

**Date:** January 28, 2026 | **Policy Analyst:** Rachel Brooks | **Prepared For:** Rep. Cutler

## 1<sup>st</sup> Substitute H.B. 381: Electric Mobility Device Amendments

### Key Points

- Clarifies the difference between an electric assisted bicycle (e-bike) and an electric motorcycle.
- Creates a new safety course requirement, administered by DPS, for individuals under age 16 to operate an e-bike, motor assisted scooter, or a high power electric device, which includes an electric motorcycle, on a public road.
- Allows for **either** parental supervision or possession of a safety certificate for minors 8-15 to operate a motor assisted scooter or an e-bike on a public road.
- Expands existing regulations to e-bikes and other devices, particularly for youth, including helmet and alcohol laws.
- Relevant definitions begin on Page 3.

## Policy Analysis

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### Motor assisted scooters

- Requires that a minor between ages 8-16 **either** be under the direct supervision of a parent or responsible adult OR have a personal electric vehicle safety certificate to operate a motor assisted scooter with the motor engaged on a public road. *(Lines 701-704)*

### Electric assisted bicycles

- Modifies the definition of each class of e-bike to clarify that programmable electric assisted bicycles are classified as the highest class of e-bike that they can operate as when programmable by the user. *(Lines 197-199, 205-206, and 213-214)*
- Requires that a minor between ages 8-16 **either** be under the direct supervision of a parent or responsible adult OR have a personal electric vehicle safety certificate to operate any class of e-bike with the motor engaged on a public road. *(Lines 744-747)*
- Modifies existing e-bike regulations, including:
  - Prohibits drinking an alcoholic beverage, or possessing an open container, on any e-bike on a public road (previously only applied to class 2 e-bikes). *(Lines 633-638)*
  - Adds helmet language to the required seller disclosure of certain vehicles. *(Lines 775 and 1024)*
  - Prohibits tampering with or modifying an e-bike to change the power or speed output and provides for a \$100 fine for a first-time offense and a \$250 fine for a subsequent offense. *(Lines 786-789)*
  - Allows law enforcement to hold a minor's e-bike due to a violation of traffic laws and release the e-bike to a parent or guardian. *(Lines 791-794)*

## **Electric motorcycles**

- Defines “electric motorcycle” and specifies that the definition of e-bike does not include electric motorcycle. *(Lines 280-283 and 256)*
- Creates a new section regulating electric motorcycles and high power electric devices under existing laws for motorcycles. *(Lines 990-1030)*
- Allows local authorities to adopt ordinances to regulate high power electric devices on sidewalks, paths, or trails. *(Lines 996-1002)*
- Prohibits an individual under age 16 from operating a high power electric device on a public road. *(Lines 1003-1004)*
- Requires a seller of new or used electric vehicles that have less than four wheels and are not electric assisted bicycles to provide a disclosure to prospective buyers at the time of sale and in all advertising materials. *(Lines 1007-1022)*
- Requires a seller of electric assisted bicycles or high power electric devices to inform buyers of insurance and registration requirements. *(Lines 1023-1026)*
- Prohibits an individual from modifying or tampering with a high power electric device to change the power or speed output. *(Lines 1027-1028)*
- A violation of this section is an infraction. *(Lines 1029-1030)*

## **Personal electric vehicle safety course (effective May 2027)**

- Creates a “personal electric vehicle safety certificate” to be issued by the Department of Public Safety to an individual upon completion of the online personal electric vehicle safety education and training program. *(Lines 1040-1050)*
- Allows DPS to contract with another entity to implement the program and sets a \$10 maximum fee for the course. *(Lines 1048-1050)*
- Any individual under age 16 is required to have a safety certificate to operate an e-bike or a motor assisted scooter on a public road without adult supervision. *(Lines 1051-1055)*
- Prohibits an entity from renting a personal electric vehicle to an individual under age 16 unless they have a safety certificate or are under the direct supervision of a parent or guardian. *(Lines 1056-1059)*
- A violation is an infraction, with a maximum fine of \$150. *(Lines 1066-1067)*

## **Helmets**

- Modifies existing helmet law for individuals under age 21 to include all e-bikes (currently only Class 3 e-bikes), motor assisted scooters, and high power electric devices. *(Lines 915-924)*
- Exempts a business renting class 1 e-bikes or motor assisted scooters from the mandatory helmet law. *(Lines 926-927)*

## **Licensing**

- Clarifies that an individual must hold a driver license and a motorcycle endorsement to operate an electric motorcycle on a public road. *(Lines 1199-1205)*
- Requires an individual 16 or older to hold either a motorcycle endorsement or a safety certificate to operate other high power electric devices, such as high-speed scooters, on a public road. *(Lines 1236-1240)*
- Makes possession of the safety certificate a secondary violation for law enforcement. *(Lines 1241-1243)*

## Other changes

- Eliminates the definition, and all references to, “motor-driven cycle” throughout the code.
- Technical clean-up of “person” to “individual” throughout the code per drafting style.
- Changes the allowable age to operate an electric personal assistive mobility device without supervision from 15 to 16 to be consistent with motor assisted scooters. *(Line 809)*

Device	Capable Max Speed	Supervised Use (Parent or Responsible Adult)	Independent Use With Safety Certificate	Independent Use	Helmet Use
Pedal Assist Bikes Class 1 Class 3	20 mph 28 mph	8-15 years	8-15 years	16 & Up	Under 21
Throttle Devices: Class 2 e-bikes Most e-scooters micro-mobility devices	20 MPH	8-15 years	8-15 years	16 & Up	Under 21
High-Powered Mobility Device Electric Motorcycle	More than 20 MPH	N/A	N/A	Driver License + Motorcycle Endorsement	Under 21
High-Powered Mobility Device High power e-scooter Other high powered micro-mobility devices	More than 20 MPH	N/A	16 years	Driver License + Motorcycle Endorsement or Safety Certificate	Under 21

## Key Terms

### **Electric assisted bicycle (Lines 242-269)**

A **bicycle** with an electric motor that:

- has a power output of not more than 750 watts
- has fully operable pedals
- has permanently affixed cranks that were installed at the time of the original manufacture
- is fully operable as a bicycle without the use of the electric motor, and
- is a class 1, class 2, class 3, or a programmable electric assisted bicycle.

	Throttle	Maximum speed
<b>Class 1 E-bike</b>	No, pedal assist only	20 MPH
<b>Class 2 E-bike</b>	Yes, throttle	20 MPH
<b>Class 3 E-bike</b>	No, pedal assist only	28 MPH

### **Electric motorcycle (Lines 280-283)**

A **motorcycle** powered by an electric motor of more than 750 watts AND capable of exceeding a speed of 20 miles per hour using the power of the electric motor alone.

### **High power electric device (Lines 322-325)**

A self-propelled vehicle powered by an electric motor that is capable of traveling more than 20 miles per hour on the power of the electric motor alone.

High power electric device includes an electric motorcycle.

### Motorcycle (Lines 438-447)

A motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and designed to travel with not more than three wheels in contact with the ground, including a moped and an electric motorcycle.

Motorcycle does not include an electric assisted bicycle or a motor assisted scooter.

### Personal electric vehicle (Lines 1034-1035)

For the purposes of the new personal electric vehicle safety program, "personal electric vehicle" means an electric assisted bicycle, high power electric device, or motor assisted scooter.

### Motor assisted scooter (Lines 413-426)

A self-propelled device with:

- at least two wheels in contact with the ground
- a braking system capable of stopping the unit under typical operating conditions
- an electric motor not exceeding 2,000 watts
- either handlebars and a deck design for a person to stand while operating the device or handlebars and a seat designed for a person to sit, straddle, or stand while operating the device
- a design for the ability to be propelled by human power alone, and
- a maximum speed of 20 miles per hour on a paved level surface.

Motor assisted scooter does not include an electric assisted bicycle.

