



# North Dakota House of Representatives

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## **Representative Corey Mock**

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**COMMITTEES:**  
Appropriations

January 19, 2023

House Transportation Committee

North Dakota State Capitol Building, Room 327E

RE: HB 1316 – Pedal Pub / Autocycles

Chairman Dan Ruby and Members of the House Transportation Committee,

House Bill 1316 was requested by business owners and downtown development associations — with consultation from affiliated cities — to provide enabling legislation for bicycle buses, most frequently called pedal pubs.

The need for this legislation was discovered in Grand Forks when local business partners sought a license for their emerging pedal pub company. The City of Grand Forks was prepared to grant the license only to learn that North Dakota Century Code did not have a specific classification for these devices.

While individual machines may vary in size, features, and amenities — just as motor vehicles differ between makes and models — the foundational elements of pedal pubs are largely universal.

Pedal pubs (or “autocycles,” as they are legally referred and defined in Section 1 of this bill) are:

- Multi-passenger, 4-wheeled vehicles with at least 5 passenger seats;
- Propelled primarily by human power, but may also be operated with assistance from a supplemental motor;
- Have a designated driver with exclusive control over steering and anti-lock brakes;
- Used for commercial purposes and is operated by the owner or an employee;
- Equipped with a tail light, stop light, and head lights, as presently required of motorcycles (with the adoption amendment of 23.0224.01001).

Additional testimony is provided featuring design specifications for these pedal pubs.

Changes in Section 1 are limited to pages 3 and 4 of the bill with offered amendments (23.0224.01001m).

Section 2 begins on page 17 with both technical and substantive updates. All changes from page 17 line 13 through page 18 line 18 are technical revisions realigning subsection labels to be consistent with current code standards. There are no policy changes in these lines.

Page 18 line 22 contains a new subsection that states the driver of a pedal pub (autocycle) is subject to DUI laws, but passengers are not. This distinction is necessary since the pedal pub is legally a variation of a bicycle, passengers provide propulsion, and both operator and passengers are viewed as riders.

Section 3 (page 23) is where pedal pubs join bicycles and electric bicycles as exempt from point system penalties for select violations.

Section 4 (page 23) clarifies that pedal pubs may not be operated on bicycle or multi-use paths without being permitted by the local governing authority.

No additional changes to 39-08-18 (open container laws) are needed as open container laws pertain specifically to motor vehicles.

I appreciate the committee's work, attention, and consideration of HB 1316. Once all questions are answered to your satisfaction, I respectfully request the committee adopt the offered amendment and give this bill a do pass recommendation.

Thanks you, Chairman Ruby and Committee Members.