21 lines of every way publicly maintained when any part thereof
22 is open to the use of the public for purposes of vehicular
23 travel.

24 "~~(75)~~ (76) SUSPENSION OF DRIVER'S LICENSE. The
25 temporary withdrawal by formal action of the Secretary of the
26 Alabama State Law Enforcement Agency of a person's license or
27 privilege to operate a motor vehicle on the public highways,

1 which temporary withdrawal shall be for a period specifically
2 designated by the secretary.

3 "~~(76)~~ (77) THROUGH HIGHWAY. Every highway or portion
4 thereof on which vehicular traffic is given preferential
5 right-of-way, and at the entrances to which vehicular traffic
6 from intersecting highways is required by law to yield the
7 right-of-way to vehicles on such through highway in obedience
8 to a stop sign, yield sign, or other official traffic-control
9 device, when such signs or devices are erected as provided in
10 this title.

11 "~~(77)~~ (78) TRACKLESS TROLLEY COACH. Every motor
12 vehicle which is propelled by electric power obtained from
13 overhead trolley wires but not operated upon rails.

14 "~~(78)~~ (79) TRAFFIC. Pedestrians, ridden or herded
15 animals, vehicles, streetcars, and other conveyances either
16 singly or together while using any highway for purposes of
17 travel.

18 "~~(79)~~ (80) TRAFFIC-CONTROL SIGNAL. Any device,
19 whether manually, electrically, or mechanically operated, by
20 which traffic is alternately directed to stop and permitted to
21 proceed.

22 "~~(80)~~ (81) TRAILER. Every vehicle with or without
23 motive power, other than a pole trailer, designed for carrying
24 persons or property and for being drawn by a motor vehicle and
25 so constructed that no part of its weight rests upon the
26 towing vehicle.

1 "~~(81)~~(82) TRANSPORTER. Every person engaged in the
2 business of delivering vehicles of a type required to be
3 registered hereunder from a manufacturing, assembling, or
4 distributing plant to dealers or sales agents of a
5 manufacturer.

6 "~~(82)~~(83) TRUCK. Every motor vehicle designed, used,
7 or maintained primarily for the transportation of property.

8 "~~(83)~~(84) TRUCK PLATOON. A group of individual
9 commercial trucks traveling in a unified manner at
10 electronically coordinated speeds at following distances that
11 are closer than would be reasonable and prudent without the
12 electronic coordination.

13 "~~(84)~~(85) TRUCK TRACTOR. Every motor vehicle
14 designed and used primarily for drawing other vehicles and not
15 so constructed as to carry a load other than a part of the
16 weight of the vehicle and load so drawn.

17 "~~(85)~~(86) URBAN DISTRICT. The territory contiguous
18 to and including any street which is built up with structures
19 devoted to business, industry, or dwelling houses situated at
20 intervals of less than 100 feet for a distance of a quarter of
21 a mile or more.

22 "~~(86)~~(87) VEHICLE. Every device in, upon, or by
23 which any person or property is or may be transported or drawn
24 upon a highway, excepting devices moved by human power or used
25 exclusively upon stationary rails or tracks or electric
26 personal assistive mobility devices; provided, that for the
27 purposes of this title, a bicycle, an electric bicycle, or a

1 ridden animal shall be deemed a vehicle, except those
2 provisions of this title, which by their very nature can have
3 no application."

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

6 §32-5A-267.

7 (a) Except as otherwise provided in this title, an
8 electric bicycle or an operator of an electric bicycle shall
9 be afforded all the rights and privileges, and be subject to
10 all of the duties, of a bicycle or the operator of a bicycle.
11 An electric bicycle shall be deemed a vehicle to the same
12 extent as a bicycle.

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

19 (c) On and after January 1, 2021, manufacturers and
20 distributors of electric bicycles shall apply a label that is
21 permanently affixed in a prominent location to each electric
22 bicycle. The label shall contain the classification number,
23 top assisted speed, and motor wattage of the electric bicycle.
24 The label shall be printed in Arial typeface in at least
25 9-point font.

26 (d) A person may not tamper with or modify an
27 electric bicycle so as to change the motor-powered speed

1 capability or engagement of an electric bicycle unless the
2 label indicating the classification required under subsection
3 (c) is replaced after modification.

4 (e) An electric bicycle shall comply with the
5 equipment and manufacturing requirements for bicycles adopted
6 by the United States Consumer Product Safety Commission under
7 16 C.F.R. Part 1512.

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

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

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

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

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

26 (2) This subsection does not apply to a trail that
27 is specifically designated as non-motorized and that has a

1 natural surface tread that is made by clearing and grading the
2 native soil with no added surface materials.

3 (i) A person under the age of 16 years may not
4 operate a Class 3 electric bicycle. A person under the age of
5 16 years may ride as a passenger on a Class 3 electric bicycle
6 if the bicycle is designed to accommodate passengers.

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

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

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

21 "§32-12-20.

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

1 motorcycle weighing when fully equipped less than 200 pounds
2 and every bicycle with motor attached, excluding an electric
3 bicycle, and every motor scooter.

4 "§32-12A-1.

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

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

13 "(2) OFF-ROAD VEHICLE. Any motorized vehicle not
14 designed for use on a highway and capable of cross-country
15 travel on land, snow, ice, marsh, swampland, or other natural
16 terrain. The term includes any all-terrain vehicle and
17 recreational off-highway vehicle. The term excludes any
18 electric bicycle; any golf cart; any vehicle used for
19 military, fire, emergency, or law enforcement purposes; any
20 motorboat; any vehicles used exclusively on airport property;
21 all farm machinery, farm tractors, and other self-propelled
22 equipment for harvesting and transportation of forest
23 products, for clearing land for planting, for utility services
24 and maintenance, or for earth moving, construction, or mining;
25 and self-propelled lawnmowers, snowblowers, and garden or lawn
26 tractors while such vehicles are being used exclusively for
27 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.