

ENROLLED HOUSE
BILL NO. 2812

By: Beutler, Bonny, Widener,
Miller, Pettigrew,
Voskuhl and Askins of
the House

and

Hendrick, Capps and
Douglass of the Senate

An Act relating to transportation; amending Section 3 of Enrolled Senate Joint Resolution No. 35 of the 2nd Session of the 45th Oklahoma Legislature, which relates to the "John N. Happy Camp Memorial Highway"; defining term electric-assisted bicycle; providing for conditions under which electric-assisted bicycles may be operated; modifying effective date; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-136.2 of Title 47, unless there is created a duplication in numbering, reads as follows:

Electric-Assisted Bicycle.

Every bicycle with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor. An electric-assisted bicycle shall meet the requirements of the Federal Motor Vehicle Safety Standards as set forth in federal regulations and shall operate in a manner such that the electric motor disengages or ceases to function when the brakes are applied. An electric-assisted bicycle motor shall have a power output not to exceed one thousand (1,000) watts, be incapable of propelling the device at a speed of more than twenty (20) miles per hour on level ground, and be incapable of further increasing the speed of the device when human power alone is used to propel the device at a speed of twenty (20) miles per hour or more.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 19-201 of Title 47, unless there is created a duplication in numbering, reads as follows:

Notwithstanding any other provision of law, operators of electric-assisted bicycles, as defined in Section 1 of this act, shall:

1. Possess a Class A, B, C or D license, but shall be exempt from a motorcycle endorsement;
2. Not be subject to motor vehicle liability insurance requirements;
3. Be authorized to operate an electric-assisted bicycle wherever bicycles are authorized to be operated;
4. Be prohibited from operating an electric-assisted bicycle wherever bicycles are prohibited from operating; and

5. Wear a properly fitted and fastened bicycle helmet which meets the standards of the American National Standards Institute or the Snell Memorial Foundation Standards for protective headgear for use in bicycling, provided such operator is eighteen (18) years of age or less.

SECTION 3. AMENDATORY Section 3 of Enrolled Senate Joint Resolution No. 35 of the 2nd Session of the 45th Oklahoma Legislature, is amended to read as follows:

Section 3. This act shall become effective ~~November~~ July 1, 1996.

SECTION 4. Sections 1 and 2 of this act shall become effective November 1, 1996.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 24th day of May, 1996.

Speaker of the House of
Representatives

Passed the Senate the 24th day of May, 1996.

President of the Senate