

Representative Jeffrey D. Stenquist proposes the following substitute bill:

ELECTRIC BIKE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeffrey D. Stenquist

Senate Sponsor: Ronald M. Winterton

LONG TITLE

General Description:

This bill amends the definition of an electric assisted bicycle.

Highlighted Provisions:

This bill:

▶ amends the definition of an electric assisted bicycle:

• to add a requirement that the cranks be installed at the time of original
manufacture; and

• to exclude certain other types of cycles from the definition;

▶ requires a seller or manufacturer of an electric assisted motor bicycle, as well as
other devices that are similar to but do not meet the definition of an electric assisted
bicycle, to ensure that the device has a label indicating what type of device is being
sold or manufactured; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



26 AMENDS:

27 [41-6a-102](#), as last amended by Laws of Utah 2023, Chapters 219, 532

28 [41-6a-1115.5](#), as last amended by Laws of Utah 2022, Chapter 86

29

30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **41-6a-102** is amended to read:

32 **41-6a-102. Definitions.**

33 As used in this chapter:

34 (1) "Alley" means a street or highway intended to provide access to the rear or side of
35 lots or buildings in urban districts and not intended for through vehicular traffic.

36 (2) "All-terrain type I vehicle" means the same as that term is defined in Section
37 [41-22-2](#).

38 (3) "Authorized emergency vehicle" includes:

39 (a) fire department vehicles;

40 (b) police vehicles;

41 (c) ambulances; and

42 (d) other publicly or privately owned vehicles as designated by the commissioner of the
43 Department of Public Safety.

44 (4) "Autocycle" means the same as that term is defined in Section [53-3-102](#).

45 (5) (a) "Bicycle" means a wheeled vehicle:

46 (i) propelled by human power by feet or hands acting upon pedals or cranks;

47 (ii) with a seat or saddle designed for the use of the operator;

48 (iii) designed to be operated on the ground; and

49 (iv) whose wheels are not less than 14 inches in diameter.

50 (b) "Bicycle" includes an electric assisted bicycle.

51 (c) "Bicycle" does not include scooters and similar devices.

52 (6) (a) "Bus" means a motor vehicle:

53 (i) designed for carrying more than 15 passengers and used for the transportation of
54 persons; or

55 (ii) designed and used for the transportation of persons for compensation.

56 (b) "Bus" does not include a taxicab.

57 (7) (a) "Circular intersection" means an intersection that has an island, generally
58 circular in design, located in the center of the intersection where traffic passes to the right of
59 the island.

60 (b) "Circular intersection" includes:

61 (i) roundabouts;

62 (ii) rotaries; and

63 (iii) traffic circles.

64 (8) "Class 1 electric assisted bicycle" means an electric assisted bicycle [~~described in~~
65 ~~Subsection (18)(d)(i):~~] equipped with a motor or electronics that:

66 (a) provides assistance only when the rider is pedaling; and

67 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per
68 hour.

69 (9) "Class 2 electric assisted bicycle" means an electric assisted bicycle [~~described in~~
70 ~~Subsection (18)(d)(ii):~~] equipped with a motor or electronics that:

71 (a) may be used exclusively to propel the bicycle; and

72 (b) is not capable of providing assistance when the bicycle reaches the speed of 20
73 miles per hour.

74 (10) "Class 3 electric assisted bicycle" means an electric assisted bicycle [~~described in~~
75 ~~Subsection (18)(d)(iii):~~] equipped with a motor or electronics that:

76 (a) provides assistance only when the rider is pedaling;

77 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per
78 hour; and

79 (c) is equipped with a speedometer.

80 (11) "Commissioner" means the commissioner of the Department of Public Safety.

81 (12) "Controlled-access highway" means a highway, street, or roadway:

82 (a) designed primarily for through traffic; and

83 (b) to or from which owners or occupants of abutting lands and other persons have no
84 legal right of access, except at points as determined by the highway authority having
85 jurisdiction over the highway, street, or roadway.

86 (13) "Crosswalk" means:

87 (a) that part of a roadway at an intersection included within the connections of the

88 lateral lines of the sidewalks on opposite sides of the highway measured from:

89 (i) (A) the curbs; or

90 (B) in the absence of curbs, from the edges of the traversable roadway; and

91 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway

92 included within the extension of the lateral lines of the existing sidewalk at right angles to the
93 centerline; or

94 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
95 pedestrian crossing by lines or other markings on the surface.

96 (14) "Department" means the Department of Public Safety.

97 (15) "Direct supervision" means oversight at a distance within which:

98 (a) visual contact is maintained; and

99 (b) advice and assistance can be given and received.

100 (16) "Divided highway" means a highway divided into two or more roadways by:

101 (a) an unpaved intervening space;

102 (b) a physical barrier; or

103 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

104 (17) "Echelon formation" means the operation of two or more snowplows arranged

105 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to clear snow
106 from two or more lanes at once.

107 (18) (a) "Electric assisted bicycle" means a bicycle with an electric motor that:

108 [~~(a)~~] (i) has a power output of not more than 750 watts;

109 ~~\hat{S} → [(b)] (ii) has fully operable pedals on permanently affixed cranks[;] that were installed~~
110 ~~at the time of original manufacture;~~

110a (ii) has fully operable pedals;

110b (iii) has permanently affixed cranks that were installed at the time of original
110c manufacture; ← \hat{S}

111 [~~(c)~~] ~~\hat{S} → [(iii)] (iv)~~ ← \hat{S} is fully operable as a bicycle without the use of the electric motor;

111a and

112 [~~(d)~~] ~~\hat{S} → [(iv)] (v)~~ ← \hat{S} is one of the following:

113 (A) a class 1 assisted bicycle;

114 (B) a class 2 assisted bicycle;

115 (C) a class 3 assisted bicycle; or

116 (D) a programmable electric assisted bicycle.

117 [~~(i) an electric assisted bicycle equipped with a motor or electronics that:]~~

118 [~~(A) provides assistance only when the rider is pedaling; and]~~

119 ~~[(B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per~~
120 ~~hour;]~~

121 ~~[(ii) an electric assisted bicycle equipped with a motor or electronics that:]~~

122 ~~[(A) may be used exclusively to propel the bicycle; and]~~

123 ~~[(B) is not capable of providing assistance when the bicycle reaches the speed of 20~~
124 ~~miles per hour; or]~~

125 ~~[(iii) an electric assisted bicycle equipped with a motor or electronics that:]~~

126 ~~[(A) provides assistance only when the rider is pedaling;]~~

127 ~~[(B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per~~
128 ~~hour; and]~~

129 ~~[(C) is equipped with a speedometer.]~~

130 (b) "Electric assisted bicycle" does not include:

131 (i) a moped;

132 (ii) a motor assisted scooter;

133 (iii) a motorcycle;

134 (iv) a motor-driven cycle; or

135 (v) any other vehicle with less than four wheels that is designed, manufactured,

136 intended, or advertised by the seller to have any of the following capabilities or features, or that
137 is modifiable or is modified to have any of the following capabilities or features:

138 (A) has the ability to attain the speed of 20 miles per hour or greater on motor power
139 alone;

140 (B) is equipped with a continuous rated motor power of 750 watts or greater;

141 (C) is equipped with foot pegs for the operator at the time of manufacture, or requires
142 installation of a pedal kit to have operable pedals; or

143 (D) if equipped with multiple operating modes and a throttle, has one or more modes
144 that exceed 20 miles per hour on motor power alone.

145 (19) (a) "Electric personal assistive mobility device" means a self-balancing device
146 with:

147 (i) two nontandem wheels in contact with the ground;

148 (ii) a system capable of steering and stopping the unit under typical operating

149 conditions;

- 150 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
- 151 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 152 (v) a deck design for a person to stand while operating the device.

153 (b) "Electric personal assistive mobility device" does not include a wheelchair.

154 (20) "Explosives" means a chemical compound or mechanical mixture commonly used
155 or intended for the purpose of producing an explosion and that contains any oxidizing and
156 combustive units or other ingredients in proportions, quantities, or packing so that an ignition
157 by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture
158 may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are
159 capable of producing destructive effects on contiguous objects or of causing death or serious
160 bodily injury.

161 (21) "Farm tractor" means a motor vehicle designed and used primarily as a farm
162 implement, for drawing plows, mowing machines, and other implements of husbandry.

163 (22) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
164 as determined by a Tagliabue or equivalent closed-cup test device.

165 (23) "Freeway" means a controlled-access highway that is part of the interstate system
166 as defined in Section [72-1-102](#).

167 (24) (a) "Golf cart" means a device that:

- 168 (i) is designed for transportation by players on a golf course;
- 169 (ii) has not less than three wheels in contact with the ground;
- 170 (iii) has an unladen weight of less than 1,800 pounds;
- 171 (iv) is designed to operate at low speeds; and
- 172 (v) is designed to carry not more than six persons including the driver.

173 (b) "Golf cart" does not include:

- 174 (i) a low-speed vehicle or an off-highway vehicle;
- 175 (ii) a motorized wheelchair;
- 176 (iii) an electric personal assistive mobility device;
- 177 (iv) an electric assisted bicycle;
- 178 (v) a motor assisted scooter;
- 179 (vi) a personal delivery device, as defined in Section [41-6a-1119](#); or
- 180 (vii) a mobile carrier, as defined in Section [41-6a-1120](#).

181 (25) "Gore area" means the area delineated by two solid white lines that is between a
182 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
183 including similar areas between merging or splitting highways.

184 (26) "Gross weight" means the weight of a vehicle without a load plus the weight of
185 any load on the vehicle.

186 (27) "Hi-rail vehicle" means a roadway maintenance vehicle that is:

187 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and

188 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
189 highway or railroad tracks.

190 (28) "Highway" means the entire width between property lines of every way or place of
191 any nature when any part of it is open to the use of the public as a matter of right for vehicular
192 travel.

193 (29) "Highway authority" means the same as that term is defined in Section [72-1-102](#).

194 (30) (a) "Intersection" means the area embraced within the prolongation or connection
195 of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two or
196 more highways that join one another.

197 (b) Where a highway includes two roadways 30 feet or more apart:

198 (i) every crossing of each roadway of the divided highway by an intersecting highway
199 is a separate intersection; and

200 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
201 every crossing of two roadways of the highways is a separate intersection.

202 (c) "Intersection" does not include the junction of an alley with a street or highway.

203 (31) "Island" means an area between traffic lanes or at an intersection for control of
204 vehicle movements or for pedestrian refuge designated by:

205 (a) pavement markings, which may include an area designated by two solid yellow
206 lines surrounding the perimeter of the area;

207 (b) channelizing devices;

208 (c) curbs;

209 (d) pavement edges; or

210 (e) other devices.

211 (32) "Lane filtering" means, when operating a motorcycle other than an autocycle, the

212 act of overtaking and passing another vehicle that is stopped in the same direction of travel in
213 the same lane.

214 (33) "Law enforcement agency" means the same as that term is as defined in Section
215 [53-1-102](#).

216 (34) "Limited access highway" means a highway:

217 (a) that is designated specifically for through traffic; and

218 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
219 persons have any right or easement, or have only a limited right or easement of access, light,
220 air, or view.

221 (35) "Local highway authority" means the legislative, executive, or governing body of
222 a county, municipal, or other local board or body having authority to enact laws relating to
223 traffic under the constitution and laws of the state.

224 (36) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

225 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

226 (ii) has a capacity of not more than six passengers, including a conventional driver or
227 fallback-ready user if on board the vehicle, as those terms are defined in Section [41-26-102.1](#).

228 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

229 (37) "Metal tire" means a tire, the surface of which in contact with the highway is
230 wholly or partly of metal or other hard nonresilient material.

231 (38) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or
232 saddle that is less than 24 inches from the ground as measured on a level surface with properly
233 inflated tires.

234 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

235 (c) "Mini-motorcycle" does not include a motorcycle that is:

236 (i) designed for off-highway use; and

237 (ii) registered as an off-highway vehicle under Section [41-22-3](#).

238 (39) "Mobile home" means:

239 (a) a trailer or semitrailer that is:

240 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
241 place either permanently or temporarily; and

242 (ii) equipped for use as a conveyance on streets and highways; or

243 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and
244 constructed for use as a mobile home, as defined in Subsection (39)(a), but that is instead used
245 permanently or temporarily for:

- 246 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 247 (ii) any other commercial purpose except the transportation of property for hire or the
248 transportation of property for distribution by a private carrier.

249 (40) "Mobility disability" means the inability of a person to use one or more of the
250 person's extremities or difficulty with motor skills, that may include limitations with walking,
251 grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other condition.

252 (41) (a) "Moped" means a motor-driven cycle having:

- 253 (i) pedals to permit propulsion by human power; and
- 254 (ii) a motor that:
 - 255 (A) produces not more than two brake horsepower; and
 - 256 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
257 level ground.

258 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
259 centimeters and the moped shall have a power drive system that functions directly or
260 automatically without clutching or shifting by the operator after the drive system is engaged.

261 (c) "Moped" does not include:

- 262 (i) an electric assisted bicycle; or
- 263 (ii) a motor assisted scooter.

264 (42) (a) "Motor assisted scooter" means a self-propelled device with:

- 265 (i) at least two wheels in contact with the ground;
- 266 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 267 (iii) an electric motor not exceeding 2,000 watts;
- 268 (iv) either:
 - 269 (A) handlebars and a deck design for a person to stand while operating the device; or
 - 270 (B) handlebars and a seat designed for a person to sit, straddle, or stand while operating

271 the device;

- 272 (v) a design for the ability to be propelled by human power alone; and
- 273 (vi) a maximum speed of 20 miles per hour on a paved level surface.

- 274 (b) "Motor assisted scooter" does not include:
- 275 (i) an electric assisted bicycle; or
- 276 (ii) a motor-driven cycle.
- 277 (43) (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
- 278 propelled by electric power obtained from overhead trolley wires, but not operated upon rails.
- 279 (b) "Motor vehicle" does not include:
- 280 (i) vehicles moved solely by human power;
- 281 (ii) motorized wheelchairs;
- 282 (iii) an electric personal assistive mobility device;
- 283 (iv) an electric assisted bicycle;
- 284 (v) a motor assisted scooter;
- 285 (vi) a personal delivery device, as defined in Section [41-6a-1119](#); or
- 286 (vii) a mobile carrier, as defined in Section [41-6a-1120](#).
- 287 (44) "Motorcycle" means:
- 288 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
- 289 and designed to travel with not more than three wheels in contact with the ground; or
- 290 (b) an auticycle.
- 291 (45) (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
- 292 having:
- 293 (i) an engine with less than 150 cubic centimeters displacement; or
- 294 (ii) a motor that produces not more than five horsepower.
- 295 (b) "Motor-driven cycle" does not include:
- 296 (i) an electric personal assistive mobility device;
- 297 (ii) a motor assisted scooter; or
- 298 (iii) an electric assisted bicycle.
- 299 (46) "Off-highway implement of husbandry" means the same as that term is defined
- 300 under Section [41-22-2](#).
- 301 (47) "Off-highway vehicle" means the same as that term is defined under Section
- 302 [41-22-2](#).
- 303 (48) "Operate" means the same as that term is defined in Section [41-1a-102](#).
- 304 (49) "Operator" means:

305 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or

306 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
307 vehicle.

308 (50) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or
309 other device operated, alone or coupled with another device, on stationary rails.

310 (51) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
311 occupied or not.

312 (b) "Park" or "parking" does not include:

313 (i) the standing of a vehicle temporarily for the purpose of and while actually engaged
314 in loading or unloading property or passengers; or

315 (ii) a motor vehicle with an engaged automated driving system that has achieved a
316 minimal risk condition, as those terms are defined in Section 41-26-102.1.

317 (52) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace
318 Officer Classifications, to direct or regulate traffic or to make arrests for violations of traffic
319 laws.

320 (53) "Pedestrian" means a person traveling:

321 (a) on foot; or

322 (b) in a wheelchair.

323 (54) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
324 pedestrians.

325 (55) "Person" means a natural person, firm, copartnership, association, corporation,
326 business trust, estate, trust, partnership, limited liability company, association, joint venture,
327 governmental agency, public corporation, or any other legal or commercial entity.

328 (56) "Pole trailer" means a vehicle without motive power:

329 (a) designed to be drawn by another vehicle and attached to the towing vehicle by
330 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

331 (b) that is ordinarily used for transporting long or irregular shaped loads including
332 poles, pipes, or structural members generally capable of sustaining themselves as beams
333 between the supporting connections.

334 (57) "Private road or driveway" means every way or place in private ownership and
335 used for vehicular travel by the owner and those having express or implied permission from the

336 owner, but not by other persons.

337 (58) "Programmable electric assisted bicycle" means an electric assisted bicycle with
338 capability to switch or be programmed to function as a class 1 assisted bicycle, class 2 assisted
339 bicycle, or class 3 assisted bicycle, provided that the electric assisted bicycle fully conforms
340 with the respective requirements of each class of electric assisted bicycle when operated in that
341 mode.

342 [~~(58)~~] (59) "Railroad" means a carrier of persons or property upon cars operated on
343 stationary rails.

344 [~~(59)~~] (60) "Railroad sign or signal" means a sign, signal, or device erected by
345 authority of a public body or official or by a railroad and intended to give notice of the presence
346 of railroad tracks or the approach of a railroad train.

347 [~~(60)~~] (61) "Railroad train" means a locomotive propelled by any form of energy,
348 coupled with or operated without cars, and operated upon rails.

349 [~~(61)~~] (62) "Restored-modified vehicle" means the same as the term defined in Section
350 41-1a-102.

351 [~~(62)~~] (63) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
352 lawful manner in preference to another vehicle or pedestrian approaching under circumstances
353 of direction, speed, and proximity that give rise to danger of collision unless one grants
354 precedence to the other.

355 [~~(63)~~] (64) (a) "Roadway" means that portion of highway improved, designed, or
356 ordinarily used for vehicular travel.

357 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
358 them are used by persons riding bicycles or other human-powered vehicles.

359 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if
360 a highway includes two or more separate roadways.

361 [~~(64)~~] (65) "Safety zone" means the area or space officially set apart within a roadway
362 for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
363 signs as to be plainly visible at all times while set apart as a safety zone.

364 [~~(65)~~] (66) (a) "School bus" means a motor vehicle that:

365 (i) complies with the color and identification requirements of the most recent edition of
366 "Minimum Standards for School Buses"; and

367 (ii) is used to transport school children to or from school or school activities.

368 (b) "School bus" does not include a vehicle operated by a common carrier in
369 transportation of school children to or from school or school activities.

370 [~~66~~] (67) (a) "Semitrailer" means a vehicle with or without motive power:

371 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
372 and

373 (ii) constructed so that some part of its weight and that of its load rests on or is carried
374 by another vehicle.

375 (b) "Semitrailer" does not include a pole trailer.

376 [~~67~~] (68) "Shoulder area" means:

377 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
378 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";
379 or

380 (b) that portion of the road contiguous to the roadway for accommodation of stopped
381 vehicles, for emergency use, and for lateral support.

382 [~~68~~] (69) "Sidewalk" means that portion of a street between the curb lines, or the
383 lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

384 [~~69~~] (70) (a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
385 that is designated for the use of a bicycle.

386 (b) "Soft-surface trail" does not mean a trail:

387 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
388 federal law, regulation, or rule; or

389 (ii) located in whole or in part on land granted to the state or a political subdivision
390 subject to a conservation easement that prohibits the use of a motorized vehicle.

391 [~~70~~] (71) "Solid rubber tire" means a tire of rubber or other resilient material that
392 does not depend on compressed air for the support of the load.

393 [~~71~~] (72) "Stand" or "standing" means the temporary halting of a vehicle, whether
394 occupied or not, for the purpose of and while actually engaged in receiving or discharging
395 passengers.

396 [~~72~~] (73) "Stop" when required means complete cessation from movement.

397 [~~73~~] (74) "Stop" or "stopping" when prohibited means any halting even momentarily

398 of a vehicle, whether occupied or not, except when:

399 (a) necessary to avoid conflict with other traffic; or

400 (b) in compliance with the directions of a peace officer or traffic-control device.

401 [~~(74)~~] (75) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain
402 type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet
403 the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with
404 Section 41-6a-1509.

405 [~~(75)~~] (76) "Tow truck operator" means the same as that term is defined in Section
406 72-9-102.

407 [~~(76)~~] (77) "Tow truck motor carrier" means the same as that term is defined in Section
408 72-9-102.

409 [~~(77)~~] (78) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
410 conveyances either singly or together while using any highway for the purpose of travel.

411 [~~(78)~~] (79) "Traffic signal preemption device" means an instrument or mechanism
412 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

413 [~~(79)~~] (80) "Traffic-control device" means a sign, signal, marking, or device not
414 inconsistent with this chapter placed or erected by a highway authority for the purpose of
415 regulating, warning, or guiding traffic.

416 [~~(80)~~] (81) "Traffic-control signal" means a device, whether manually, electrically, or
417 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

418 [~~(81)~~] (82) (a) "Trailer" means a vehicle with or without motive power designed for
419 carrying persons or property and for being drawn by a motor vehicle and constructed so that no
420 part of its weight rests upon the towing vehicle.

421 (b) "Trailer" does not include a pole trailer.

422 [~~(82)~~] (83) "Truck" means a motor vehicle designed, used, or maintained primarily for
423 the transportation of property.

424 [~~(83)~~] (84) "Truck tractor" means a motor vehicle:

425 (a) designed and used primarily for drawing other vehicles; and

426 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
427 tractor.

428 [~~(84)~~] (85) "Two-way left turn lane" means a lane:

- 429 (a) provided for vehicle operators making left turns in either direction;
- 430 (b) that is not used for passing, overtaking, or through travel; and
- 431 (c) that has been indicated by a lane traffic-control device that may include lane
- 432 markings.

433 [~~(85)~~] (86) "Urban district" means the territory contiguous to and including any street,
434 in which structures devoted to business, industry, or dwelling houses are situated at intervals of
435 less than 100 feet, for a distance of a quarter of a mile or more.

436 [~~(86)~~] (87) "Vehicle" means a device in, on, or by which a person or property is or may
437 be transported or drawn on a highway, except a mobile carrier, as defined in Section
438 [41-6a-1120](#), or a device used exclusively on stationary rails or tracks.

439 Section 2. Section [41-6a-1115.5](#) is amended to read:

440 **[41-6a-1115.5. Electric assisted bicycles -- Restrictions -- Penalties.](#)**

441 (1) Except as otherwise provided in this section, an electric assisted bicycle is subject
442 to the provisions under this chapter for a bicycle.

443 (2) An individual may operate an electric assisted bicycle on a path or trail designated
444 for the use of a bicycle.

445 (3) (a) A local authority or state agency may adopt an ordinance or rule to regulate or
446 restrict the use of an electric assisted bicycle, or a specific classification of an electric assisted
447 bicycle, on a sidewalk, path, or trail within the jurisdiction of the local authority or state
448 agency.

449 (b) When enacting ordinances or making rules related to the use of a pathway or
450 soft-surface trail, and during the planning or construction of a pathway or soft-surface trail, a
451 local authority or state agency shall consider accommodations and increased trail access by a
452 person with a mobility disability.

453 (4) An individual under 16 years old may not operate a class 3 electric assisted bicycle.

454 (5) An individual under 14 years old may not operate an electric assisted bicycle with
455 the electric motor engaged on any public property, highway, path, or sidewalk unless the
456 individual is under the direct supervision of the individual's parent or guardian.

457 (6) An individual under eight years old may not operate an electric assisted bicycle
458 with the electric motor engaged on any public property, highway, path, or sidewalk.

459 (7) The owner of an electric assisted bicycle may not authorize or knowingly permit an

460 individual to operate an electric assisted bicycle in violation of this section.

461 (8) (a) Beginning January 1, 2017, each Utah-based manufacturer of an electric assisted
462 bicycle and each distributor of an electric assisted bicycle in Utah shall permanently affix a
463 label in a prominent location on the electric assisted bicycle.

464 (b) Each manufacturer and each distributor shall ensure that the label is printed in Arial
465 font, in 9-point type or larger, and includes the:

466 (i) appropriate electric assisted bicycle classification number described in Section
467 [41-6a-102](#);

468 (ii) top assisted speed; and

469 (iii) wattage of the motor.

470 (c) A Utah-based manufacturer or seller shall ensure that a programmable electric
471 assisted bicycle is equipped with a conspicuous label indicating the class or classes of electric
472 assisted bicycle of which the programmable electric assisted bicycle is capable of operating.

473 (d) Beginning May 1, 2024, a seller of any new or used vehicle with less than four
474 wheels that is powered by an electric motor that is not an electric assisted bicycle shall clearly
475 and conspicuously provide the following disclosure to a prospective purchaser at the time of
476 sale and in any advertising materials, online website, or social media post promoting the
477 vehicle: "THIS VEHICLE IS NOT AN "ELECTRIC ASSISTED BICYCLE" AS DEFINED
478 BY UTAH MOTOR VEHICLE CODE AND IS INSTEAD A TYPE OF MOTOR VEHICLE
479 AND SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC
480 ROADS OR PUBLIC LANDS. YOUR INSURANCE POLICIES MAY NOT PROVIDE
481 COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO
482 DETERMINE IF COVERAGE IS PROVIDED YOU SHOULD CONTACT YOUR
483 INSURANCE COMPANY OR AGENT."

484 (e) For a disclosure described in Subsection (8)(d), the seller shall ensure that the
485 disclosure appears in bold, capital letters at least the same font size as the description of the
486 vehicle.

487 (f) A person's actions to knowingly advertise, offer for sale, or sell a vehicle that is not
488 an electric assisted bicycle as an electric bicycle, electric assisted bicycle, electric bike, or
489 e-bike without making the disclosure described in Subsection (8)(d) constitutes prima facie
490 evidence of a deceptive trade practice under Section [13-11a-3](#).

491 (9) An individual who violates this section is guilty of an infraction.

492 (10) A class 2 electric assisted bicycle is subject to the restrictions of Section

493 [41-6a-526](#).

494 Section 3. **Effective date.**

495 This bill takes effect on May 1, 2024.