

NORTH DAKOTA'S EXISTING ELECTRIC BICYCLE LAW FOR THE ROAD

- » Electric bicycles are defined as “motorized bicycles.” As “motorized bicycles,” electric bicycles are not subject to all of the same rules of the road that apply to bicycles.
- » As “motorized bicycles,” electric bicycles are subject to some motor vehicle laws, including requirements for licensing, registration, and insurance.
- » The minimum user age for an electric bicycle is 14 years of age.

- » Electric bicycles are not allowed on sidewalks.
- » Consult your local authority or agency for information regarding whether electric bicycles are allowed on bicycle paths.

* The following North Dakota laws are referenced: N.D. Cent. Code § 39-01-01 (48); 39-06-14.1.

NEEDED CHANGES TO NORTH DAKOTA'S ELECTRIC BICYCLE LAW

There is an opportunity to update North Dakota's electric bicycle law, consistent with state laws recently passed in 28 states, including neighboring South Dakota, Wisconsin and Wyoming.

This bill would regulate low speed electric bicycles like bicycles. The same rules of the road would apply to both electric bicycles and human-powered bicycles when it comes to speed, proper passing, following local traffic laws, obeying posted speed limits, and other state and local ordinances.

Changes to the North Dakota Century Code would define an electric bicycle as a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of seven hundred fifty or fewer watts. An electric bicycle would meet one of the following three classes:

- » CLASS 1: A class 1 electric bicycle if the motor provides assistance only when the individual is pedaling and the motor ceases to provide assistance when a speed of twenty miles [32 kilometers] per hour is achieved.
- » CLASS 2: A class 2 electric bicycle if the motor is capable of propelling the bicycle without the individual pedaling and the motor ceases to provide assistance when a speed of twenty miles [32 kilometers] per hour is achieved.
- » CLASS 3: A class 3 electric bicycle if the motor provides assistance only when the individual is pedaling and the motor ceases to provide assistance when a speed of twenty-eight miles [45 kilometers] per hour is achieved.

With an electric bicycle, bicyclists can ride more often, farther, and for more trips.

Electric bicycles are designed to be as safe as traditional bicycles, do not compromise consumer safety, and benefit bicyclists who may be discouraged from riding a traditional bicycle due to limited physical fitness, age, disability or convenience.

In many states, electric bicycles are regulated under antiquated laws primarily aimed at combustion engine vehicles such as mopeds or scooters. PeopleForBikes is clarifying state laws governing the use of electric bicycles in the U.S. Every state's law is different, but the objective is to ensure that low-speed electric bicycles are regulated similarly to traditional, human-powered bicycles.

In the interest of safety, local governments would be allowed to restrict, regulate or prohibit the use of electric bicycles on bicycle paths or multi-use paths. This is a local jurisdictional decision.

These regulatory updates would also mean that:

- » Electric bicycles and electric bicycle riders would not be subject to the provisions of the code relating to financial responsibility, vehicle insurance, driver's licenses, vehicle registration, or certificates of title.
- » All electric bicycle manufacturers must apply a standard label to each electric bicycle specifying its class, type and wattage.
- » Any tampering or modification of the motor would require replacement of the standard label.
- » The definitions of off-highway vehicle motorcycle, motorized bicycle, motor-powered recreational vehicle, motor-driven cycle and motor vehicle would exclude that of an electric bicycle.



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