

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 3852

By: Strom of the House

5 and

6 **Paxton** of the Senate

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8
9 AS INTRODUCED

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

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

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

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

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

22 1. Two or three wheels; and

23 2. Fully operative pedals for human propulsion and equipped
24 with an electric motor ~~with a power output of not more than seven~~

1 ~~hundred fifty (750) watts~~ that meets the requirements of one of the
2 following three classes:

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

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

24 C. A motorized bicycle is any bicycle having:

1 1. Fully operative pedals for propulsion by human power;

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

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

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

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

16 Section 1-133.3 Motorized scooter.

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

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

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

21 3. A power source that is capable of propelling the vehicle at
22 a maximum design speed of not more than twenty-five (25) miles per
23 hour on level ground~~7~~ and~~÷~~1

1 ~~a.~~ if the power source is a combustion engine, has a
2 piston or rotor displacement of thirty-five cubic
3 centimeters ~~(35 cu cm)~~ (35 cc) or less regardless of
4 the number of chambers in the power source,

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

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

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

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

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19 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 03/03/2022 -
20 DO PASS, As Coauthored.