

**Senator Todd D. Weiler** proposes the following substitute bill:

**ELECTRIC ASSISTED BICYCLE USE AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd D. Weiler**

House Sponsor: Jeffrey D. Stenquist

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**LONG TITLE**

**General Description:**

This bill amends provisions related to the use of an electric assisted bicycle or similar device by an individual with a mobility disability.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ allows an individual with a mobility disability to operate an electric assisted bicycle or an adaptive electric assisted bicycle on a trail open to the use of a bicycle;
- ▶ prohibits a local authority, political subdivision, or state agency from adopting an ordinance or rule to restrict an individual with a mobility disability from using an electric assisted bicycle or an adaptive electric assisted bicycle on a sidewalk, path, or trail; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 AMENDS:

27 **41-6a-102**, as last amended by Laws of Utah 2020, Chapters 84 and 354

28 **41-6a-1115.5**, as last amended by Laws of Utah 2018, Chapter 175

29 **63I-1-241**, as last amended by Laws of Utah 2020, Chapters 84 and 154

31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **41-6a-102** is amended to read:

33 **41-6a-102. Definitions.**

34 As used in this chapter:

35 (1) "Adaptive electric assisted bicycle" means a device similar to an electric assisted  
36 bicycle and that:

- 37 (a) is designed for use by a person with a disability;
- 38 (b) weighs less than 100 pounds;
- 39 (c) has an electric motor to provide assistance to the rider;
- 40 (d) may have pedals;
- 41 (e) may have a throttle; and
- 42 (f) has a maximum assisted speed of 20 miles per hour.

43 ~~[(1)]~~ (2) "Alley" means a street or highway intended to provide access to the rear or  
44 side of lots or buildings in urban districts and not intended for through vehicular traffic.

45 ~~[(2)]~~ (3) "All-terrain type I vehicle" means the same as that term is defined in Section  
46 **41-22-2**.

47 ~~[(3)]~~ (4) "Authorized emergency vehicle" includes:

- 48 (a) fire department vehicles;
- 49 (b) police vehicles;
- 50 (c) ambulances; and
- 51 (d) other publicly or privately owned vehicles as designated by the commissioner of the  
52 Department of Public Safety.

53 ~~[(4)]~~ (5) "Autocycle" means the same as that term is defined in Section **53-3-102**.

54 ~~[(5)]~~ (6) (a) "Bicycle" means a wheeled vehicle:

- 55 (i) propelled by human power by feet or hands acting upon pedals or cranks;
- 56 (ii) with a seat or saddle designed for the use of the operator;

- 57 (iii) designed to be operated on the ground; and
- 58 (iv) whose wheels are not less than 14 inches in diameter.
- 59 (b) "Bicycle" includes an electric assisted bicycle.
- 60 (c) "Bicycle" does not include scooters and similar devices.
- 61 ~~[(6)]~~ (7) (a) "Bus" means a motor vehicle:
- 62 (i) designed for carrying more than 15 passengers and used for the transportation of
- 63 persons; or
- 64 (ii) designed and used for the transportation of persons for compensation.
- 65 (b) "Bus" does not include a taxicab.
- 66 ~~[(7)]~~ (8) (a) "Circular intersection" means an intersection that has an island, generally
- 67 circular in design, located in the center of the intersection where traffic passes to the right of
- 68 the island.
- 69 (b) "Circular intersection" includes:
- 70 (i) roundabouts;
- 71 (ii) rotaries; and
- 72 (iii) traffic circles.
- 73 ~~[(8)]~~ (9) "Class 1 electric assisted bicycle" means an electric assisted bicycle described
- 74 in Subsection ~~[(17)]~~ (18)(d)(i).
- 75 ~~[(9)]~~ (10) "Class 2 electric assisted bicycle" means an electric assisted bicycle
- 76 described in Subsection ~~[(17)]~~ (18)(d)(ii).
- 77 ~~[(10)]~~ (11) "Class 3 electric assisted bicycle" means an electric assisted bicycle
- 78 described in Subsection ~~[(17)]~~ (18)(d)(iii).
- 79 ~~[(11)]~~ (12) "Commissioner" means the commissioner of the Department of Public
- 80 Safety.
- 81 ~~[(12)]~~ (13) "Controlled-access highway" means a highway, street, or roadway:
- 82 (a) designed primarily for through traffic; and
- 83 (b) to or from which owners or occupants of abutting lands and other persons have no
- 84 legal right of access, except at points as determined by the highway authority having
- 85 jurisdiction over the highway, street, or roadway.
- 86 ~~[(13)]~~ (14) "Crosswalk" means:
- 87 (a) that part of a roadway at an intersection included within the connections of the

88 lateral lines of the sidewalks on opposite sides of the highway measured from:

89 (i) (A) the curbs; or

90 (B) in the absence of curbs, from the edges of the traversable roadway; and

91 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway

92 included within the extension of the lateral lines of the existing sidewalk at right angles to the

93 centerline; or

94 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for

95 pedestrian crossing by lines or other markings on the surface.

96 [~~(14)~~] (15) "Department" means the Department of Public Safety.

97 [~~(15)~~] (16) "Direct supervision" means oversight at a distance within which:

98 (a) visual contact is maintained; and

99 (b) advice and assistance can be given and received.

100 [~~(16)~~] (17) "Divided highway" means a highway divided into two or more roadways

101 by:

102 (a) an unpaved intervening space;

103 (b) a physical barrier; or

104 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

105 [~~(17)~~] (18) "Electric assisted bicycle" means a bicycle with an electric motor that:

106 (a) has a power output of not more than 750 watts;

107 (b) has fully operable pedals on permanently affixed cranks;

108 (c) is fully operable as a bicycle without the use of the electric motor; and

109 (d) is one of the following:

110 (i) an electric assisted bicycle equipped with a motor or electronics that:

111 (A) provides assistance only when the rider is pedaling; and

112 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per

113 hour;

114 (ii) an electric assisted bicycle equipped with a motor or electronics that:

115 (A) may be used exclusively to propel the bicycle; and

116 (B) is not capable of providing assistance when the bicycle reaches the speed of 20

117 miles per hour; or

118 (iii) an electric assisted bicycle equipped with a motor or electronics that:

- 119 (A) provides assistance only when the rider is pedaling;
- 120 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per  
121 hour; and
- 122 (C) is equipped with a speedometer.
- 123 ~~[(18)]~~ (19) (a) "Electric personal assistive mobility device" means a self-balancing  
124 device with:
- 125 (i) two nontandem wheels in contact with the ground;
- 126 (ii) a system capable of steering and stopping the unit under typical operating  
127 conditions;
- 128 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
- 129 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 130 (v) a deck design for a person to stand while operating the device.
- 131 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 132 ~~[(19)]~~ (20) "Explosives" means a chemical compound or mechanical mixture  
133 commonly used or intended for the purpose of producing an explosion and that contains any  
134 oxidizing and combustive units or other ingredients in proportions, quantities, or packing so  
135 that an ignition by fire, friction, concussion, percussion, or detonator of any part of the  
136 compound or mixture may cause a sudden generation of highly heated gases, and the resultant  
137 gaseous pressures are capable of producing destructive effects on contiguous objects or of  
138 causing death or serious bodily injury.
- 139 ~~[(20)]~~ (21) "Farm tractor" means a motor vehicle designed and used primarily as a farm  
140 implement, for drawing plows, mowing machines, and other implements of husbandry.
- 141 ~~[(21)]~~ (22) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or  
142 less, as determined by a ~~[tagliabue]~~ Tagliabue or equivalent closed-cup test device.
- 143 ~~[(22)]~~ (23) "Freeway" means a controlled-access highway that is part of the interstate  
144 system as defined in Section [72-1-102](#).
- 145 ~~[(23)]~~ (24) (a) "Golf cart" means a device that:
- 146 (i) is designed for transportation by players on a golf course;
- 147 (ii) has not less than three wheels in contact with the ground;
- 148 (iii) has an unladen weight of less than 1,800 pounds;
- 149 (iv) is designed to operate at low speeds; and

150 (v) is designed to carry not more than six persons including the driver.

151 (b) "Golf cart" does not include:

152 (i) a low-speed vehicle or an off-highway vehicle;

153 (ii) a motorized wheelchair;

154 (iii) an electric personal assistive mobility device;

155 (iv) an electric assisted bicycle;

156 (v) a motor assisted scooter;

157 (vi) a personal delivery device, as defined in Section 41-6a-1119; or

158 (vii) a mobile carrier, as defined in Section 41-6a-1120.

159 [~~24~~] (25) "Gore area" means the area delineated by two solid white lines that is  
160 between a continuing lane of a through roadway and a lane used to enter or exit the continuing  
161 lane including similar areas between merging or splitting highways.

162 [~~25~~] (26) "Gross weight" means the weight of a vehicle without a load plus the  
163 weight of any load on the vehicle.

164 [~~26~~] (27) "Highway" means the entire width between property lines of every way or  
165 place of any nature when any part of it is open to the use of the public as a matter of right for  
166 vehicular travel.

167 [~~27~~] (28) "Highway authority" means the same as that term is defined in Section  
168 72-1-102.

169 [~~28~~] (29) (a) "Intersection" means the area embraced within the prolongation or  
170 connection of the lateral curblines, or, if none, then the lateral boundary lines of the roadways  
171 of two or more highways that join one another.

172 (b) Where a highway includes two roadways 30 feet or more apart:

173 (i) every crossing of each roadway of the divided highway by an intersecting highway  
174 is a separate intersection; and

175 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then  
176 every crossing of two roadways of the highways is a separate intersection.

177 (c) "Intersection" does not include the junction of an alley with a street or highway.

178 [~~29~~] (30) "Island" means an area between traffic lanes or at an intersection for control  
179 of vehicle movements or for pedestrian refuge designated by:

180 (a) pavement markings, which may include an area designated by two solid yellow

181 lines surrounding the perimeter of the area;

182 (b) channelizing devices;

183 (c) curbs;

184 (d) pavement edges; or

185 (e) other devices.

186 ~~[(30)]~~ (31) "Lane filtering" means, when operating a motorcycle other than an  
187 autocycle, the act of overtaking and passing another vehicle that is stopped in the same  
188 direction of travel in the same lane.

189 ~~[(31)]~~ (32) "Law enforcement agency" means the same as that term is as defined in  
190 Section [53-1-102](#).

191 ~~[(32)]~~ (33) "Limited access highway" means a highway:

192 (a) that is designated specifically for through traffic; and

193 (b) over, from, or to which neither owners nor occupants of abutting lands nor other  
194 persons have any right or easement, or have only a limited right or easement of access, light,  
195 air, or view.

196 ~~[(33)]~~ (34) "Local highway authority" means the legislative, executive, or governing  
197 body of a county, municipal, or other local board or body having authority to enact laws  
198 relating to traffic under the constitution and laws of the state.

199 ~~[(34)]~~ (35) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

200 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

201 (ii) has a capacity of not more than six passengers, including a conventional driver or  
202 fallback-ready user if on board the vehicle, as those terms are defined in Section [41-26-102.1](#).

203 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

204 ~~[(35)]~~ (36) "Metal tire" means a tire, the surface of which in contact with the highway  
205 is wholly or partly of metal or other hard nonresilient material.

206 ~~[(36)]~~ (37) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a  
207 seat or saddle that is less than 24 inches from the ground as measured on a level surface with  
208 properly inflated tires.

209 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

210 (c) "Mini-motorcycle" does not include a motorcycle that is:

211 (i) designed for off-highway use; and

212 (ii) registered as an off-highway vehicle under Section 41-22-3.

213 [~~37~~] (38) "Mobile home" means:

214 (a) a trailer or semitrailer that is:

215 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping  
216 place either permanently or temporarily; and

217 (ii) equipped for use as a conveyance on streets and highways; or

218 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and  
219 constructed for use as a mobile home, as defined in Subsection [~~37~~] (38)(a), but that is  
220 instead used permanently or temporarily for:

221 (i) the advertising, sale, display, or promotion of merchandise or services; or

222 (ii) any other commercial purpose except the transportation of property for hire or the  
223 transportation of property for distribution by a private carrier.

224 (39) "Mobility disability" means an impairment or medical condition that limits an  
225 individual's ability to walk, ambulate, or maneuver around objects, or to ascend or descend  
226 steps or slopes.

227 [~~38~~] (40) (a) "Moped" means a motor-driven cycle having:

228 (i) pedals to permit propulsion by human power; and

229 (ii) a motor that:

230 (A) produces not more than two brake horsepower; and

231 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on  
232 level ground.

233 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic  
234 centimeters and the moped shall have a power drive system that functions directly or  
235 automatically without clutching or shifting by the operator after the drive system is engaged.

236 (c) "Moped" does not include:

237 (i) an electric assisted bicycle; or

238 (ii) a motor assisted scooter.

239 [~~39~~] (41) (a) "Motor assisted scooter" means a self-propelled device with:

240 (i) at least two wheels in contact with the ground;

241 (ii) a braking system capable of stopping the unit under typical operating conditions;

242 (iii) an electric motor not exceeding 2,000 watts;



- 243 (iv) either:
- 244 (A) handlebars and a deck design for a person to stand while operating the device; or
- 245 (B) handlebars and a seat designed for a person to sit, straddle, or stand while operating
- 246 the device;
- 247 (v) a design for the ability to be propelled by human power alone; and
- 248 (vi) a maximum speed of 20 miles per hour on a paved level surface.
- 249 (b) "Motor assisted scooter" does not include:
- 250 (i) an electric assisted bicycle; or
- 251 (ii) a motor-driven cycle.
- 252 [~~40~~] (42) (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that
- 253 is propelled by electric power obtained from overhead trolley wires, but not operated upon
- 254 rails.
- 255 (b) "Motor vehicle" does not include:
- 256 (i) vehicles moved solely by human power;
- 257 (ii) motorized wheelchairs;
- 258 (iii) an electric personal assistive mobility device;
- 259 (iv) an electric assisted bicycle;
- 260 (v) a motor assisted scooter;
- 261 (vi) a personal delivery device, as defined in Section [41-6a-1119](#); or
- 262 (vii) a mobile carrier, as defined in Section [41-6a-1120](#).
- 263 [~~41~~] (43) "Motorcycle" means:
- 264 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
- 265 and designed to travel with not more than three wheels in contact with the ground; or
- 266 (b) an auticycle.
- 267 [~~42~~] (44) (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized
- 268 bicycle having:
- 269 (i) an engine with less than 150 cubic centimeters displacement; or
- 270 (ii) a motor that produces not more than five horsepower.
- 271 (b) "Motor-driven cycle" does not include:
- 272 (i) an electric personal assistive mobility device;
- 273 (ii) a motor assisted scooter; or

274 (iii) an electric assisted bicycle.

275 [~~(43)~~] (45) "Off-highway implement of husbandry" means the same as that term is  
276 defined under Section 41-22-2.

277 [~~(44)~~] (46) "Off-highway vehicle" means the same as that term is defined under Section  
278 41-22-2.

279 [~~(45)~~] (47) "Operate" means the same as that term is defined in Section 41-1a-102.

280 [~~(46)~~] (48) "Operator" means:

281 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or

282 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a  
283 vehicle.

284 [~~(47)~~] (49) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle  
285 is occupied or not.

286 (b) "Park" or "parking" does not include:

287 (i) the standing of a vehicle temporarily for the purpose of and while actually engaged  
288 in loading or unloading property or passengers; or

289 (ii) a motor vehicle with an engaged automated driving system that has achieved a  
290 minimal risk condition, as those terms are defined in Section 41-26-102.1.

291 [~~(48)~~] (50) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,  
292 Peace Officer Classifications, to direct or regulate traffic or to make arrests for violations of  
293 traffic laws.

294 [~~(49)~~] (51) "Pedestrian" means a person traveling:

295 (a) on foot; or

296 (b) in a wheelchair.

297 [~~(50)~~] (52) "Pedestrian traffic-control signal" means a traffic-control signal used to  
298 regulate pedestrians.

299 [~~(51)~~] (53) "Person" means a natural person, firm, copartnership, association,  
300 corporation, business trust, estate, trust, partnership, limited liability company, association,  
301 joint venture, governmental agency, public corporation, or any other legal or commercial entity.

302 [~~(52)~~] (54) "Pole trailer" means a vehicle without motive power:

303 (a) designed to be drawn by another vehicle and attached to the towing vehicle by  
304 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

305 (b) that is ordinarily used for transporting long or irregular shaped loads including  
306 poles, pipes, or structural members generally capable of sustaining themselves as beams  
307 between the supporting connections.

308 [~~(53)~~] (55) "Private road or driveway" means every way or place in private ownership  
309 and used for vehicular travel by the owner and those having express or implied permission  
310 from the owner, but not by other persons.

311 [~~(54)~~] (56) "Railroad" means a carrier of persons or property upon cars operated on  
312 stationary rails.

313 [~~(55)~~] (57) "Railroad sign or signal" means a sign, signal, or device erected by  
314 authority of a public body or official or by a railroad and intended to give notice of the presence  
315 of railroad tracks or the approach of a railroad train.

316 [~~(56)~~] (58) "Railroad train" means a locomotive propelled by any form of energy,  
317 coupled with or operated without cars, and operated upon rails.

318 [~~(57)~~] (59) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a  
319 lawful manner in preference to another vehicle or pedestrian approaching under circumstances  
320 of direction, speed, and proximity that give rise to danger of collision unless one grants  
321 precedence to the other.

322 [~~(58)~~] (60) (a) "Roadway" means that portion of highway improved, designed, or  
323 ordinarily used for vehicular travel.

324 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of  
325 them are used by persons riding bicycles or other human-powered vehicles.

326 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if  
327 a highway includes two or more separate roadways.

328 [~~(59)~~] (61) "Safety zone" means the area or space officially set apart within a roadway  
329 for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate  
330 signs as to be plainly visible at all times while set apart as a safety zone.

331 [~~(60)~~] (62) (a) "School bus" means a motor vehicle that:

332 (i) complies with the color and identification requirements of the most recent edition of  
333 "Minimum Standards for School Buses"; and

334 (ii) is used to transport school children to or from school or school activities.

335 (b) "School bus" does not include a vehicle operated by a common carrier in

336 transportation of school children to or from school or school activities.

337 ~~[(61)]~~ (63) (a) "Semitrailer" means a vehicle with or without motive power:

338 (i) designed for carrying persons or property and for being drawn by a motor vehicle;

339 and

340 (ii) constructed so that some part of its weight and that of its load rests on or is carried  
341 by another vehicle.

342 (b) "Semitrailer" does not include a pole trailer.

343 ~~[(62)]~~ (64) "Shoulder area" means:

344 (a) that area of the hard-surfaced highway separated from the roadway by a pavement  
345 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";  
346 or

347 (b) that portion of the road contiguous to the roadway for accommodation of stopped  
348 vehicles, for emergency use, and for lateral support.

349 ~~[(63)]~~ (65) "Sidewalk" means that portion of a street between the curb lines, or the  
350 lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

351 ~~[(64)]~~ (66) "Solid rubber tire" means a tire of rubber or other resilient material that  
352 does not depend on compressed air for the support of the load.

353 ~~[(65)]~~ (67) "Stand" or "standing" means the temporary halting of a vehicle, whether  
354 occupied or not, for the purpose of and while actually engaged in receiving or discharging  
355 passengers.

356 ~~[(66)]~~ (68) "Stop" when required means complete cessation from movement.

357 ~~[(67)]~~ (69) "Stop" or "stopping" when prohibited means any halting even momentarily  
358 of a vehicle, whether occupied or not, except when:

359 (a) necessary to avoid conflict with other traffic; or

360 (b) in compliance with the directions of a peace officer or traffic-control device.

361 ~~[(68)]~~ (70) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain  
362 type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet  
363 the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with  
364 Section 41-6a-1509.

365 ~~[(69)]~~ (71) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other  
366 conveyances either singly or together while using any highway for the purpose of travel.

367            [~~(70)~~] (72) "Traffic signal preemption device" means an instrument or mechanism  
368 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

369            [~~(71)~~] (73) "Traffic-control device" means a sign, signal, marking, or device not  
370 inconsistent with this chapter placed or erected by a highway authority for the purpose of  
371 regulating, warning, or guiding traffic.

372            [~~(72)~~] (74) "Traffic-control signal" means a device, whether manually, electrically, or  
373 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

374            [~~(73)~~] (75) (a) "Trailer" means a vehicle with or without motive power designed for  
375 carrying persons or property and for being drawn by a motor vehicle and constructed so that no  
376 part of its weight rests upon the towing vehicle.

377            (b) "Trailer" does not include a pole trailer.

378            [~~(74)~~] (76) "Truck" means a motor vehicle designed, used, or maintained primarily for  
379 the transportation of property.

380            [~~(75)~~] (77) "Truck tractor" means a motor vehicle:

381            (a) designed and used primarily for drawing other vehicles; and

382            (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck  
383 tractor.

384            [~~(76)~~] (78) "Two-way left turn lane" means a lane:

385            (a) provided for vehicle operators making left turns in either direction;

386            (b) that is not used for passing, overtaking, or through travel; and

387            (c) that has been indicated by a lane traffic-control device that may include lane  
388 markings.

389            [~~(77)~~] (79) "Urban district" means the territory contiguous to and including any street,  
390 in which structures devoted to business, industry, or dwelling houses are situated at intervals of  
391 less than 100 feet, for a distance of a quarter of a mile or more.

392            [~~(78)~~] (80) "Vehicle" means a device in, on, or by which a person or property is or may  
393 be transported or drawn on a highway, except a mobile carrier, as defined in Section  
394 [41-6a-1120](#), or a device used exclusively on stationary rails or tracks.

395            Section 2. Section **41-6a-1115.5** is amended to read:

396            **41-6a-1115.5. Electric assisted bicycles -- Restrictions -- Penalties.**

397            (1) Except as otherwise provided in this section, an electric assisted bicycle is subject

398 to the provisions under this chapter for a bicycle.

399 (2) (a) An individual may operate an electric assisted bicycle on a path or trail  
400 designated for the use of a bicycle.

401 (b) (i) An individual with a mobility disability may operate an electric assisted bicycle  
402 or an adaptive electric assisted bicycle on a path or trail designated for the use of a bicycle.

403 (ii) An individual with a mobility disability that wishes to operate an adaptive electric  
404 assisted bicycle as described in Subsection (2)(b)(i) may provide evidence that the adaptive  
405 electric assisted bicycle is necessary to assist the individual with a mobility disability by:

406 (A) presenting a government-issued disability parking placard; or

407 (B) a verbal or written statement that the individual has a mobility disability that is not  
408 contradicted by observable fact.

409 (3) (a) ~~[A]~~ Except as provided in Subsection (3)(b), a local authority or state agency  
410 may adopt an ordinance or rule to regulate or restrict the use of an electric assisted bicycle, or a  
411 specific classification of an electric assisted bicycle, on a sidewalk, path, or trail within the  
412 jurisdiction of the local authority or state agency.

413 (b) ~~H~~→ (i) ~~[A]~~ **Subject to Subsection (3)(b)(ii), a** ~~←H~~ local authority, political  
413a subdivision, or state agency may not adopt an ordinance  
414 or rule to regulate or restrict an individual with a mobility disability from using an electric  
415 assisted bicycle or an adaptive electric assisted bicycle on a sidewalk, path, or trail within the  
416 jurisdiction of the local authority or state agency.

416a ~~H~~→ (ii) (A) **A local authority, political subdivision, or state agency may impose legitimate**  
416b **and reasonable safety requirements necessary for the safe operation of services, programs, or**  
416c **activities related to the use of an electric assisted bicycle or an adaptive electric assisted bicycle.**

416d (B) **A local authority, political subdivision, or state agency shall ensure that a safety**  
416e **requirement imposed pursuant to Subsection (3)(b)(ii)(A) is based on actual risks, and not mere**  
416f **speculation, stereotypes, or generalizations about individuals with a mobility disability.** ~~←H~~

417 (4) An individual under 16 years ~~[of age]~~ old may not operate a class 3 electric assisted  
418 bicycle.

419 (5) An individual under 14 years ~~[of age]~~ old may not operate an electric assisted  
420 bicycle with the electric motor engaged on any public property, highway, path, or sidewalk  
421 unless the individual is under the direct supervision of the individual's parent or guardian.

422 (6) An individual under eight years ~~[of age]~~ old may not operate an electric assisted  
423 bicycle with the electric motor engaged on any public property, highway, path, or sidewalk.

424 (7) The owner of an electric assisted bicycle may not authorize or knowingly permit an  
425 individual to operate an electric assisted bicycle in violation of this section.

426 (8) (a) Beginning January 1, 2017, each Utah-based manufacturer of an electric assisted  
427 bicycle and each distributor of an electric assisted bicycle in Utah shall permanently affix a  
428 label in a prominent location on the electric assisted bicycle.

429 (b) Each manufacturer and each distributor shall ensure that the label is printed in Arial  
430 font, in 9-point type or larger, and includes the:

431 (i) appropriate electric assisted bicycle classification number described in Section  
432 [41-6a-102](#);

433 (ii) top assisted speed; and

434 (iii) wattage of the motor.

435 (9) An individual who violates this section is guilty of an infraction.

436 (10) A class 2 electric assisted bicycle is subject to the restrictions of Section  
437 [41-6a-526](#).

438 Section 3. Section **63I-1-241** is amended to read:

439 **63I-1-241. Repeal dates, Title 41.**

440 (1) Subsection [41-1a-1201](#)(9), related to the Spinal Cord and Brain Injury  
441 Rehabilitation Fund, is repealed January 1, 2025.

442 (2) Section [41-3-106](#), which creates an advisory board related to motor vehicle  
443 business regulation, is repealed July 1, 2024.

444 (3) The following subsections addressing lane filtering are repealed on July 1, 2022:

445 (a) [~~Subsection [41-6a-102](#)(30)~~] [Section 41-6a-102](#) that defines "lane filtering";

446 (b) Subsection [41-6a-704](#)(5); and

447 (c) Subsection [41-6a-710](#)(1)(c).

448 (4) Subsection [41-6a-1406](#)(6)(b)(iii), related to the Spinal Cord and Brain Injury  
449 Rehabilitation Fund, is repealed January 1, 2025.

450 (5) Subsections [41-22-2](#)(1) and [41-22-10](#)(1)(a), which create the Off-highway Vehicle  
451 Advisory Council, are repealed July 1, 2027.

452 (6) Subsection [41-22-8](#)(3), related to the Spinal Cord and Brain Injury Rehabilitation  
453 Fund, is repealed January 1, 2025.