

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 3852

By: Strom

AS INTRODUCED

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

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

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

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

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

1. Two or three wheels; and
2. Fully operative pedals for human propulsion and equipped with an electric motor ~~with a power output of not more than seven hundred fifty (750) watts~~ that meets the requirements of one of the following three classes:

- 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 source,

~~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.

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