

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1330

By: Strom

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2021, Sections 1-104 and 1-133.3 as amended by
9 Section 1, Chapter 313, O.S.L. 2022 (47 O.S. Supp.
10 2022, Section 1-333.3), which relate to motorized
11 bicycles and motorized scooters; modifying
12 definitions; removing certain wattage restrictions;
13 and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1-104, is
16 amended to read as follows:

17 Section 1-104. A. A bicycle is a device upon which any person
18 or persons may ride, propelled solely by human power through a belt,
19 chain, or gears, and having two or more wheels, excluding mopeds.

20 B. An electric-assisted bicycle is any bicycle with:

- 21 1. Two or three wheels; and
- 22 2. Fully operative pedals for human propulsion and equipped
23 with an electric motor ~~with a power output of not more than seven~~
- 24

1 ~~hundred fifty (750) watts~~ that meets the requirements of one of the
2 following three classes:

3 a. "Class 1 electric-assisted bicycle" shall mean an
4 electric-assisted bicycle equipped with a motor that
5 provides assistance only when the rider is pedaling,
6 and that ceases to provide assistance when the bicycle
7 reaches the speed of twenty (20) miles per hour,

8 b. "Class 2 electric-assisted bicycle" shall mean an
9 electric-assisted bicycle equipped with a motor that
10 may be used exclusively to propel the bicycle, and
11 that is not capable of providing assistance when the
12 bicycle reaches the speed of twenty (20) miles per
13 hour, and

14 c. "Class 3 electric-assisted bicycle" shall mean an
15 electric-assisted bicycle equipped with a motor that
16 provides assistance only when the rider is pedaling,
17 and that ceases to provide assistance when the bicycle
18 reaches the speed of twenty-eight (28) miles per hour.

19 An electric-assisted bicycle shall meet the manufacturing and
20 equipment requirements adopted by the Consumer Product Safety
21 Commission for bicycles and shall operate in such a manner that the
22 electric motor disengages or ceases to function when the rider stops
23 pedaling or the brakes are applied.

24 C. A motorized bicycle is any bicycle having:

- 1 1. Fully operative pedals for propulsion by human power;
- 2 2. A power drive system that functions directly or
3 automatically without clutching or shifting by the operator after
4 the drive system is engaged; and
- 5 3. A combustion engine with a piston or rotor displacement of
6 eighty ~~(80 cu cm)~~ cubic centimeters (80 cc) or less, regardless of
7 the number of chambers in the engine, which is capable of propelling
8 the bicycle at a maximum design speed of not more than thirty-five
9 (35) miles per hour on level ground.

10 D. As used in this title, the term "bicycle" shall include
11 tricycles, quadcycles, or similar human-powered devices, electric-
12 assisted bicycles, and motorized bicycles unless otherwise
13 specifically indicated.

14 SECTION 2. AMENDATORY 47 O.S. 2021, Section 1-133.3, as
15 amended by Section 1, Chapter 313, O.S.L. 2022 (47 O.S. Supp. 2022,
16 Section 1-133.3), is amended to read as follows:

17 Section 1-133.3 Motorized scooter.

18 A. A "motorized scooter" is any vehicle having:

- 19 1. Not more than three wheels in contact with the ground;
- 20 2. Handlebars and a foot support or seat for the use of the
21 operator; and

22 3. A power source that is capable of propelling the vehicle at
23 a maximum design speed of not more than thirty-five (35) miles per
24 hour on level ground, and ~~and~~ and

1 a. if the power source is a combustion engine, has a
2 piston or rotor displacement of fifty cubic
3 centimeters (50 cc) or less regardless of the number
4 of chambers in the power source,~~or~~

5 ~~b. if the power source is electric, is programmed by the~~
6 ~~manufacturer not to exceed thirty five (35) miles per~~
7 ~~hour on level ground.~~

8 Regardless of power source, local governments may set maximum speed
9 requirements by local ordinance.

10 B. For purposes of this section, an electric personal assistive
11 mobility device, as defined in Section 1-114A of this title,
12 bicycle, electric-assisted bicycle, or motorized bicycle, as defined
13 in Section 1-104 of this title, shall not be considered a motorized
14 scooter.

15 C. A motorized scooter shall not be required to be registered
16 under the laws of this state.

17 1. The operator of a motorized scooter shall be at least
18 fourteen (14) years of age unless an older age is required by local
19 ordinance.

20 2. The operator of a motorized scooter shall not be required to
21 possess a driver license unless required by local ordinance.

22 3. The operator of a motorized scooter shall not be required to
23 comply with the vehicle insurance or financial responsibility laws
24 of this state unless required by local ordinance, and shall observe

1 all applicable traffic safety regulations when driving on a public
2 roadway as required by statute and local ordinances.

3 D. Municipalities shall have authority to regulate the usage of
4 motorized scooters on all public roadways, trails, sidewalks, and
5 other public spaces, and to determine appropriate locations for use.

6 SECTION 3. This act shall become effective November 1, 2023.

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8 59-1-5793 JBH 12-12-22

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