

Effective 5/1/2024

Superseded 5/5/2027

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

- (1) Except as otherwise provided in this section, an electric assisted bicycle is subject to the provisions under this chapter for a bicycle.
- (2) An individual may operate an electric assisted bicycle on a path or trail designated for the use of a bicycle.
- (3)
 - (a) A local authority or state agency may adopt an ordinance or rule to regulate or restrict the use of an electric assisted bicycle, or a specific classification of an electric assisted bicycle, on a sidewalk, path, or trail within the jurisdiction of the local authority or state agency.
 - (b) When enacting ordinances or making rules related to the use of a pathway or soft-surface trail, and during the planning or construction of a pathway or soft-surface trail, a local authority or state agency shall consider accommodations and increased trail access by a person with a mobility disability.
- (4) An individual under 16 years old may not operate a class 3 electric assisted bicycle.
- (5) An individual under 14 years old may not operate an electric assisted bicycle with the electric motor engaged on any public property, highway, path, or sidewalk unless the individual is under the direct supervision of the individual's parent or guardian.
- (6) An individual under eight years old may not operate an electric assisted bicycle with the electric motor engaged on any public property, highway, path, or sidewalk.
- (7) The owner of an electric assisted bicycle may not authorize or knowingly permit an individual to operate an electric assisted bicycle in violation of this section.
- (8)
 - (a) Beginning January 1, 2017, each Utah-based manufacturer of an electric assisted bicycle and each distributor of an electric assisted bicycle in Utah shall permanently affix a label in a prominent location on the electric assisted bicycle.
 - (b) Each manufacturer and each distributor shall ensure that the label is printed in Arial font, in 9-point type or larger, and includes the:
 - (i) appropriate electric assisted bicycle classification number described in Section 41-6a-102;
 - (ii) top assisted speed; and
 - (iii) wattage of the motor.
 - (c) A Utah-based manufacturer or seller shall ensure that a programmable electric assisted bicycle is equipped with a conspicuous label indicating the class or classes of electric assisted bicycle of which the programmable electric assisted bicycle is capable of operating.
 - (d) Beginning May 1, 2024, a seller of any new or used vehicle with less than four wheels that is powered by an electric motor that is not an electric assisted bicycle shall clearly and conspicuously provide the following disclosure to a prospective purchaser at the time of sale and in any advertising materials, online website, or social media post promoting the vehicle: "THIS VEHICLE IS NOT AN "ELECTRIC ASSISTED BICYCLE" AS DEFINED BY UTAH MOTOR VEHICLE CODE AND IS INSTEAD A TYPE OF MOTOR VEHICLE AND SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC ROADS OR PUBLIC LANDS. YOUR INSURANCE POLICIES MAY NOT PROVIDE COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO DETERMINE IF COVERAGE IS PROVIDED YOU SHOULD CONTACT YOUR INSURANCE COMPANY OR AGENT."
 - (e) For a disclosure described in Subsection (8)(d), the seller shall ensure that the disclosure appears in bold, capital letters at least the same font size as the description of the vehicle.

- (f) A person's actions to knowingly advertise, offer for sale, or sell a vehicle that is not an electric assisted bicycle as an electric bicycle, electric assisted bicycle, electric bike, or e-bike without making the disclosure described in Subsection (8)(d) constitutes prima facie evidence of a deceptive trade practice under Section 13-11a-3.
- (9) An individual who violates this section is guilty of an infraction.
- (10) A class 2 electric assisted bicycle is subject to the restrictions of Section 41-6a-526.

Amended by Chapter 445, 2024 General Session