

1 ENGROSSED HOUSE
2 BILL NO. 3852

By: Strom of the House

3 and

4 Paxton of the Senate
5
6

7 An Act relating to motor vehicles; amending 47 O.S.
8 2021, Sections 1-104 and 1-133.3, which relate to
9 motorized bicycles and motorized scooters; modifying
10 definitions; removing certain wattage restrictions;
11 and providing an effective date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1-104, is
14 amended to read as follows:

15 Section 1-104. A. A bicycle is a device upon which any person
16 or persons may ride, propelled solely by human power through a belt,
17 chain, or gears, and having two or more wheels, excluding mopeds.

18 B. An electric-assisted bicycle is any bicycle with:

19 1. Two or three wheels; and

20 2. Fully operative pedals for human propulsion and equipped
21 with an electric motor ~~with a power output of not more than seven~~
22 ~~hundred fifty (750) watts~~ that meets the requirements of one of the
23 following three classes:
24

- 1 a. "Class 1 electric-assisted bicycle" shall mean an
2 electric-assisted bicycle equipped with a motor that
3 provides assistance only when the rider is pedaling,
4 and that ceases to provide assistance when the bicycle
5 reaches the speed of twenty (20) miles per hour,
6 b. "Class 2 electric-assisted bicycle" shall mean an
7 electric-assisted bicycle equipped with a motor that
8 may be used exclusively to propel the bicycle, and
9 that is not capable of providing assistance when the
10 bicycle reaches the speed of twenty (20) miles per
11 hour, and
12 c. "Class 3 electric-assisted bicycle" shall mean an
13 electric-assisted bicycle equipped with a motor that
14 provides assistance only when the rider is pedaling,
15 and that ceases to provide assistance when the bicycle
16 reaches the speed of twenty-eight (28) miles per hour.

17 An electric-assisted bicycle shall meet the manufacturing and
18 equipment requirements adopted by the Consumer Product Safety
19 Commission for bicycles and shall operate in such a manner that the
20 electric motor disengages or ceases to function when the rider stops
21 pedaling or the brakes are applied.

22 C. A motorized bicycle is any bicycle having:

- 23 1. Fully operative pedals for propulsion by human power;
24

1 2. A power drive system that functions directly or
2 automatically without clutching or shifting by the operator after
3 the drive system is engaged; and

4 3. A combustion engine with a piston or rotor displacement of
5 eighty ~~(80 cu cm)~~ cubic centimeters (80 cc) or less, regardless of
6 the number of chambers in the engine, which is capable of propelling
7 the bicycle at a maximum design speed of not more than thirty-five
8 (35) miles per hour on level ground.

9 D. As used in this title, the term "bicycle" shall include
10 tricycles, quadcycles, or similar human-powered devices, electric-
11 assisted bicycles, and motorized bicycles unless otherwise
12 specifically indicated.

13 SECTION 2. AMENDATORY 47 O.S. 2021, Section 1-133.3, is
14 amended to read as follows:

15 Section 1-133.3 Motorized scooter.

16 A. A "motorized scooter" is any vehicle having:

17 1. Not more than three wheels in contact with the ground;

18 2. Handlebars and a foot support or seat for the use of the
19 operator;

20 3. A power source that is capable of propelling the vehicle at
21 a maximum design speed of not more than twenty-five (25) miles per
22 hour on level ground, ~~and~~ and,

23 ~~a.~~ if the power source is a combustion engine, has a
24 piston or rotor displacement of thirty-five cubic

centimeters ~~(35 cu cm)~~ (35 cc) or less regardless of
the number of chambers in the power source₇

~~b. if the power source is electric, has a power output of not more than one thousand (1,000) watts.~~

B. For purposes of this section, an electric personal assistive mobility device, as defined in Section 1-114A of this title, bicycle, electric-assisted bicycle, or motorized bicycle, as defined in Section 1-104 of this title, shall not be considered a motorized scooter.

C. A motorized scooter shall not be required to be registered under the laws of this state. The operator of a motorized scooter shall not be required to possess a driver license or to comply with the vehicle insurance or financial responsibility laws of this state.

SECTION 3. This act shall become effective November 1, 2022.

Passed the House of Representatives the 10th day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the day of , 2022.

Presiding Officer of the Senate