

ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023
COMMITTEE STATEMENT
LB738

Hearing Date: Tuesday February 14, 2023
Committee On: Transportation and Telecommunications
Introducer: Raybould
One Liner: Change provisions in the Nebraska Rules of the Road relating to electric bicycles

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson,
Geist, Moser

Nay:

Absent:

Present Not Voting:

Testimony:

Proponents:

Jane Raybould
Julie T. Harris
Justin Johannes

Representing:

Introducer
Bike Walk Nebraska
Self

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

The bill would amend the definition of "electric bicycle" for purposes of the Nebraska Rules of the Road. The current definition of electric bicycle is eliminated and electric bicycles are placed into 3 classifications:

Class I Electric Bicycle-

2 or 3 wheels

Fully operative pedals for propulsion by human power

An electric motor not exceeding 750 watts of power producing no more than 1 brake horsepower

A maximum design speed of no more than 20mph

Power is provided only when the rider is pedaling

Power is not provided when the device is traveling more than 20 mph.

Class II Electric Bicycle-

The definition of a Class II Electric Bicycle mirrors the definition of a Class I Electric Bicycle with the exception that a Class II Electric Bicycle will provide power whether or not the rider is peddling.

Class III Electric Bicycle-

The definition of a Class III Electric Bicycle provides that the device shall have a maximum design speed of 28 mph. Like the Class I Electric Bicycle a Class III Electric Bicycle will only provide power when the rider is peddling.

Section 9- Amends Section 60-678; Powers of State and Local Authorities.

The section is amended to add Electric Bicycles to the list of vehicles that the state and local government subdivisions may regulate and control when used in their jurisdiction.

Explanation of amendments:

The Committee considered an amendment which accomplishes the following:

Amends section 2 of the bill (Section 60-605- definition of the term bicycle).

Currently "bicycle" is defined as a vehicle propelled solely by human power, upon which a person can ride, with two tandem wheels more than 14 inches in diameter.

The amendment defines a bicycle propelled by human power with two, three, or four wheels any one or more of which is more than 14 inches in diameter.

The amendment also defines electric bicycles as a device that has two, three, or four wheels.

Suzanne Geist, Chairperson