

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2646 Session of 2020

INTRODUCED BY WENTLING, BULLOCK, HENNESSEY, MILLARD, ROTHMAN, LONGIETTI, SANCHEZ, JOZWIAK, MOUL AND COMITTA, JUNE 30, 2020

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 30, 2020

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in certificate of title and security interests,
4 further providing for vehicles not requiring certificate of
5 title; in registration of vehicles, further providing for
6 vehicles exempt from registration; and, in special vehicles
7 and pedestrians, further providing for operation of
8 pedalcycles with electric assist.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The definitions of "motor vehicle," "motorized
12 pedalcycle" and "pedalcycle with electric assist" in section 102
13 of Title 75 of the Pennsylvania Consolidated Statutes are
14 amended to read:

15 § 102. Definitions.

16 Subject to additional definitions contained in subsequent
17 provisions of this title which are applicable to specific
18 provisions of this title, the following words and phrases when
19 used in this title shall have, unless the context clearly
20 indicates otherwise, the meanings given to them in this section:

1 * * *

2 "Motor vehicle." A vehicle which is self-propelled except an
3 electric personal assistive mobility device, a pedalcycle with
4 electric assist or a vehicle which is propelled solely by human
5 power.

6 * * *

7 "Motorized pedalcycle." A motor-driven cycle equipped with
8 operable pedals, a motor rated no more than 1.5 brake
9 horsepower, a cylinder capacity not exceeding 50 cubic
10 centimeters, an automatic transmission, and a maximum design
11 speed of no more than 25 miles per hour for an electric motor- <--
12 driven cycle equipped with operable pedals and an automatic
13 transmission powered by an electric battery or battery pack-
14 powered electric motor with a maximum design speed of no more
15 than 25 miles per hour. THE TERM DOES NOT INCLUDE A PEDALCYCLE <--
16 WITH ELECTRIC ASSIST.

17 * * *

18 "Pedalcycle with electric assist." [A vehicle weighing not
19 more than 100 pounds with two or three wheels more than 11
20 inches in diameter, manufactured or assembled with an electric
21 motor system rated at not more than 750 watts and equipped with
22 operable pedals and capable of a speed not more than 20 miles
23 per hour on a level surface when powered by the motor source
24 only. The term does not include a device specifically designed
25 for use by persons with disabilities.] As follows:

26 (1) A vehicle which:

27 (i) weighs not more than 100 pounds with two or
28 three wheels more than 11 inches in diameter;

29 (ii) is manufactured or assembled with an electric
30 motor system rated at not more than 750 watts;

1 (iii) is equipped with operable pedals AND A SEAT OR <--
2 SADDLE FOR THE RIDER; and
3 (iv) meets the requirements of one of the classes
4 identified under section 3514(a) (relating to operation
5 of pedalcycles with electric assist).

6 (2) The term does not include a device specifically
7 designed for use by persons with disabilities.

8 * * *

9 Section 2. Sections 1102 and 1302 of Title 75 are amended by
10 adding paragraphs to read:

11 § 1102. Vehicles not requiring certificate of title.

12 No certificate of title is required for:

13 * * *

14 (13) A pedalcycle with electric assist.

15 § 1302. Vehicles exempt from registration.

16 The following types of vehicles are exempt from registration:

17 * * *

18 (24) A pedalcycle with electric assist.

19 Section 3. Section 3514 of Title 75 is amended to read:

20 § 3514. Operation of pedalcycles with electric assist.

21 [No person under 16 years of age shall operate a pedalcycle
22 with electric assist.] (a) Classifications.--Pedalcycles with
23 electric assist shall be classified as follows:

24 (1) A Class 1 pedalcycle with electric assist is a
25 pedalcycle equipped with a motor that provides assistance
26 only when the rider is pedaling and that ceases to provide
27 assistance when the pedalcycle reaches the speed of 20 miles
28 per hour.

29 (2) A Class 2 pedalcycle with electric assist is a
30 pedalcycle equipped with a motor that may be used exclusively

1 to propel the pedalcycle and that is not capable of providing
2 assistance when the pedalcycle reaches the speed of 20 miles
3 per hour.

4 (3) A Class 3 pedalcycle with electric assist is a
5 pedalcycle equipped with a motor that provides assistance
6 only when the rider is pedaling and that ceases to provide
7 assistance when the pedalcycle reaches the speed of 28 miles
8 per hour.

9 (b) Labeling requirement.--On and after the effective date
10 of this subsection, manufacturers and distributors of
11 pedalcycles with electric assist shall apply a label that is
12 permanently affixed, in a prominent location, to each
13 pedalcycle. The label shall contain the classification number,
14 top assisted speed and motor wattage of the pedalcycle with
15 electric assist. The label shall be printed in at least nine-
16 point font.

17 (c) Modification of pedalcycle.--No person shall modify a
18 pedalcycle with electric assist so as to change the motor-
19 powered speed capability or engagement of the pedalcycle with
20 electric assist, unless the person appropriately replaces the
21 label indicating the classification required in subsection (b),
22 which shall be provided by the manufacturer or distributor under
23 subsection (b) upon request.

24 (d) Requirements.--A pedalcycle with electric assist shall
25 comply with the equipment and manufacturing requirements for
26 bicycles under 16 CFR Pt. 1512 (relating to requirements for
27 bicycles).

28 (e) Motor disengagement.--A pedalcycle WITH ELECTRIC ASSIST <--
29 shall operate in a manner so that the electric motor is
30 disengaged or ceases to function when the rider stops pedaling

1 or when the brakes are applied.

2 ~~(f) Operation on paths. A Class 1 pedalcycle with electric~~ <--
3 ~~assist or a Class 2 pedalcycle with electric assist may be used~~
4 ~~on paths where pedalcycles are authorized. A local authority or~~
5 ~~governing body having jurisdiction over a path may prohibit, by~~
6 ~~ordinance, the operation of a Class 1 pedalcycle with electric~~
7 ~~assist or Class 2 pedalcycle with electric assist on the path.~~

8 ~~(g) Restrictions on paths. A Class 3 pedalcycle with~~
9 ~~electric assist may not be operated on a path unless the path is~~
10 ~~within or adjacent to a highway or roadway, or the local~~
11 ~~authority or governing body having jurisdiction over the path~~
12 ~~permits, by ordinance, operation on the path.~~

13 (F) OPERATION OF PEDALCYCLES WITH ELECTRIC ASSIST.-- <--

14 (1) ANY CLASSIFICATION OF A PEDALCYCLE WITH ELECTRIC
15 ASSIST MAY BE USED ON HIGHWAYS, ROADWAYS, SIDEWALKS OR
16 PEDALCYCLE TRAILS WHERE PEDALCYCLES ARE AUTHORIZED TO BE
17 OPERATED UNDER THIS TITLE AND SUBJECT TO SUBSECTIONS (G) AND
18 (H).

19 (2) THIS SUBSECTION SHALL NOT APPLY TO A TRAIL THAT IS
20 SPECIFICALLY DESIGNATED AS NONMOTORIZED AND THAT HAS A
21 NATURAL SURFACE TREAD THAT IS MADE BY CLEARING AND GRADING
22 THE NATIVE SOIL WITH NO ADDED SURFACING MATERIALS. A LOCAL
23 AUTHORITY OR GOVERNING BODY OF A PUBLIC AGENCY HAVING
24 JURISDICTION OVER A TRAIL DESCRIBED UNDER THIS PARAGRAPH MAY
25 REGULATE THE USE OF A PEDALCYCLE WITH ELECTRIC ASSIST ON THE
26 TRAIL.

27 (G) RESTRICTIONS ON HIGHWAYS, ROADWAYS AND SIDEWALKS.--WHERE
28 PEDALCYCLES ARE AUTHORIZED TO BE OPERATED, A LOCAL AUTHORITY OR
29 GOVERNING BODY HAVING JURISDICTION OVER A HIGHWAY, ROADWAY OR
30 SIDEWALK MAY PROHIBIT, BY ORDINANCE, THE OPERATION OF A CLASS 1,

1 CLASS 2 OR CLASS 3 PEDALCYCLE WITH ELECTRIC ASSIST.

2 (H) RESTRICTIONS ON PEDALCYCLE TRAILS.--A LOCAL AUTHORITY OR
3 GOVERNING BODY HAVING JURISDICTION OVER THE USE OF A PEDALCYCLE
4 TRAIL MAY PROHIBIT, BY ORDINANCE, THE OPERATION OF A CLASS 1 OR
5 CLASS 2 PEDALCYCLE WITH ELECTRIC ASSIST. A CLASS 3 PEDALCYCLE
6 WITH ELECTRIC ASSIST MAY NOT BE OPERATED ON A PEDALCYCLE TRAIL
7 UNLESS THE LOCAL AUTHORITY OR GOVERNING BODY HAVING JURISDICTION
8 PERMITS, BY ORDINANCE, THE OPERATION OF A CLASS 3 PEDALCYCLE
9 WITH ELECTRIC ASSIST ON PEDALCYCLE TRAILS.

10 ~~(h)~~ (I) Age restriction.--No person under 16 years of age <--
11 shall operate a Class 3 pedalcycle with electric assist. A
12 person under 16 years of age may ride as a passenger on a Class
13 3 pedalcycle with electric assist that is designed to
14 accommodate passengers.

15 ~~(i)~~ (J) Speedometer requirement.--All Class 3 pedalcycles <--
16 with electric assist shall be equipped with a speedometer that
17 displays the speed the pedalcycle with electric assist is
18 traveling in miles per hour.

19 (K) PEDALCYCLE HELMETS FOR CERTAIN PERSONS.--A PERSON UNDER <--
20 16 YEARS OF AGE MAY NOT OPERATE A CLASS 1 OR CLASS 2 PEDALCYCLE
21 WITH ELECTRIC ASSIST OR RIDE AS A PASSENGER ON A CLASS 1, CLASS
22 2 OR CLASS 3 PEDALCYCLE WITH ELECTRIC ASSIST UNLESS THE PERSON
23 IS WEARING A PEDALCYCLE HELMET MEETING THE REQUIREMENTS OF
24 SECTION 3510 (RELATING TO PEDALCYCLE HELMETS FOR CERTAIN
25 PERSONS). A PERSON UNDER THIS SUBSECTION SHALL BE SUBJECT TO
26 SECTION 3510.

27 Section 4. This act shall take effect in 60 days.