

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:

AMENDS:

41-6a-102, as last amended by Laws of Utah 2023, Chapters 219, 532

41-6a-1115.5, as last amended by Laws of Utah 2022, Chapter 86

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

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

41-6a-102 . Definitions.

29 As used in this chapter:

- 30 (1) "Alley" means a street or highway intended to provide access to the rear or side of lots
31 or buildings in urban districts and not intended for through vehicular traffic.
- 32 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- 33 (3) "Authorized emergency vehicle" includes:
- 34 (a) fire department vehicles;
- 35 (b) police vehicles;
- 36 (c) ambulances; and
- 37 (d) other publicly or privately owned vehicles as designated by the commissioner of the
38 Department of Public Safety.
- 39 (4) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 40 (5) (a) "Bicycle" means a wheeled vehicle:
- 41 (i) propelled by human power by feet or hands acting upon pedals or cranks;
- 42 (ii) with a seat or saddle designed for the use of the operator;
- 43 (iii) designed to be operated on the ground; and
- 44 (iv) whose wheels are not less than 14 inches in diameter.
- 45 (b) "Bicycle" includes an electric assisted bicycle.
- 46 (c) "Bicycle" does not include scooters and similar devices.
- 47 (6) (a) "Bus" means a motor vehicle:
- 48 (i) designed for carrying more than 15 passengers and used for the transportation of
49 persons; or
- 50 (ii) designed and used for the transportation of persons for compensation.
- 51 (b) "Bus" does not include a taxicab.
- 52 (7) (a) "Circular intersection" means an intersection that has an island, generally circular
53 in design, located in the center of the intersection where traffic passes to the right of
54 the island.
- 55 (b) "Circular intersection" includes:
- 56 (i) roundabouts;
- 57 (ii) rotaries; and
- 58 (iii) traffic circles.
- 59 (8) "Class 1 electric assisted bicycle" means an electric assisted bicycle [~~described in~~
60 ~~Subsection (18)(d)(i).~~ equipped with a motor or electronics that:
- 61 (a) provides assistance only when the rider is pedaling; and
- 62 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

- 63 (9) "Class 2 electric assisted bicycle" means an electric assisted bicycle [~~described in~~
64 ~~Subsection (18)(d)(ii).~~] equipped with a motor or electronics that:
65 (a) may be used exclusively to propel the bicycle; and
66 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles
67 per hour.
- 68 (10) "Class 3 electric assisted bicycle" means an electric assisted bicycle [~~described in~~
69 ~~Subsection (18)(d)(iii).~~] equipped with a motor or electronics that:
70 (a) provides assistance only when the rider is pedaling;
71 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour;
72 and
73 (c) is equipped with a speedometer.
- 74 (11) "Commissioner" means the commissioner of the Department of Public Safety.
- 75 (12) "Controlled-access highway" means a highway, street, or roadway:
76 (a) designed primarily for through traffic; and
77 (b) to or from which owners or occupants of abutting lands and other persons have no
78 legal right of access, except at points as determined by the highway authority having
79 jurisdiction over the highway, street, or roadway.
- 80 (13) "Crosswalk" means:
81 (a) that part of a roadway at an intersection included within the connections of the lateral
82 lines of the sidewalks on opposite sides of the highway measured from:
83 (i) (A) the curbs; or
84 (B) in the absence of curbs, from the edges of the traversable roadway; and
85 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
86 included within the extension of the lateral lines of the existing sidewalk at right
87 angles to the centerline; or
88 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
89 pedestrian crossing by lines or other markings on the surface.
- 90 (14) "Department" means the Department of Public Safety.
- 91 (15) "Direct supervision" means oversight at a distance within which:
92 (a) visual contact is maintained; and
93 (b) advice and assistance can be given and received.
- 94 (16) "Divided highway" means a highway divided into two or more roadways by:
95 (a) an unpaved intervening space;
96 (b) a physical barrier; or

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

98 (17) "Echelon formation" means the operation of two or more snowplows arranged
 99 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
 100 clear snow from two or more lanes at once.

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

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

103 ~~[(b) has fully operable pedals on permanently affixed cranks; that were installed at
 104 the time of original manufacture;]~~

105 (ii) has fully operable pedals;

106 (iii) has permanently affixed cranks that were installed at the time of the original
 107 manufacture;

108 ~~[(e)]~~ (iv) is fully operable as a bicycle without the use of the electric motor; and

109 ~~[(d)]~~ (v) is one of the following:

110 (A) a class 1 electric assisted bicycle;

111 (B) a class 2 electric assisted bicycle;

112 (C) a class 3 electric assisted bicycle; or

113 (D) a programmable electric assisted bicycle.

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

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

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

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

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

120 ~~[(B) is not capable of providing assistance when the bicycle reaches the speed of
 121 20 miles per hour; or]~~

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

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

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

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

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

128 (i) a moped;

129 (ii) a motor assisted scooter;

130 (iii) a motorcycle;

- 131 (iv) a motor-driven cycle; or
132 (v) any other vehicle with less than four wheels that is designed, manufactured,
133 intended, or advertised by the seller to have any of the following capabilities or
134 features, or that is modifiable or is modified to have any of the following
135 capabilities or features:
136 (A) has the ability to attain the speed of 20 miles per hour or greater on motor
137 power alone;
138 (B) is equipped with a continuous rated motor power of 750 watts or greater;
139 (C) is equipped with foot pegs for the operator at the time of manufacture, or
140 requires installation of a pedal kit to have operable pedals; or
141 (D) if equipped with multiple operating modes and a throttle, has one or more
142 modes that exceed 20 miles per hour on motor power alone.
- 143 (19) (a) "Electric personal assistive mobility device" means a self-balancing device with:
144 (i) two nontandem wheels in contact with the ground;
145 (ii) a system capable of steering and stopping the unit under typical operating
146 conditions;
147 (iii) an electric propulsion system with average power of one horsepower or 750
148 watts;
149 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
150 (v) a deck design for a person to stand while operating the device.
- 151 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 152 (20) "Explosives" means a chemical compound or mechanical mixture commonly used or
153 intended for the purpose of producing an explosion and that contains any oxidizing and
154 combustive units or other ingredients in proportions, quantities, or packing so that an
155 ignition by fire, friction, concussion, percussion, or detonator of any part of the
156 compound or mixture may cause a sudden generation of highly heated gases, and the
157 resultant gaseous pressures are capable of producing destructive effects on contiguous
158 objects or of causing death or serious bodily injury.
- 159 (21) "Farm tractor" means a motor vehicle designed and used primarily as a farm
160 implement, for drawing plows, mowing machines, and other implements of husbandry.
- 161 (22) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less, as
162 determined by a Tagliabue or equivalent closed-cup test device.
- 163 (23) "Freeway" means a controlled-access highway that is part of the interstate system as
164 defined in Section 72-1-102.

- 165 (24) (a) "Golf cart" means a device that:
- 166 (i) is designed for transportation by players on a golf course;
- 167 (ii) has not less than three wheels in contact with the ground;
- 168 (iii) has an unladen weight of less than 1,800 pounds;
- 169 (iv) is designed to operate at low speeds; and
- 170 (v) is designed to carry not more than six persons including the driver.
- 171 (b) "Golf cart" does not include:
- 172 (i) a low-speed vehicle or an off-highway vehicle;
- 173 (ii) a motorized wheelchair;
- 174 (iii) an electric personal assistive mobility device;
- 175 (iv) an electric assisted bicycle;
- 176 (v) a motor assisted scooter;
- 177 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 178 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 179 (25) "Gore area" means the area delineated by two solid white lines that is between a
- 180 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
- 181 including similar areas between merging or splitting highways.
- 182 (26) "Gross weight" means the weight of a vehicle without a load plus the weight of any
- 183 load on the vehicle.
- 184 (27) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
- 185 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and
- 186 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
- 187 highway or railroad tracks.
- 188 (28) "Highway" means the entire width between property lines of every way or place of any
- 189 nature when any part of it is open to the use of the public as a matter of right for
- 190 vehicular travel.
- 191 (29) "Highway authority" means the same as that term is defined in Section 72-1-102.
- 192 (30) (a) "Intersection" means the area embraced within the prolongation or connection of
- 193 the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of
- 194 two or more highways that join one another.
- 195 (b) Where a highway includes two roadways 30 feet or more apart:
- 196 (i) every crossing of each roadway of the divided highway by an intersecting
- 197 highway is a separate intersection; and
- 198 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then

- 199 every crossing of two roadways of the highways is a separate intersection.
- 200 (c) "Intersection" does not include the junction of an alley with a street or highway.
- 201 (31) "Island" means an area between traffic lanes or at an intersection for control of vehicle
202 movements or for pedestrian refuge designated by:
- 203 (a) pavement markings, which may include an area designated by two solid yellow lines
204 surrounding the perimeter of the area;
- 205 (b) channelizing devices;
- 206 (c) curbs;
- 207 (d) pavement edges; or
- 208 (e) other devices.
- 209 (32) "Lane filtering" means, when operating a motorcycle other than an autocycle, the act
210 of overtaking and passing another vehicle that is stopped in the same direction of travel
211 in the same lane.
- 212 (33) "Law enforcement agency" means the same as that term is as defined in Section
213 53-1-102.
- 214 (34) "Limited access highway" means a highway:
- 215 (a) that is designated specifically for through traffic; and
- 216 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
217 persons have any right or easement, or have only a limited right or easement of
218 access, light, air, or view.
- 219 (35) "Local highway authority" means the legislative, executive, or governing body of a
220 county, municipal, or other local board or body having authority to enact laws relating to
221 traffic under the constitution and laws of the state.
- 222 (36) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:
- 223 (i) is designed to be operated at speeds of not more than 25 miles per hour; and
- 224 (ii) has a capacity of not more than six passengers, including a conventional driver or
225 fallback-ready user if on board the vehicle, as those terms are defined in Section
226 41-26-102.1.
- 227 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.
- 228 (37) "Metal tire" means a tire, the surface of which in contact with the highway is wholly or
229 partly of metal or other hard nonresilient material.
- 230 (38) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or
231 saddle that is less than 24 inches from the ground as measured on a level surface with
232 properly inflated tires.

- 233 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- 234 (c) "Mini-motorcycle" does not include a motorcycle that is:
- 235 (i) designed for off-highway use; and
- 236 (ii) registered as an off-highway vehicle under Section 41-22-3.
- 237 (39) "Mobile home" means:
- 238 (a) a trailer or semitrailer that is:
- 239 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
- 240 place either permanently or temporarily; and
- 241 (ii) equipped for use as a conveyance on streets and highways; or
- 242 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed
- 243 for use as a mobile home, as defined in Subsection (39)(a), but that is instead used
- 244 permanently or temporarily for:
- 245 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 246 (ii) any other commercial purpose except the transportation of property for hire or the
- 247 transportation of property for distribution by a private carrier.
- 248 (40) "Mobility disability" means the inability of a person to use one or more of the person's
- 249 extremities or difficulty with motor skills, that may include limitations with walking,
- 250 grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other condition.
- 251 (41) (a) "Moped" means a motor-driven cycle having:
- 252 (i) pedals to permit propulsion by human power; and
- 253 (ii) a motor that:
- 254 (A) produces not more than two brake horsepower; and
- 255 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour
- 256 on level ground.
- 257 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 258 centimeters and the moped shall have a power drive system that functions directly or
- 259 automatically without clutching or shifting by the operator after the drive system is
- 260 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;
- 270 or
- 271 (B) handlebars and a seat designed for a person to sit, straddle, or stand while
- 272 operating the device;
- 273 (v) a design for the ability to be propelled by human power alone; and
- 274 (vi) a maximum speed of 20 miles per hour on a paved level surface.
- 275 (b) "Motor assisted scooter" does not include:
- 276 (i) an electric assisted bicycle; or
- 277 (ii) a motor-driven cycle.
- 278 (43) (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
- 279 propelled by electric power obtained from overhead trolley wires, but not operated
- 280 upon rails.
- 281 (b) "Motor vehicle" does not include:
- 282 (i) vehicles moved solely by human power;
- 283 (ii) motorized wheelchairs;
- 284 (iii) an electric personal assistive mobility device;
- 285 (iv) an electric assisted bicycle;
- 286 (v) a motor assisted scooter;
- 287 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 288 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 289 (44) "Motorcycle" means:
- 290 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
- 291 and designed to travel with not more than three wheels in contact with the ground; or
- 292 (b) an autocycle.
- 293 (45) (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
- 294 having:
- 295 (i) an engine with less than 150 cubic centimeters displacement; or
- 296 (ii) a motor that produces not more than five horsepower.
- 297 (b) "Motor-driven cycle" does not include:
- 298 (i) an electric personal assistive mobility device;
- 299 (ii) a motor assisted scooter; or
- 300 (iii) an electric assisted bicycle.

- 301 (46) "Off-highway implement of husbandry" means the same as that term is defined under
302 Section 41-22-2.
- 303 (47) "Off-highway vehicle" means the same as that term is defined under Section 41-22-2.
- 304 (48) "Operate" means the same as that term is defined in Section 41-1a-102.
- 305 (49) "Operator" means:
- 306 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
- 307 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
308 vehicle.
- 309 (50) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or other
310 device operated, alone or coupled with another device, on stationary rails.
- 311 (51) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
312 occupied or not.
- 313 (b) "Park" or "parking" does not include:
- 314 (i) the standing of a vehicle temporarily for the purpose of and while actually
315 engaged in loading or unloading property or passengers; or
- 316 (ii) a motor vehicle with an engaged automated driving system that has achieved a
317 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 318 (52) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace
319 Officer Classifications, to direct or regulate traffic or to make arrests for violations of
320 traffic laws.
- 321 (53) "Pedestrian" means a person traveling:
- 322 (a) on foot; or
- 323 (b) in a wheelchair.
- 324 (54) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
325 pedestrians.
- 326 (55) "Person" means a natural person, firm, copartnership, association, corporation,
327 business trust, estate, trust, partnership, limited liability company, association, joint
328 venture, governmental agency, public corporation, or any other legal or commercial
329 entity.
- 330 (56) "Pole trailer" means a vehicle without motive power:
- 331 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means
332 of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
333 and
- 334 (b) that is ordinarily used for transporting long or irregular shaped loads including poles,

335 pipes, or structural members generally capable of sustaining themselves as beams
336 between the supporting connections.

337 (57) "Private road or driveway" means every way or place in private ownership and used
338 for vehicular travel by the owner and those having express or implied permission from
339 the owner, but not by other persons.

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

345 [~~(58)~~] (59) "Railroad" means a carrier of persons or property upon cars operated on
346 stationary rails.

347 [~~(59)~~] (60) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
348 public body or official or by a railroad and intended to give notice of the presence of
349 railroad tracks or the approach of a railroad train.

350 [~~(60)~~] (61) "Railroad train" means a locomotive propelled by any form of energy, coupled
351 with or operated without cars, and operated upon rails.

352 [~~(61)~~] (62) "Restored-modified vehicle" means the same as the term defined in Section
353 41-1a-102.

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

358 [~~(63)~~] (64) (a) "Roadway" means that portion of highway improved, designed, or
359 ordinarily used for vehicular travel.

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

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

364 [~~(64)~~] (65) "Safety zone" means the area or space officially set apart within a roadway for
365 the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
366 signs as to be plainly visible at all times while set apart as a safety zone.

367 [~~(65)~~] (66) (a) "School bus" means a motor vehicle that:

368 (i) complies with the color and identification requirements of the most recent edition

- 369 of "Minimum Standards for School Buses"; and
- 370 (ii) is used to transport school children to or from school or school activities.
- 371 (b) "School bus" does not include a vehicle operated by a common carrier in
- 372 transportation of school children to or from school or school activities.
- 373 ~~[(66)]~~ (67) (a) "Semitrailer" means a vehicle with or without motive power:
- 374 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
- 375 and
- 376 (ii) constructed so that some part of its weight and that of its load rests on or is
- 377 carried by another vehicle.
- 378 (b) "Semitrailer" does not include a pole trailer.
- 379 ~~[(67)]~~ (68) "Shoulder area" means:
- 380 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
- 381 edge line as established in the current approved "Manual on Uniform Traffic Control
- 382 Devices"; or
- 383 (b) that portion of the road contiguous to the roadway for accommodation of stopped
- 384 vehicles, for emergency use, and for lateral support.
- 385 ~~[(68)]~~ (69) "Sidewalk" means that portion of a street between the curb lines, or the lateral
- 386 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- 387 ~~[(69)]~~ (70) (a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
- 388 that is designated for the use of a bicycle.
- 389 (b) "Soft-surface trail" does not mean a trail:
- 390 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
- 391 federal law, regulation, or rule; or
- 392 (ii) located in whole or in part on land granted to the state or a political subdivision
- 393 subject to a conservation easement that prohibits the use of a motorized vehicle.
- 394 ~~[(70)]~~ (71) "Solid rubber tire" means a tire of rubber or other resilient material that does not
- 395 depend on compressed air for the support of the load.
- 396 ~~[(71)]~~ (72) "Stand" or "standing" means the temporary halting of a vehicle, whether
- 397 occupied or not, for the purpose of and while actually engaged in receiving or
- 398 discharging passengers.
- 399 ~~[(72)]~~ (73) "Stop" when required means complete cessation from movement.
- 400 ~~[(73)]~~ (74) "Stop" or "stopping" when prohibited means any halting even momentarily of a
- 401 vehicle, whether occupied or not, except when:
- 402 (a) necessary to avoid conflict with other traffic; or

- 403 (b) in compliance with the directions of a peace officer or traffic-control device.
- 404 ~~[(74)]~~ (75) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
405 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet
406 the requirements of Section 41-6a-1509 to operate on highways in the state in
407 accordance with Section 41-6a-1509.
- 408 ~~[(75)]~~ (76) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 409 ~~[(76)]~~ (77) "Tow truck motor carrier" means the same as that term is defined in Section
410 72-9-102.
- 411 ~~[(77)]~~ (78) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
412 conveyances either singly or together while using any highway for the purpose of travel.
- 413 ~~[(78)]~~ (79) "Traffic signal preemption device" means an instrument or mechanism designed,
414 intended, or used to interfere with the operation or cycle of a traffic-control signal.
- 415 ~~[(79)]~~ (80) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
416 with this chapter placed or erected by a highway authority for the purpose of regulating,
417 warning, or guiding traffic.
- 418 ~~[(80)]~~ (81) "Traffic-control signal" means a device, whether manually, electrically, or
419 mechanically operated, by which traffic is alternately directed to stop and permitted to
420 proceed.
- 421 ~~[(81)]~~ (82) (a) "Trailer" means a vehicle with or without motive power designed for
422 carrying persons or property and for being drawn by a motor vehicle and constructed
423 so that no part of its weight rests upon the towing vehicle.
- 424 (b) "Trailer" does not include a pole trailer.
- 425 ~~[(82)]~~ (83) "Truck" means a motor vehicle designed, used, or maintained primarily for the
426 transportation of property.
- 427 ~~[(83)]~~ (84) "Truck tractor" means a motor vehicle:
- 428 (a) designed and used primarily for drawing other vehicles; and
- 429 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
430 tractor.
- 431 ~~[(84)]~~ (85) "Two-way left turn lane" means a lane:
- 432 (a) provided for vehicle operators making left turns in either direction;
- 433 (b) that is not used for passing, overtaking, or through travel; and
- 434 (c) that has been indicated by a lane traffic-control device that may include lane
435 markings.
- 436 ~~[(85)]~~ (86) "Urban district" means the territory contiguous to and including any street, in

437 which structures devoted to business, industry, or dwelling houses are situated at
438 intervals of less than 100 feet, for a distance of a quarter of a mile or more.
439 [(86)] (87) "Vehicle" means a device in, on, or by which a person or property is or may be
440 transported or drawn on a highway, except a mobile carrier, as defined in Section
441 41-6a-1120, or a device used exclusively on stationary rails or tracks.

442 Section 2. Section **41-6a-1115.5** is amended to read:

443 **41-6a-1115.5 . Electric assisted bicycles -- Restrictions -- Penalties.**

- 444 (1) Except as otherwise provided in this section, an electric assisted bicycle is subject to the
445 provisions under this chapter for a bicycle.
- 446 (2) An individual may operate an electric assisted bicycle on a path or trail designated for
447 the use of a bicycle.
- 448 (3) (a) A local authority or state agency may adopt an ordinance or rule to regulate or
449 restrict the use of an electric assisted bicycle, or a specific classification of an electric
450 assisted bicycle, on a sidewalk, path, or trail within the jurisdiction of the local
451 authority or state agency.
- 452 (b) When enacting ordinances or making rules related to the use of a pathway or
453 soft-surface trail, and during the planning or construction of a pathway or soft-surface
454 trail, a local authority or state agency shall consider accommodations and increased
455 trail access by a person with a mobility disability.
- 456 (4) An individual under 16 years old may not operate a class 3 electric assisted bicycle.
- 457 (5) An individual under 14 years old may not operate an electric assisted bicycle with the
458 electric motor engaged on any public property, highway, path, or sidewalk unless the
459 individual is under the direct supervision of the individual's parent or guardian.
- 460 (6) An individual under eight years old may not operate an electric assisted bicycle with the
461 electric motor engaged on any public property, highway, path, or sidewalk.
- 462 (7) The owner of an electric assisted bicycle may not authorize or knowingly permit an
463 individual to operate an electric assisted bicycle in violation of this section.
- 464 (8) (a) Beginning January 1, 2017, each Utah-based manufacturer of an electric assisted
465 bicycle and each distributor of an electric assisted bicycle in Utah shall permanently
466 affix a label in a prominent location on the electric assisted bicycle.
- 467 (b) Each manufacturer and each distributor shall ensure that the label is printed in Arial
468 font, in 9-point type or larger, and includes the:
- 469 (i) appropriate electric assisted bicycle classification number described in Section
470 41-6a-102;

- 471 (ii) top assisted speed; and
472 (iii) wattage of the motor.
- 473 (c) A Utah-based manufacturer or seller shall ensure that a programmable electric
474 assisted bicycle is equipped with a conspicuous label indicating the class or classes of
475 electric assisted bicycle of which the programmable electric assisted bicycle is
476 capable of operating.
- 477 (d) Beginning May 1, 2024, a seller of any new or used vehicle with less than four
478 wheels that is powered by an electric motor that is not an electric assisted bicycle
479 shall clearly and conspicuously provide the following disclosure to a prospective
480 purchaser at the time of sale and in any advertising materials, online website, or
481 social media post promoting the vehicle: "THIS VEHICLE IS NOT AN "ELECTRIC
482 ASSISTED BICYCLE" AS DEFINED BY UTAH MOTOR VEHICLE CODE AND
483 IS INSTEAD A TYPE OF MOTOR VEHICLE AND SUBJECT TO APPLICABLE
484 MOTOR VEHICLE LAWS IF USED ON PUBLIC ROADS OR PUBLIC LANDS.
485 YOUR INSURANCE POLICIES MAY NOT PROVIDE COVERAGE FOR
486 ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO DETERMINE IF
487 COVERAGE IS PROVIDED YOU SHOULD CONTACT YOUR INSURANCE
488 COMPANY OR AGENT."
- 489 (e) For a disclosure described in Subsection (8)(d), the seller shall ensure that the
490 disclosure appears in bold, capital letters at least the same font size as the description
491 of the vehicle.
- 492 (f) A person's actions to knowingly advertise, offer for sale, or sell a vehicle that is not
493 an electric assisted bicycle as an electric bicycle, electric assisted bicycle, electric
494 bike, or e-bike without making the disclosure described in Subsection (8)(d)
495 constitutes prima facie evidence of a deceptive trade practice under Section 13-11a-3.
- 496 (9) An individual who violates this section is guilty of an infraction.
- 497 (10) A class 2 electric assisted bicycle is subject to the restrictions of Section 41-6a-526.
- 498 Section 3. **Effective date.**
- 499 This bill takes effect on May 1, 2024.