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H.542

Introduced by Representative Townsend of South Burlington

Referred to Committee on

Date:

Subject: Bicycles; motor-assisted bicycles

Statement of purpose of bill as introduced: This bill proposes to define the phrase “motor-assisted bicycle” and to clarify the status of and law governing motor-assisted bicycles under Vermont law.

An act relating to motor-assisted bicycles

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 23 V.S.A. § 4 is amended to read:

§ 4. DEFINITIONS

Except as may be otherwise provided herein, and unless the context otherwise requires in statutes relating to motor vehicles and enforcement of the law regulating vehicles, as provided in this title and 20 V.S.A. part 5, the following definitions shall apply:

\* \* \*

(45)(A) “Motor-driven cycle” means any vehicle equipped with two or three wheels, a power source providing up to a maximum of two brake horsepower and having a maximum piston or rotor displacement of 50 cubic

1 centimeters if a combustion engine is used, which will propel the vehicle,  
2 unassisted, at a speed not to exceed 30 miles per hour on a level road surface,  
3 and which is equipped with a power drive system that functions directly or  
4 automatically only, not requiring clutching or shifting by the operator after the  
5 drive system is engaged. As motor vehicles, motor-driven cycles shall be  
6 subject to the purchase and use tax imposed under 32 V.S.A. chapter 219  
7 rather than to a general sales tax. ~~An~~ Neither an electric personal assistive  
8 mobility device nor a motor-assisted bicycle is ~~not~~ a motor-driven cycle.

9 (B) "Motor-assisted bicycle" means any bicycle or tricycle with fully  
10 operable pedals that is equipped with a motor of less than 1000 watts or 1.3  
11 horsepower, and that is capable of producing a top speed of no more than 20  
12 miles per hour on a paved level surface when ridden by an operator who  
13 weighs 170 pounds. Under Vermont law, motor-assisted bicycles shall be  
14 governed as bicycles as prescribed in section 1136 of this title.

15 \* \* \*

16 Sec. 2. 23 V.S.A. § 1136(d) is added to read:

17 (d) Motor-assisted bicycles shall be governed by Vermont laws applicable  
18 to bicycles, and operators of motor-assisted bicycles shall be subject to all of  
19 the rights and duties applicable to bicyclists under Vermont law.  
20 Motor-assisted bicycles shall be exempt from motor vehicle registration,  
21 licensing, and inspection requirements. Nothing in this subsection shall

1 interfere with the existing right of municipalities to regulate the operation and  
2 use of motor-assisted bicycles in accordance with 24 V.S.A. § 2291(1) and (4).

3 Sec. 3. EFFECTIVE DATE

4 This act shall take effect on passage.