

As Introduced

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H. B. No. 948

Representatives White, A., Miller, K.

To amend sections 4507.11, 4508.02, and 4511.522 of 1
the Revised Code regarding electric bicycle 2
operation, education, and traffic safety. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4507.11, 4508.02, and 4511.522 of 4
the Revised Code be amended to read as follows: 5

Sec. 4507.11. (A) (1) Except as provided in section 6
4507.112 of the Revised Code, the registrar of motor vehicles 7
shall conduct all necessary examinations of applicants for 8
temporary instruction permits, drivers' licenses, motorcycle 9
operators' endorsements, or motor-driven cycle or motor scooter 10
endorsements. The examination shall include a test of the 11
applicant's knowledge of motor vehicle laws, including the laws 12
governing stopping for school buses, safely operating a motor 13
vehicle adjacent to pedestrians and bicyclists, including those 14
operating electric bicycles, and use of an electronic wireless 15
communications device while operating a motor vehicle, a test of 16
the applicant's physical fitness to drive, and a test of the 17
applicant's ability to understand highway traffic control 18
devices. The registrar may conduct the examination in such a 19
manner that applicants who are illiterate or limited in their 20
knowledge of the English language are tested by methods that 21

would indicate to the examining officer that the applicant has a 22
reasonable knowledge of motor vehicle laws and understands 23
highway traffic control devices. 24

(2) An applicant for a driver's license shall give an 25
actual demonstration of the ability to exercise ordinary and 26
reasonable control in the operation of a motor vehicle by 27
driving a motor vehicle under the supervision of an examining 28
officer; however, no applicant for a driver's license shall use 29
a low-speed or under-speed vehicle or a mini-truck for the 30
purpose of demonstrating ability to exercise ordinary and 31
reasonable control over a vehicle. The demonstration shall 32
consist of a maneuverability test and a road test. The director 33
of public safety shall determine the formats of the tests. 34

(3) Except as provided in division (B) of this section, an 35
applicant for a motorcycle operator's endorsement or a 36
restricted license that permits only the operation of a 37
motorcycle shall give an actual demonstration of the ability to 38
exercise ordinary and reasonable control in the operation of a 39
motorcycle by driving a motorcycle under the supervision of an 40
examining officer. However, no applicant for such an endorsement 41
or restricted license shall use a motor-driven cycle or motor 42
scooter for the purpose of demonstrating ability to exercise 43
ordinary and reasonable control in the operation of a 44
motorcycle. 45

(4) Except as provided in division (B) of this section, an 46
applicant for a motor-driven cycle or motor scooter operator's 47
endorsement or a restricted license that permits only the 48
operation of a motor-driven cycle or motor scooter shall give an 49
actual demonstration of the ability to exercise ordinary and 50
reasonable control in the operation of a motor-driven cycle or 51

motor scooter by driving a motor-driven cycle or motor scooter 52
under the supervision of an examining officer. 53

(5) Except as provided in sections 4507.112 and 4507.12 of 54
the Revised Code, the registrar shall designate the highway 55
patrol, any law enforcement body, or any other employee of the 56
department of public safety to supervise and conduct 57
examinations for temporary instruction permits, drivers' 58
licenses, and motorcycle operators' endorsements and shall 59
provide the necessary rules and forms to properly conduct the 60
examinations. A deputy registrar shall forward to the registrar 61
the records of the examinations, together with the application 62
for a temporary instruction permit, driver's license, or 63
motorcycle operator's endorsement. If in the opinion of the 64
registrar the applicant is qualified to operate a motor vehicle, 65
the registrar shall issue the permit, license, or endorsement. 66

(6) The registrar may authorize the highway patrol, other 67
designated law enforcement body, or other designated employee of 68
the department of public safety to issue an examiner's driving 69
permit to an applicant who has passed the required examination, 70
authorizing that applicant to operate a motor vehicle while the 71
registrar is completing an investigation relative to that 72
applicant's qualifications to receive a temporary instruction 73
permit, driver's license, or motorcycle operator's endorsement. 74
The applicant shall keep the examiner's driving permit in the 75
applicant's immediate possession while operating a motor 76
vehicle. The examiner's driving permit is effective until final 77
action and notification has been given by the registrar, but in 78
no event longer than sixty days from its date of issuance. 79

(B) (1) An applicant for a motorcycle operator's 80
endorsement or a restricted license that permits only the 81

operation of a motorcycle who presents to the registrar of motor vehicles or a deputy registrar a form approved by the director of public safety attesting to the applicant's successful completion within the preceding sixty days of a course of basic instruction provided by the motorcycle safety and education program approved by the director pursuant to section 4508.08 of the Revised Code shall not be required to give an actual demonstration of the ability to operate a motorcycle by driving a motorcycle under the supervision of an examining officer, as described in division (A) of this section. An applicant for a motor-driven cycle or motor scooter operator's endorsement or a restricted license that permits only the operation of a motor-driven cycle or motor scooter who presents to the registrar of motor vehicles or a deputy registrar a form approved by the director of public safety attesting to the applicant's successful completion within the preceding sixty days of a course of basic instruction provided by the motorcycle safety and education program approved by the director pursuant to section 4508.08 of the Revised Code shall not be required to give an actual demonstration of the ability to operate a motor-driven cycle or motor scooter by driving a motor-driven cycle or motor scooter under the supervision of an examining officer, as described in division (A) of this section. Upon presentation of the form described in division (B)(1) of this section and compliance with all other requirements relating to the issuance of a motorcycle operator's endorsement or a restricted license that permits only the operation of a motorcycle, the registrar or deputy registrar shall issue to the applicant the endorsement or restricted license, as the case may be.

(2) A person who has not attained eighteen years of age and presents an application for a motorcycle operator's

endorsement or a restricted license under division (B) (1) of 113
this section also shall comply with the requirements of section 114
4507.21 of the Revised Code. 115

(C) A person who holds a valid motorcycle endorsement or 116
restricted license that permits only the operation of a 117
motorcycle may operate a motor-driven cycle or motor scooter 118
with that endorsement or restricted license. 119

Sec. 4508.02. (A) (1) The director of public safety, 120
subject to Chapter 119. of the Revised Code, shall adopt and 121
prescribe such rules concerning the administration and 122
enforcement of this chapter as are necessary to protect the 123
public. The rules shall require an assessment of the holder of a 124
probationary instructor license. The director shall inspect the 125
school facilities and equipment of applicants and licensees and 126
examine applicants for instructor's licenses. 127

(2) The director shall adopt rules governing online driver 128
education courses that may be completed via the internet to 129
satisfy the classroom instruction under division (C) of this 130
section. The rules shall do all of the following: 131

(a) Establish standards that an online driver training 132
enterprise must satisfy to be licensed to offer an online driver 133
education course via the internet, including, at a minimum, 134
proven expertise in providing driver education and an acceptable 135
infrastructure capable of providing secure online driver 136
education in accord with advances in internet technology. The 137
rules shall allow an online driver training enterprise to be 138
affiliated with a licensed driver training school offering in- 139
person classroom instruction, but shall not require such an 140
affiliation. 141

(b) Establish content requirements that an online driver education course must satisfy to be approved as equivalent to twenty-four hours of in-person classroom instruction;	142 143 144
(c) Establish attendance standards, including a maximum number of course hours that may be completed in a twenty-four-hour period;	145 146 147
(d) Allow an enrolled applicant to begin the required eight hours of actual behind-the-wheel instruction upon completing all twenty-four hours of course instruction;	148 149 150
(e) Establish any other requirements necessary to regulate online driver education.	151 152
(B) The director shall administer and enforce this chapter.	153 154
(C) The rules shall require twenty-four hours of completed in-person classroom instruction or the completion of an approved, equivalent online driver education course offered via the internet by a licensed online driver training enterprise, followed by eight hours of actual behind-the-wheel instruction conducted on public streets and highways of this state for all beginning drivers of noncommercial motor vehicles who are required to complete the training under section 4507.21 of the Revised Code. The rules shall allow beginning drivers of noncommercial motor vehicles to complete the driver education course at any point while holding a valid temporary instruction permit. The rules also shall require the classroom instruction or online driver education course for such drivers to include instruction on both <u>all</u> of the following:	155 156 157 158 159 160 161 162 163 164 165 166 167 168
(1) The dangers of driving a motor vehicle while distracted, including while using an electronic wireless	169 170

communications device, or engaging in any other activity that 171
distracts a driver from the safe and effective operation of a 172
motor vehicle; 173

(2) The dangers of driving a motor vehicle while under the 174
influence of a controlled substance, prescription medication, or 175
alcohol; 176

(3) The laws for sharing the roadway with a pedestrian and 177
the operator of a bicycle or an electric bicycle, including hand 178
and arm signals, right-of-way rules, and passing protocols. 179

(D) The rules shall state the minimum hours for classroom 180
and behind-the-wheel instruction required for beginning drivers 181
of commercial trucks, commercial cars, buses, and commercial 182
tractors, trailers, and semitrailers. 183

(E) (1) The department of public safety may charge a fee to 184
each online driver training enterprise in an amount sufficient 185
to pay the actual expenses the department incurs in the 186
regulation of online driver education courses. 187

(2) The department shall supply to each licensed online 188
driver training enterprise certificates to be used for 189
certifying an applicant's enrollment in an approved online 190
driver education course and a separate certificate to be issued 191
upon successful completion of an approved online driver 192
education course. The certificates shall be numbered serially. 193
The department may charge a fee to each online driver training 194
enterprise per certificate supplied to pay the actual expenses 195
the department incurs in supplying the certificates. 196

(F) The director shall adopt rules in accordance with 197
Chapter 119. of the Revised Code governing an abbreviated driver 198
training course for adults. 199

Sec. 4511.522. (A) (1) On and after January 1, 2020, 200
manufacturers and distributors of electric bicycles shall 201
permanently affix a label, in a prominent location, to each 202
electric bicycle. The label shall specify whether the electric 203
bicycle is a class 1, class 2, or class 3 electric bicycle, the 204
top assisted speed that the electric bicycle is capable of 205
reaching, and the motor wattage of the electric bicycle. 206

(2) No person shall modify an electric bicycle in a manner 207
that changes the top assisted speed that the electric bicycle is 208
capable of reaching unless the person also modifies the label 209
required under division (A) (1) of this section to reflect the 210
modification. 211

(3) No person shall sell at retail an electric bicycle 212
without giving the purchaser, either on paper or electronically, 213
a copy of the educational leaflet or pamphlet created by the 214
department of transportation under division (F) of this section. 215

(B) (1) The manufacturer of an electric bicycle shall 216
ensure that the electric bicycle complies with the equipment and 217
manufacturing requirements for bicycles established by the 218
consumer product safety commission under 16 C.F.R. 1512 et seq. 219

(2) The manufacturer shall manufacture all class 1 220
electric bicycles and class 3 electric bicycles so that when the 221
rider ceases pedaling the electric motor ceases to provide 222
assistance. The manufacturer shall manufacture all class 2 223
electric bicycles so that when the rider applies the brakes or 224
releases or activates a switch or similar mechanism the electric 225
motor ceases to provide assistance. 226

(3) All class 3 electric bicycles shall be equipped with a 227
speedometer that displays the speed of the electric bicycle in 228

miles per hour.	229
(C) (1) The operation of a class 1 electric bicycle and a	230
class 2 electric bicycle is permitted on a path set aside for	231
the exclusive use of bicycles or on a shared-use path, unless	232
the county, township, municipal corporation, other local	233
authority, or state agency as defined in section 1.60 of the	234
Revised Code with control over the path by resolution,	235
ordinance, or rule prohibits the use of a class 1 electric	236
bicycle or class 2 electric bicycle on such a path.	237
(2) No person shall operate a class 3 electric bicycle on	238
a path set aside for the exclusive use of bicycles or a shared-	239
use path unless that path is within or adjacent to a highway or	240
the county, township, municipal corporation, or local authority,	241
or state agency as defined in section 1.60 of the Revised Code	242
with control over the path by resolution, ordinance, or rule	243
authorizes the use of a class 3 electric bicycle on such a path.	244
(3) No person shall operate a class 1 electric bicycle, a	245
class 2 electric bicycle, or a class 3 electric bicycle on a	246
path that is intended to be used primarily for mountain biking,	247
hiking, equestrian use, or other similar uses, or any other	248
single track or natural surface trail that has historically been	249
reserved for nonmotorized use, unless the county, township,	250
municipal corporation, other local authority, or state agency as	251
defined in section 1.60 of the Revised Code with control over	252
the path by resolution, ordinance, or rule authorizes the use of	253
a class 1 electric bicycle, a class 2 electric bicycle, or a	254
class 3 electric bicycle on such a path.	255
(4) Divisions (C) (2) and (3) of this section do not apply	256
to a law enforcement officer, or other person sworn to enforce	257
the criminal and traffic laws of the state, using an electric	258

bicycle while in the performance of the officer's duties. 259

(D) (1) No person under sixteen years of age shall operate 260
a class 3 electric bicycle; however, a person under sixteen 261
years of age may ride as a passenger on a class 3 electric 262
bicycle that is designed to accommodate passengers. 263

(2) No person shall operate or be a passenger on a class 3 264
electric bicycle unless the person is wearing a protective 265
helmet that meets the standards established by the consumer 266
product safety commission or the American society for testing 267
and materials. 268

(E) (1) Except as otherwise provided in this division, 269
whoever operates an electric bicycle in a manner that is 270
prohibited under division (C) of this section and whoever 271
violates division (D) of this section is guilty of a minor 272
misdemeanor. If, within one year of the offense, the offender 273
previously has been convicted of or pleaded guilty to one 274
predicate motor vehicle or traffic offense, whoever violates 275
this section is guilty of a misdemeanor of the fourth degree. 276
If, within one year of the offense, the offender previously has 277
been convicted of two or more predicate motor vehicle or traffic 278
offenses, whoever violates this section is guilty of a 279
misdemeanor of the third degree. 280

(2) The offenses established under division (E) (1) of this 281
section are strict liability offenses and strict liability is a 282
culpable mental state for purposes of section 2901.20 of the 283
Revised Code. The designation of these offenses as strict 284
liability offenses shall not be construed to imply that any 285
other offense, for which there is no specified degree of 286
culpability, is not a strict liability offense. 287

<u>(F) The department of transportation, in consultation with</u>	288
<u>the department of public safety, shall do all of the following:</u>	289
<u>(1) Maintain a summary of the Ohio laws governing the</u>	290
<u>operation and use of electric bicycles;</u>	291
<u>(2) Create videos that explain general traffic rules for</u>	292
<u>operators of electric bicycles;</u>	293
<u>(3) Publish both the summary and the videos on each</u>	294
<u>department's respective web site;</u>	295
<u>(4) Design and distribute to electric bicycle retail</u>	296
<u>sellers and driver training schools, either on paper or</u>	297
<u>electronically, an educational leaflet or pamphlet that does all</u>	298
<u>of the following:</u>	299
<u>(a) Briefly outlines Ohio laws for electric bicycle</u>	300
<u>operators on the road;</u>	301
<u>(b) Distinguishes between an electric bicycle and other</u>	302
<u>similar forms of transportation, including a motorized bicycle</u>	303
<u>or moped, a motor-driven cycle or scooter, an off-highway</u>	304
<u>motorcycle, a motorcycle, and a mini-bike;</u>	305
<u>(c) Contains a link to the summary and training videos</u>	306
<u>available on the department web sites as described in division</u>	307
<u>(F) (3) of this section.</u>	308
Section 2. That existing sections 4507.11, 4508.02, and	309
4511.522 of the Revised Code are hereby repealed.	310
Section 3. (A) (1) Beginning not later than thirty days	311
after the effective date of this section, the Director of Public	312
Safety shall conduct a study of the following:	313
(a) The types of electric bicycles, motorized bicycles or	314

mopeds, motor-driven cycles or scooters, off-highway 315
motorcycles, motorcycles, and mini-bikes that are available for 316
purchase at retail, the definitions and classifications for such 317
vehicles in the Revised Code, and whether the Revised Code 318
should be amended to accurately reflect the modern uses and 319
operation of such vehicles; 320

(b) The benefits and challenges of implementing additional 321
statewide safety training or requirements for riders of Class 3 322
electric bicycles, off-highway motorcycles, and mini-bikes, with 323
consideration to existing statutes and the governance of those 324
vehicles by local authorities; 325

(c) Any other safety considerations for electric bicycle, 326
off-highway motorcycle, and mini-bike operators as determined by 327
the Director. 328

(2) In conducting the study, the Director may consider 329
electric bicycle, off-highway motorcycle, and mini-bike 330
regulations and registration laws in other states or in local 331
jurisdictions within Ohio. 332

(B) Not later than three months after the effective date 333
of this section, the Director shall submit a report of its 334
findings and recommendations for the study conducted under 335
division (A) of this section to all of the following: 336

(1) The Governor; 337

(2) The President of the Senate; 338

(3) The Speaker of the House of Representatives; 339

(4) The Minority Leader of the Senate; 340

(5) The Minority Leader of the House of Representatives. 341