



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 4781 (Substitute H-2 as passed by the House)  
Sponsor: Representative Holly Hughes  
House Committee: Tourism and Outdoor Recreation  
Senate Committee: Outdoor Recreation and Tourism

Date Completed: 10-10-17

**CONTENT**

**The bill would amend Part 721 (Michigan Trailways) of the Natural Resources and Environmental Protection Act to do the following:**

- **Allow an individual to operate a class 1 electric bicycle on a linear trail that had an asphalt, crushed limestone, or similar surface, or a rail trail.**
- **Allow an individual to operate a class 2 or class 3 electric bicycle on a linear trail that had an asphalt, crushed limestone, or similar surface, or a rail trail, if authorized by the local authority or State agency having jurisdiction over the trail.**
- **Prohibit the operation of an electric bike on a trail that was specifically designated as nonmotorized, unless allowed by the local authority or State agency having jurisdiction over the trail.**
- **Specify that these provisions would not apply to the use of electric bicycles on a congressionally authorized public trail system.**

The bill would take effect 90 days after its enactment.

Part 721 allows the Department of Natural Resources to operate and maintain a trail that is located on State-owned land or to enter into an agreement with a council or one or more governmental agencies to provide for the operation and maintenance of the trail.

The bill specifies that all of the following provisions would apply to the operation of an electric bicycle on a trail subject to Part 721.

An individual would be allowed to operate a class 1 electric bicycle on a linear trail that had an asphalt, crushed limestone, or similar surface, or a rail trail. A local authority or State agency having jurisdiction over the trail could regulate or prohibit operation of a class 1 electric bicycle on the trail. An individual could operate a class 2 or class 3 electric bicycle on a linear trail that had an asphalt, crushed limestone, or similar surface, or a rail trail, if authorized by the local authority or State agency having jurisdiction over the trail.

Except as otherwise provided, an individual could not operate an electric bicycle on a trail that was specifically designated as nonmotorized and that had a natural surface tread that was made by clearing and grading the native soil with no added surfacing materials. A local authority or State agency having jurisdiction over such a trail could allow the operation of an electric bicycle on that trail.

"Electric bicycle", "class 1 electric bicycle", "class 2 electric bicycle", and "class 3 electric bicycle" would mean those terms as defined in Section 13e of the Michigan Vehicle Code (which House Bill 4782 (H-3) would add).

("Electric bicycle" would mean a device upon which an individual may ride that satisfies both of the following:

- The device is equipped with all of the following: a seat or saddle for use by the rider, fully operable pedals for human propulsion, and an electric motor of not greater than 750 watts.
- The device falls within one of the following categories: class 1 electric bicycle, class 2 electric bicycle, or class 3 electric bicycle.

"Class 1 electric bicycle" would mean an electric bicycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches 20 miles per hour.

"Class 2 electric bicycle" would mean an electric bicycle that is equipped with a motor that propels the electric bicycle to a speed of not more than 20 miles per hour, whether the rider is pedaling or not, and that disengages or ceases to function when the brakes are applied.

"Class 3 electric bicycle" would mean an electric bicycle that is equipped with a motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 28 miles per hour.)

MCL 324.72105

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bill Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.