

1 HB99  
2 208947-1  
3 By Representative Gray  
4 RFD: Public Safety and Homeland Security  
5 First Read: 02-FEB-21  
6 PFD: 12/17/2020

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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~~ federal or  
14 state numbered route, controlled-access highway, or other  
15 major radial or circumferential street or highway designated  
16 by 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~~ individual may ride, having two tandem  
26 wheels 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,~~ individuals and every motor vehicle other than a  
4 taxicab, designed and used for the transportation of ~~persons~~  
5 individuals for compensation.

6           "(6) BUSINESS DISTRICT. The territory contiguous to  
7 and including a highway when within any 600 feet along ~~such~~  
8 the highway there are buildings in use for business or  
9 industrial purposes, including, but not limited to, hotels,  
10 banks, ~~or~~ office buildings, railroad stations, and public  
11 buildings which occupy at least 300 feet of frontage on one  
12 side or 300 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~~ an  
16 individual's driver's license because of some error or defect  
17 in the license or because the licensee is no longer entitled  
18 to ~~such~~ the license, but the cancellation of a license is  
19 without prejudice and application for a new license may be  
20 made at any time after 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~~ the 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~~ that purpose in this  
12 state 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~~ individual who drives or  
27 is in 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~~ individual with an  
25 electric propulsion system with an average power of 750 watts  
26 (1 h.p.), that has a maximum speed on a paved level surface,  
27 when powered solely by ~~such a~~ the propulsion system while

1 ridden by an operator who weighs not more than 170 pounds, of  
2 less than 20 m.p.h. The term shall not include a motorized  
3 bicycle, 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~~ under this title, the removal, alteration, or  
7 substitution of which would tend to conceal the identity of  
8 the vehicle or substantially alter its appearance, model,  
9 type, or mode of 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 that join one another at, or approximately at, right angles,  
11 or the area within which vehicles traveling upon different  
12 highways 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~~ the 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~~ that is  
23 divided into two or more clearly marked lanes for vehicular  
24 traffic.

25           "~~(29)~~ (30) LICENSE or LICENSE TO OPERATE A MOTOR  
26 VEHICLE. Any driver's license or any other license or permit  
27 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~~ that is  
15 self-propelled and every vehicle ~~which~~ that 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~~ individual who  
4 is not a 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~~ the  
8 nonresident of a motor vehicle, or the use of a vehicle owned  
9 by ~~such person~~ the nonresident, in this 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

1 passengers or less and used for the transportation of ~~persons~~  
2 individuals.

3 "~~(42)~~(43) PEDESTRIAN. Any ~~person~~ individual afoot.

4 "~~(43)~~(44) PERSON. Every ~~natural person~~ individual,  
5 firm, copartnership, association, or corporation.

6 "~~(44)~~(45) PNEUMATIC TIRE. Every tire in which  
7 compressed air is designed to support the load.

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

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

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

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

26 "~~(49)~~(50) RAILROAD SIGN or SIGNAL. Any sign, signal,  
27 or device erected by authority of a public body or official or

1 by a railroad and intended to give notice of the presence of  
2 railroad tracks or the approach of a railroad train.

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

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

11 "~~(52)~~ (53) REGISTRATION. The registration certificate  
12 or certificates and registration plates issued under the laws  
13 of this state pertaining to the registration of vehicles.

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

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

1           "~~(55)~~ (56) RIGHT-OF-WAY. The right of one vehicle or  
2 pedestrian to proceed in a lawful manner in preference to  
3 another vehicle or pedestrian approaching under such  
4 circumstances of direction, speed, and proximity as to give  
5 rise to danger of collision unless one grants precedence to  
6 the other.

7           "~~(56)~~ (57) ROAD TRACTOR. Every motor vehicle designed  
8 and used for drawing other vehicles and not so constructed as  
9 to carry any load thereon either independently or any part of  
10 the weight of a vehicle or load so drawn.

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

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

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

1           "~~(60)~~ (61) SCOOTER. A device weighing less than 100  
2 pounds that satisfies all of the following:

3           "a. Has handlebars and an electric motor.

4           "b. Is solely powered by the electric motor or human  
5 power.

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

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

11           "~~(61)~~ (62) SECURITY AGREEMENT. A written agreement  
12 ~~which~~ that reserves or creates a security interest.

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

20           "~~(63)~~ (64) SEMITRAILER. Every vehicle with or without  
21 motive power, other than a pole trailer, designed for carrying  
22 ~~persons~~ individuals or property and for being drawn by a motor  
23 vehicle and so constructed that some part of its weight and  
24 that of its load rests upon or is carried by another vehicle.

25           "~~(64)~~ (65) SHARED MICROMOBILITY DEVICE. A type of  
26 transportation device that includes a bicycle, electric  
27 bicycle, tricycle, scooter, hoverboard, skateboard, pedal car,

1 or similar device, except a device used as an electrical  
2 personal assistive mobility device by ~~a person~~ an individual  
3 with disabilities, used in a shared micromobility device  
4 system.

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

10 "~~(66)~~ (67) SIDEWALK. That portion of a street between  
11 the curb lines, or the lateral lines of a roadway, and the  
12 adjacent property lines, intended for use by pedestrians.

13 "~~(67)~~ (68) SOLID TIRE. Every tire of rubber or other  
14 resilient material which does not depend upon compressed air  
15 for the support of the load.

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



1 mounted transit mixers, cranes or shovels, or other vehicles  
2 designed for the transportation of ~~persons~~ individuals or  
3 property to which machinery has been attached.

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

10 "~~(70)~~ (71) STAND or STANDING. The halting of a  
11 vehicle, whether occupied or not. The term does not include a  
12 vehicle that is halted temporarily for the purpose of and  
13 actually engaged in receiving or discharging passengers.

14 "~~(71)~~ (72) STATE. A state, territory, or possession  
15 of the United States, the District of Columbia, the  
16 Commonwealth of Puerto Rico, or a province of Canada.

17 "~~(72)~~ (73) STOP. When required, means complete  
18 cessation from movement.

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

24 "~~(74)~~ (75) STREET. The entire width between boundary  
25 lines of every way publicly maintained when any part thereof  
26 is open to the use of the public for purposes of vehicular  
27 travel.

1           "~~(75)~~ (76) SUSPENSION OF DRIVER'S LICENSE. The  
2 temporary withdrawal by formal action of the Secretary of the  
3 Alabama State Law Enforcement Agency of ~~a person's~~ an  
4 individual's license or privilege to operate a motor vehicle  
5 on the public highways, which temporary withdrawal shall be  
6 for a period specifically designated by the secretary.

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

15           "~~(77)~~ (78) TRACKLESS TROLLEY COACH. Every motor  
16 vehicle which is propelled by electric power obtained from  
17 overhead trolley wires but not operated upon rails.

18           "~~(78)~~ (79) TRAFFIC. Pedestrians, ridden or herded  
19 animals, vehicles, streetcars, and other conveyances, either  
20 singly or together, while using any highway for purposes of  
21 travel.

22           "~~(79)~~ (80) TRAFFIC-CONTROL SIGNAL. Any device,  
23 whether manually, electrically, or mechanically operated, by  
24 which traffic is alternately directed to stop and permitted to  
25 proceed.

26           "~~(80)~~ (81) TRAILER. Every vehicle with or without  
27 motive power, other than a pole trailer, designed for carrying

1 ~~persons~~ individuals or property and for being drawn by a motor  
2 vehicle and so constructed that no part of its weight rests  
3 upon the towing vehicle.

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

9 "~~(82)~~ (83) TRUCK. Every motor vehicle designed, used,  
10 or maintained primarily for the transportation of property.

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

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

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

25 "~~(86)~~ (87) VEHICLE. Every device in, upon, or by  
26 which any ~~person~~ individual or property is or may be  
27 transported or drawn upon a highway, excepting devices moved

1 by human power or used exclusively upon stationary rails or  
2 tracks or electric personal assistive mobility devices;  
3 provided, that for the purposes of this title, a bicycle, an  
4 electric bicycle, or a ridden animal shall be deemed a  
5 vehicle, except those provisions of this title, which by their  
6 very nature can have no application."

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

9 §32-5A-267.

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

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

22 (c) On and after January 1, 2022, manufacturers and  
23 distributors of electric bicycles shall apply a label that is  
24 permanently affixed in a prominent location to each electric  
25 bicycle. The label shall contain the classification number,  
26 top assisted speed, and motor wattage of the electric bicycle.

1 The label shall be printed in a typeface and font legible to  
2 the operator.

3 (d) A person may not tamper with or modify an  
4 electric bicycle so as to change the motor-powered speed  
5 capability or engagement of an electric bicycle unless the  
6 label indicating the classification required under subsection  
7 (c) is replaced after modification.

8 (e) An electric bicycle shall comply with the  
9 equipment and manufacturing requirements for bicycles adopted  
10 by the United States Consumer Product Safety Commission under  
11 16 C.F.R. Part 1512.

12 (f) An electric bicycle shall be manufactured so  
13 that the electric motor is disengaged or otherwise ceases to  
14 propel the electric bicycle when the rider stops pedaling or  
15 when the brakes are applied.

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

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

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

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

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

7           (i) An individual under the age of 16 years may not  
8 operate a Class 3 electric bicycle. An individual under the  
9 age of 16 years may ride as a passenger on a Class 3 electric  
10 bicycle if the bicycle is designed to accommodate passengers.

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

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

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

25           "§32-12-20.

26           "It is unlawful for any person to do any act  
27 forbidden or to fail to perform any act required by this

1 chapter. The parent of any child and the guardian of any ward  
2 shall not authorize or knowingly permit any such child or ward  
3 to violate any of the provisions of this chapter. As used  
4 herein, the term motor-driven cycle shall include every  
5 motorcycle weighing when fully equipped less than 200 pounds  
6 and every bicycle with motor attached, excluding an electric  
7 bicycle, and every motor scooter.

8 "§32-12A-1.

9 "For purposes of this chapter, the following terms  
10 shall have the following meanings:

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

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

1 and maintenance, or for earth moving, construction, or mining;  
2 and self-propelled lawnmowers, snowblowers, and garden or lawn  
3 tractors while such vehicles are being used exclusively for  
4 their designed purposes. The term does not include any motor  
5 vehicle for which a certificate of title is required by  
6 Chapter 8.

7 "(3) RECREATIONAL OFF-HIGHWAY VEHICLE. Any off-road  
8 vehicle 80 inches or less in width, having a dry weight of  
9 2,500 pounds or less, designed and manufactured to travel on  
10 four or more non-highway tires for off-road use by an operator  
11 and the number of passengers as provided by the manufacturer.

12 "(4) SECRETARY. The Secretary of the Alabama State  
13 Law Enforcement Agency."

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