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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2753

03/08/2012 Authored by Hornstein and Carlson

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

03/15/2012 Adoption of Report: Pass and re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act
1.2 relating to transportation; public safety; traffic regulations; regulating
1.3 electric-assisted bicycle as bicycle rather than motorized bicycle; amending
1.4 Minnesota Statutes 2010, sections 169.011, subdivisions 4, 45; 169.222,
1.5 subdivision 6; 169.223, subdivisions 1, 5.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2010, section 169.011, subdivision 4, is amended to read:

1.8 Subd. 4. **Bicycle.** "Bicycle" means every device propelled solely by human power
1.9 upon which any person may ride, having two tandem wheels except scooters and similar
1.10 devices and including any device generally recognized as a bicycle though equipped
1.11 with two front or rear wheels. Bicycle includes an electric-assisted bicycle as defined
1.12 in subdivision 27.

1.13 Sec. 2. Minnesota Statutes 2010, section 169.011, subdivision 45, is amended to read:

1.14 Subd. 45. **Motorized bicycle.** "Motorized bicycle" means a bicycle that is propelled
1.15 by an electric or a liquid fuel motor of a piston displacement capacity of 50 cubic
1.16 centimeters or less, and a maximum of two brake horsepower, which is capable of a
1.17 maximum speed of not more than 30 miles per hour on a flat surface with not more than
1.18 one percent grade in any direction when the motor is engaged. ~~"Motorized bicycle"~~
1.19 ~~includes an electric-assisted bicycle as defined in subdivision 27.~~

1.20 Sec. 3. Minnesota Statutes 2010, section 169.222, subdivision 6, is amended to read:

1.21 Subd. 6. **Bicycle equipment.** (a) No person shall operate a bicycle at nighttime
1.22 unless the bicycle or its operator is equipped with a lamp which shall emit a white light
1.23 visible from a distance of at least 500 feet to the front and with a red reflector of a type

2.1 approved by the Department of Public Safety which is visible from all distances from 100
 2.2 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a
 2.3 motor vehicle. No person may operate a bicycle at any time when there is not sufficient
 2.4 light to render persons and vehicles on the highway clearly discernible at a distance of 500
 2.5 feet ahead unless the bicycle or its operator is equipped with reflective surfaces that shall
 2.6 be visible during the hours of darkness from 600 feet when viewed in front of lawful lower
 2.7 beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective
 2.8 materials on each side of each pedal to indicate their presence from the front or the rear
 2.9 and with a minimum of 20 square inches of reflective material on each side of the bicycle
 2.10 or its operator. Any bicycle equipped with side reflectors as required by regulations for
 2.11 new bicycles prescribed by the United States Consumer Product Safety Commission
 2.12 shall be considered to meet the requirements for side reflectorization contained in this
 2.13 subdivision. A bicycle may be equipped with a rear lamp that emits a red flashing signal.

2.14 (b) No person shall operate a bicycle unless it is equipped with a brake which will
 2.15 enable the operator to make the braked wheels skid on dry, level, clean pavement.

2.16 (c) No person shall operate upon a highway any bicycle equipped with handlebars
 2.17 so raised that the operator must elevate the hands above the level of the shoulders in
 2.18 order to grasp the normal steering grip area.

2.19 (d) No person shall operate upon a highway any two-wheeled bicycle which is of
 2.20 such a size as to prevent the operator from stopping the bicycle, supporting it with at least
 2.21 one foot on the highway surface and restarting in a safe manner.

2.22 Sec. 4. Minnesota Statutes 2010, section 169.223, subdivision 1, is amended to read:

2.23 Subdivision 1. **Safety equipment; parking.** Except as otherwise provided in this
 2.24 section, section 169.974 relating to motorcycles is applicable to motorized bicycles,
 2.25 except that:

2.26 (1) protective headgear includes headgear that meets the American National
 2.27 Standard for Protective Headgear for Bicyclists, ANSI Z90.4-1984, approved by the
 2.28 American National Standards Institute, Inc.;

2.29 (2) a motorized bicycle equipped with a headlight and taillight meeting the
 2.30 requirements of lighting for motorcycles may be operated during nighttime hours;

2.31 (3) ~~except as provided in clause (5),~~ protective headgear is not required for operators
 2.32 18 years of age or older; and

2.33 (4) the provisions of section 169.222 governing the parking of bicycles apply to
 2.34 motorized bicycles;

- 3.1 ~~(5) the operator of an electric-assisted bicycle must wear properly fitted and~~
3.2 ~~fastened headgear that meets the American National Standard for Protective Headgear for~~
3.3 ~~Bicyclists, ANSI Z90.4-1984, approved by the American National Standards Institute,~~
3.4 ~~Inc., when operating the electric-assisted bicycle on a street or highway; and~~
3.5 ~~(6) eye protection devices are not required for operators of electric-assisted bicycles.~~

3.6 Sec. 5. Minnesota Statutes 2010, section 169.223, subdivision 5, is amended to read:

3.7 Subd. 5. **Other operation requirements and prohibitions.** (a) A person operating
3.8 a motorized bicycle on a roadway shall ride as close as practicable to the right-hand curb
3.9 or edge of the roadway except in one of the following situations:

3.10 (1) when overtaking and passing another vehicle proceeding in the same direction;

3.11 (2) when preparing for a left turn at an intersection or into a private road or
3.12 driveway; or

3.13 (3) when reasonably necessary to avoid conditions, including fixed or moving
3.14 objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make
3.15 it unsafe to continue along the right-hand curb or edge.

3.16 (b) Persons operating motorized bicycles on a roadway may not ride more than two
3.17 abreast and may not impede the normal and reasonable movement of traffic. On a laned
3.18 roadway, a person operating a motorized bicycle shall ride within a single lane.

3.19 (c) This section does not permit the operation of a motorized bicycle on a bicycle
3.20 path or bicycle lane that is reserved for the exclusive use of nonmotorized traffic.

3.21 ~~(d) Subject to the provisions of section 160.263, subdivision 3, a person may operate~~
3.22 ~~an electric-assisted bicycle on a bicycle lane. A person may operate an electric-assisted~~
3.23 ~~bicycle on the shoulder of a roadway if the electric-assisted bicycle is traveling in the same~~
3.24 ~~direction as the adjacent vehicular traffic.~~