



Testimony to the Senate Transportation, Commerce and Workforce Committee  
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Chairman LaRose, Vice-Chair Kunze, Ranking-Member Schiavoni, ladies and gentlemen of the Senate Transportation, Commerce and Workforce Committee, thank you for giving me the opportunity to speak on behalf of HB 250. Substitute House Bill 250 defines the electric bicycle and the traffic laws which apply to electric bicycles. This legislation specifies that drivers of electric bicycles have all the same rights and responsibilities as drivers of non-motorized bicycles. It also permits class 1 and class 2 electric bicycles to use paved multi-use trails. This bill will clarify that an electric bicycle is not considered a motorized bicycle, which has more strict licensing and operation legislation. Ohio Bicycle Federation supports the electric bicycle legislation, because these bicycles are being used more by bicyclists with disabilities or physical limitations.

In order to more clearly specify the difference between bicycles and other vehicles, we would like to request the following amendments to Substitute HB250 to ensure that bicycles and electric bicycles are separate from other vehicle types (motorized bicycles, under-speed and low-speed vehicles).

- Update the definition of motorized bicycles as “two or more wheels” to allow three or four wheeled motorized bicycles, which will be consistent with the definition of non-motorized bicycles.
- Update the definitions of under-speed and low-speed vehicles to specifically exclude bicycles, electric bicycles and motorized bicycles. Under-speed and low-speed vehicles are restricted to low speed limit roads, but bicycles are permitted on all Ohio roads except limited-access freeways.
- Remove the requirement that motorized bicyclists must operate within three feet of the edge of the roadway. The dangers of riding too close to a curb have been identified and bicycle laws permit bicyclists to ride away from the curb to avoid debris, sewer grates and potholes.
- Add motorized bicycles to the list of vehicles (bicycles and electric bicycles) which may proceed after yielding at a traffic signal which does not detect the vehicle.
- Add motorized bicycles to the list of vehicles (bicycles and electric bicycles) which should be provided three feet of overtaking distance.

We request that these minor changes be amended in Substitute HB250 to clarify and alleviate confusion regarding the laws for bicycles, electric bicycles and motorized bicycles.

## **4501.01 Motor vehicles definitions.**

As used in this chapter and Chapters 4503., 4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the Revised Code, and in the penal laws, except as otherwise provided:

(L) "Motorized bicycle" or "moped" means any vehicle that ~~either has two tandem wheels or one wheel in the front and two wheels in the rear~~ has two or more wheels, that may be pedaled, and that is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface.

(WW) "Low-speed vehicle" means a three- or four-wheeled motor vehicle with an attainable speed in one mile on a paved level surface of more than twenty miles per hour but not more than twenty-five miles per hour and with a gross vehicle weight rating less than three thousand pounds. "Low-speed vehicle" does not include bicycles, electric bicycles or motorized bicycles.

(XX) "Under-speed vehicle" means a three- or four-wheeled vehicle, including a vehicle commonly known as a golf cart, with an attainable speed on a paved level surface of not more than twenty miles per hour and with a gross vehicle weight rating less than three thousand pounds. "Under-speed vehicle" does not include bicycles, electric bicycles or motorized bicycles.

## **4511.01 Traffic laws - operation of motor vehicles definitions.**

As used in this chapter and in Chapter 4513. of the Revised Code:

(H)(2) Effective January 1, 2017, "motorized bicycle" or "moped" means any vehicle having ~~either two tandem wheels or one wheel in the front and two wheels in the rear~~ two or more wheels, that may be pedaled, and that is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces not more than one brake horsepower and is capable of propelling the vehicle at a speed of not greater than twenty miles per hour on a level surface.

### **4511.132 Operation at intersections with malfunctioning traffic control signal lights.**

(A) The driver of a vehicle, streetcar, or trackless trolley who approaches an intersection where traffic is controlled by traffic control signals shall do all of the following if the signal facing the driver exhibits no colored lights or colored lighted arrows, exhibits a combination of such lights or arrows that fails to clearly indicate the assignment of right-of-way, or, if the vehicle is a bicycle, electric bicycle, motorized bicycle, or motorcycle, the signals are otherwise malfunctioning due to the failure of a vehicle detector to detect the presence of the bicycle vehicle:

(1) Stop at a clearly marked stop line, but if none, stop before entering the crosswalk on the near side of the intersection, or, if none, stop before entering the intersection;

(2) Yield the right-of-way to all vehicles, streetcars, or trackless trolleys in the intersection or approaching on an intersecting road, if the vehicles, streetcars, or trackless trolleys will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways;

(3) Exercise ordinary care while proceeding through the intersection.

### **4511.27 Overtaking and passing of vehicles proceeding in the same direction.**

(A) The following rules govern the overtaking and passing of vehicles or trackless trolleys proceeding in the same direction:

(1) The operator of a vehicle or trackless trolley overtaking another vehicle or trackless trolley proceeding in the same direction shall, except as provided in division (A)(3) of this section, signal

to the vehicle or trackless trolley to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle or trackless trolley. When a motor vehicle or trackless trolley overtakes and passes a bicycle, electric bicycle or motorized bicycle, three feet or greater is considered a safe passing distance.

#### **4511.521 Operation of motorized bicycles.**

(A) No person shall operate a motorized bicycle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking, unless all of the following conditions are met:

(1) The person is fourteen or fifteen years of age and holds a valid probationary motorized bicycle license issued after the person has passed the test provided for in this section, or the person is sixteen years of age or older and holds either a valid commercial driver's license issued under Chapter 4506. or a driver's license issued under Chapter 4507. of the Revised Code or a valid motorized bicycle license issued after the person has passed the test provided for in this section, except that if a person is sixteen years of age, has a valid probationary motorized bicycle license and desires a motorized bicycle license, the person is not required to comply with the testing requirements provided for in this section;

(2) The motorized bicycle is equipped in accordance with the rules adopted under division (B) of this section and is in proper working order;

(3) The person, if under eighteen years of age, is wearing a protective helmet on the person's head with the chin strap properly fastened and the motorized bicycle is equipped with a rear-view mirror.

~~(4) The person operates the motorized bicycle when practicable within three feet of the right edge of the roadway obeying all traffic rules applicable to vehicles.~~

(B) The director of public safety, subject to sections 119.01 to 119.13 of the Revised Code, shall adopt and promulgate rules concerning protective helmets, the equipment of motorized bicycles, and the testing and qualifications of persons who do not hold a valid driver's or commercial driver's license. The test shall be as near as practicable to the examination required for a motorcycle operator's endorsement under section 4507.11 of the Revised Code. The test shall also require the operator to give an actual demonstration of the operator's ability to operate and control a motorized bicycle by driving one under the supervision of an examining officer.

(C) Every motorized bicycle license expires on the birthday of the applicant in the fourth year after the date it is issued, but in no event shall any motorized bicycle license be issued for a period longer than four years.

(D) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.

(E) The protective helmet and rear-view mirror required by division (A)(3) of this section shall, on and after January 1, 1985, conform with rules adopted by the director under division (B) of this section.

(F) Each probationary motorized bicycle license or motorized bicycle license shall be laminated with a transparent plastic material.

(G) Whoever violates division (A), (D), or (E) of this section is guilty of a minor misdemeanor.