

devices, like Arkansas). Legislators are painting with a broad brush. The problem of course is that there are literally hundreds of types of devices. Some with seats, some with pedals, some must be pedaled some not. The state legislatures are not being educated on common sense ways to differentiate and classify EB's and LES's. There is also the

distinction between gas and electric devices that may also be overlooked (intentionally or not) by state legislatures. The industry has matured now and it is time to work together on positive, meaningful legislation before the government regulators over-regulate the products and cause them to be priced out of the market or make it just as difficult for

users to purchase and operate them as a car, by requiring a license, registration and insurance, something that human powered bikes and users are not required to possess.

The President signed HR 727 that defines the Low-Speed Electric Bicycle and the language of this law is reproduced here.

Federal Electric Bicycle Law

HR 727

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Wednesday,
the twenty-third day of January, two thousand and two

An Act

To amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSUMER PRODUCT SAFETY ACT.

The Consumer Product Safety Act (15 U.S.C. 2051 et seq.) is amended by adding at the end the following:

LOW-SPEED ELECTRIC BICYCLES

SEC. 38. (a) Notwithstanding any other provision of law, low-speed electric bicycles are consumer products within the meaning of section 3(a)(1) and shall be subject to the Commission regulations published at section 1500.18(a)(12) and part 1512 of title 16, Code of Federal Regulations.

(b) For the purpose of this section, the term 'low-speed electric bicycle' means a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph.

(c) To further protect the safety of consumers who ride low-speed electric bicycles, the Commission may promulgate new or amended requirements applicable to such vehicles as necessary and appropriate.

(d) This section shall supersede any State law or requirement with respect to low-speed electric bicycles to the extent that such State law or requirement is more stringent than the Federal law or requirements referred to in subsection (a).

SEC. 2. MOTOR VEHICLE SAFETY STANDARDS.

For purposes of motor vehicle safety standards issued and enforced pursuant to chapter 301 of title 49, United States Code, a low-speed electric bicycle (as defined in section 38(b) of the Consumer Product Safety Act) shall not be considered a motor vehicle as defined by section 30102(6) of title 49, United States Code.

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.