



CC-23-077

# AGENDA ITEM REPORT

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**Resolution 23-028, A Resolution of the City Council of Homer, Alaska Supporting the Alaska Legislature Adopting Definitions Related to Electric Bicycles and Allowing Municipalities to Regulate Them. Aderhold.**

**Item Type:** Resolution  
**Prepared For:** Mayor & City Council  
**Meeting Date:** 28 Mar 2023  
**From:** Melissa Jacobsen, MMC, City Clerk

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See attached information for consideration of Resolution 23-028.

**Recommendation:**

Adopt Resolution 23-028.

**Attachments:**

Resolution 23-028

Senate Bill 62A & 62B

Sectional Analysis of Version B

House Bill 8

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

Aderhold

3  
4 **RESOLUTION 23-028**

5  
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA  
7 SUPPORTING THE ALASKA STATE LEGISLATURE ADOPTING  
8 DEFINITIONS RELATED TO ELECTRIC BICYCLES AND ALLOWING  
9 MUNICIPALITIES TO REGULATE THEM

10  
11 WHEREAS, Residents of the City of Homer are interested in increasing the ability to walk  
12 and bicycle throughout the City by constructing and connecting sidewalks, paths, and trails;  
13 and

14  
15 WHEREAS, The City of Homer has adopted a “Share the Road” campaign initiated by  
16 the Homer Bicycle Club; and

17  
18 WHEREAS, The City of Homer is taking active measures to increase the ease and  
19 convenience of using non-motorized transportation; and

20  
21 WHEREAS, Electric bicycles have become common in Homer and several vendors sell  
22 and maintain bicycles, including electric bicycles; and

23  
24 WHEREAS, Electric bicycles have not been defined in State Statute; and

25  
26 WHEREAS, Standardized definitions classifying types of electric bicycles and separating  
27 electric bicycles from motor vehicles is necessary for regulating where different modes of  
28 transportation are appropriate within municipalities; and

29  
30 WHEREAS, HB 8 and SB 62 are companion bills of the 33<sup>rd</sup> Alaska State Legislature that  
31 provide industry standard definitions of electric bicycles and classify them as bicycles; and

32  
33 WHEREAS, HB 8 and SB 62 allow municipalities to regulate where and how electric  
34 bicycles may be used on sidewalks and paths.

35  
36 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, supports  
37 the Alaska State Legislature adopting definitions related to electric bicycles and allowing  
38 municipalities to regulate them.

39  
40 PASSED AND ADOPTED BY THE CITY COUNCIL OF HOMER, ALASKA, 28<sup>th</sup> day of March,  
41 2023.

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CITY OF HOMER

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KEN CASTNER, MAYOR

ATTEST:

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MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: N/A

**SENATE BILL NO. 62**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR KAWASAKI

Introduced: 2/8/23

Referred: Transportation, State Affairs

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to electric-assisted bicycles."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 19.10.399(9) is amended to read:

4 (9) "motor vehicle" means a vehicle that is self-propelled, except **for** a  
5 vehicle moved by human or animal power; **"motor vehicle" does not include an**  
6 **electric-assisted bicycle as defined in AS 28.90.990(a);**

7 \* **Sec. 2.** AS 19.10.399(16) is amended to read:

8 (16) "vehicular way or area" means a way, path, or area, other than a  
9 highway or private property, that is designated by official traffic control devices or  
10 customary usage and that is open to the public for purposes of pedestrian or vehicular  
11 travel, and which way or area may be restricted in use to pedestrians, bicycles, or other  
12 specific types of vehicles as determined by the Department of Public Safety or other  
13 agency having jurisdiction over the way, path, or area; **in this paragraph, "bicycle"**  
14 **has the meaning given in AS 28.90.990(a).**

15 \* **Sec. 3.** AS 28.05.011(a) is amended to read:

1 (a) The commissioner of public safety shall, unless otherwise provided by  
 2 statute, adopt regulations in compliance with AS 44.62 (Administrative Procedure  
 3 Act) necessary to carry out the provisions of this title and other statutes whose  
 4 administration is vested in the Department of Public Safety. The regulations must  
 5 include

6 (1) rules of the road relating to the driving, stopping, standing, parking,  
 7 and other conduct of vehicles, to pedestrians, and to official traffic control devices;  
 8 regulations adopted under this paragraph may not prohibit the use of an electric  
 9 personal motor vehicle **or an electric-assisted bicycle** on a sidewalk, bike path, or  
 10 vehicular way or area restricted to the use of pedestrians; limitations on regulation of  
 11 electric personal motor vehicles **or electric-assisted bicycles** imposed under this  
 12 paragraph do not apply to a municipal ordinance regulating electric personal motor  
 13 vehicles, **electric-assisted bicycles, or specific classes of electric-assisted bicycles,**  
 14 enacted to meet local requirements; **unless otherwise specified by regulation,**

15 **(A) an electric-assisted bicycle is considered a bicycle and**  
 16 **may not be regulated as another type of vehicle; and**

17 **(B) a user of an electric-assisted bicycle shall be afforded**  
 18 **the same rights and be subject to the same duties as a user of a bicycle;**

19 (2) minimum equipment for vehicles, including minimum standards of  
 20 compliance to be met by manufacturers and vehicle sales and repairs businesses;

21 (3) inspection of vehicles other than commercial motor vehicles, and  
 22 the removal of vehicles from areas of public use when they are found to be in a  
 23 defective or unsafe condition;

24 (4) abandonment of vehicles;

25 (5) management of records of the Department of Public Safety  
 26 required for that department's administration of this title and its regulations adopted  
 27 under this title, including provisions for ensuring the accuracy of information  
 28 contained in automated and manual information retrieval systems;

29 (6) definitions of words and phrases used in this title and in regulations  
 30 adopted under this title unless otherwise provided by statute;

31 (7) certification and regulation of junk yards.

1 \* **Sec. 4.** AS 28.10.011 is amended to read:

2 **Sec. 28.10.011. Vehicles subject to registration.** Every vehicle driven,  
3 moved, or parked **on** [UPON] a highway or other public parking place in the state  
4 shall be registered under this chapter except when the vehicle is

5 (1) driven or moved on a highway only for the purpose of crossing the  
6 highway from one private property to another, including an implement of husbandry  
7 as defined by regulation;

8 (2) driven or moved on a highway under a dealer's plate or temporary  
9 permit as provided for in AS 28.10.031 and 28.10.181(j);

10 (3) special mobile equipment as defined by regulation;

11 (4) owned by the United States;

12 (5) moved by human or animal power;

13 (6) exempt under 50 U.S.C. App. 501-591 (Soldiers' and Sailors' Civil  
14 Relief Act);

15 (7) driven or parked only on private property;

16 (8) the vehicle of a nonresident as provided under AS 28.10.121;

17 (9) transported under a special permit under AS 28.10.151;

18 (10) being driven or moved on a highway, vehicular way, or a public  
19 parking place in the state that is not connected by a land highway or vehicular way to

20 (A) the land-connected state highway system; or

21 (B) a highway or vehicular way with an average daily traffic  
22 volume greater than 499;

23 (11) an implement of husbandry operated in accordance with the  
24 provisions of AS 19.10.065;

25 (12) an electric personal motor vehicle;

26 **(13) an electric-assisted bicycle.**

27 \* **Sec. 5.** AS 28.90.990(a)(12) is amended to read:

28 (12) "electric personal motor vehicle" means an electric personal  
29 assistive mobility device that is a self-balancing vehicle with two nontandem wheels,  
30 designed to transport only one person, has an electric propulsion system, and has a  
31 maximum speed of not more than 15 miles an hour; **"electric personal motor**

1 **vehicle" does not include an electric-assisted bicycle;**

2 \* **Sec. 6.** AS 28.90.990(a)(18) is amended to read:

3 (18) "motor vehicle" means a vehicle **that** [WHICH] is self-propelled,  
4 except **for** a vehicle moved by human or animal power; **"motor vehicle" does not**  
5 **include an electric-assisted bicycle;**

6 \* **Sec. 7.** AS 28.90.990(a)(19) is amended to read:

7 (19) "motorcycle" means a vehicle having a seat or saddle for the use  
8 of the rider and designed to travel on not more than three wheels in contact with the  
9 ground; **"motorcycle"** [THE TERM] does not include a tractor **or an electric-**  
10 **assisted bicycle;**

11 \* **Sec. 8.** AS 28.90.990(a)(20) is amended to read:

12 (20) "motor-driven cycle" means a motorcycle, motor scooter,  
13 motorized bicycle, or similar conveyance with a motor attached and having an engine  
14 with 50 or less cubic centimeters of displacement; **"motor-driven cycle" does not**  
15 **include an electric-assisted bicycle;**

16 \* **Sec. 9.** AS 28.90.990(a) is amended by adding new paragraphs to read:

17 (33) "bicycle" includes an electric-assisted bicycle;

18 (34) "class 1 electric-assisted bicycle" means a bicycle equipped with  
19 an electric motor that provides assistance only when the rider is pedaling and that  
20 stops providing assistance when the bicycle reaches the speed of 20 miles per hour;

21 (35) "class 2 electric-assisted bicycle" means a bicycle equipped with  
22 an electric motor that may be used exclusively to propel the bicycle and that stops  
23 providing assistance when the bicycle reaches the speed of 20 miles per hour;

24 (36) "class 3 electric-assisted bicycle" means a bicycle equipped with  
25 an electric motor that provides assistance only when the rider is pedaling and that  
26 stops providing assistance when the bicycle reaches the speed of 28 miles per hour;

27 (37) "electric-assisted bicycle" means a bicycle that

28 (A) is designed to travel with not more than three wheels in  
29 contact with the ground;

30 (B) has fully operative pedals for human propulsion;

31 (C) has a seat or saddle for use of the rider;

1 (D) is equipped with an electric motor that has a power output  
2 of not more than 750 watts; and

3 (E) is a class 1, class 2, or class 3 electric-assisted bicycle.

4 \* **Sec. 10.** AS 41.23 is amended by adding a new section to article 1 to read:

5 **Sec. 41.23.300. Definitions.** In AS 41.23.010 - 41.23.300,

6 (1) "bicycling" includes the operation of an electric-assisted bicycle;

7 (2) "electric-assisted bicycle" has the meaning given in  
8 AS 28.90.990(a).



**CS FOR SENATE BILL NO. 62(TRA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Offered: 3/8/23

Referred: State Affairs

Sponsor(s): SENATOR KAWASAKI

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to electric-assisted bicycles and nonelectric-assisted bicycles."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 19.10.399(9) is amended to read:

4 (9) "motor vehicle" means a vehicle that is self-propelled, except **for** a  
5 vehicle moved by human or animal power; **"motor vehicle" does not include an**  
6 **electric-assisted bicycle as defined in AS 28.90.990(a);**

7 \* **Sec. 2.** AS 19.10.399(16) is amended to read:

8 (16) "vehicular way or area" means a way, path, or area, other than a  
9 highway or private property, that is designated by official traffic control devices or  
10 customary usage and that is open to the public for purposes of pedestrian or vehicular  
11 travel, and which way or area may be restricted in use to pedestrians, bicycles, or other  
12 specific types of vehicles as determined by the Department of Public Safety or other  
13 agency having jurisdiction over the way, path, or area; **in this paragraph, "bicycle"**  
14 **has the meaning given in AS 28.90.990(a).**

15 \* **Sec. 3.** AS 28.05.011(a) is amended to read:

1 (a) The commissioner of public safety shall, unless otherwise provided by  
 2 statute, adopt regulations in compliance with AS 44.62 (Administrative Procedure  
 3 Act) necessary to carry out the provisions of this title and other statutes whose  
 4 administration is vested in the Department of Public Safety. The regulations must  
 5 include

6 (1) rules of the road relating to the driving, stopping, standing, parking,  
 7 and other conduct of vehicles, to pedestrians, and to official traffic control devices;  
 8 regulations adopted under this paragraph may not prohibit the use of an electric  
 9 personal motor vehicle **or an electric-assisted bicycle** on a sidewalk, bike path, or  
 10 vehicular way or area restricted to the use of pedestrians; limitations on regulation of  
 11 electric personal motor vehicles **or electric-assisted bicycles** imposed under this  
 12 paragraph do not apply to a municipal ordinance regulating electric personal motor  
 13 vehicles, **electric-assisted bicycles, or specific classes of electric-assisted bicycles,**  
 14 enacted to meet local requirements; **unless otherwise specified by regulation,**

15 **(A) an electric-assisted bicycle is considered a bicycle and**  
 16 **may not be regulated as another type of vehicle; and**

17 **(B) a user of an electric-assisted bicycle shall be afforded**  
 18 **the same rights and be subject to the same duties as a user of a bicycle;**

19 (2) minimum equipment for vehicles, including minimum standards of  
 20 compliance to be met by manufacturers and vehicle sales and repairs businesses;

21 (3) inspection of vehicles other than commercial motor vehicles, and  
 22 the removal of vehicles from areas of public use when they are found to be in a  
 23 defective or unsafe condition;

24 (4) abandonment of vehicles;

25 (5) management of records of the Department of Public Safety  
 26 required for that department's administration of this title and its regulations adopted  
 27 under this title, including provisions for ensuring the accuracy of information  
 28 contained in automated and manual information retrieval systems;

29 (6) definitions of words and phrases used in this title and in regulations  
 30 adopted under this title unless otherwise provided by statute;

31 (7) certification and regulation of junk yards.

1 \* **Sec. 4.** AS 28.10.011 is amended to read:

2 **Sec. 28.10.011. Vehicles subject to registration.** Every vehicle driven,  
3 moved, or parked **on** [UPON] a highway or other public parking place in the state  
4 shall be registered under this chapter except when the vehicle is

5 (1) driven or moved on a highway only for the purpose of crossing the  
6 highway from one private property to another, including an implement of husbandry  
7 as defined by regulation;

8 (2) driven or moved on a highway under a dealer's plate or temporary  
9 permit as provided for in AS 28.10.031 and 28.10.181(j);

10 (3) special mobile equipment as defined by regulation;

11 (4) owned by the United States;

12 (5) moved by human or animal power;

13 (6) exempt under 50 U.S.C. App. 501-591 (Soldiers' and Sailors' Civil  
14 Relief Act);

15 (7) driven or parked only on private property;

16 (8) the vehicle of a nonresident as provided under AS 28.10.121;

17 (9) transported under a special permit under AS 28.10.151;

18 (10) being driven or moved on a highway, vehicular way, or a public  
19 parking place in the state that is not connected by a land highway or vehicular way to

20 (A) the land-connected state highway system; or

21 (B) a highway or vehicular way with an average daily traffic  
22 volume greater than 499;

23 (11) an implement of husbandry operated in accordance with the  
24 provisions of AS 19.10.065;

25 (12) an electric personal motor vehicle;

26 **(13) an electric-assisted bicycle.**

27 \* **Sec. 5.** AS 28.90.990(a)(12) is amended to read:

28 (12) "electric personal motor vehicle" means an electric personal  
29 assistive mobility device that is a self-balancing vehicle with two nontandem wheels,  
30 designed to transport only one person, has an electric propulsion system, and has a  
31 maximum speed of not more than 15 miles an hour; **"electric personal motor**

1           **vehicle" does not include an electric-assisted bicycle;**

2   \* **Sec. 6.** AS 28.90.990(a)(18) is amended to read:

3           (18) "motor vehicle" means a vehicle **that** [WHICH] is self-propelled,  
4           except **for** a vehicle moved by human or animal power; **"motor vehicle" does not**  
5           **include an electric-assisted bicycle;**

6   \* **Sec. 7.** AS 28.90.990(a)(19) is amended to read:

7           (19) "motorcycle" means a vehicle having a seat or saddle for the use  
8           of the rider and designed to travel on not more than three wheels in contact with the  
9           ground; **"motorcycle"** [THE TERM] does not include a tractor **or an electric-**  
10          **assisted bicycle;**

11   \* **Sec. 8.** AS 28.90.990(a)(20) is amended to read:

12          (20) "motor-driven cycle" means a motorcycle, motor scooter,  
13          motorized bicycle, or similar conveyance with a motor attached and having an engine  
14          with 50 or less cubic centimeters of displacement; **"motor-driven cycle" does not**  
15          **include an electric-assisted bicycle;**

16   \* **Sec. 9.** AS 28.90.990(a) is amended by adding new paragraphs to read:

17          (33) "bicycle" includes an electric-assisted bicycle;

18          (34) "class 1 electric-assisted bicycle" means a bicycle equipped with  
19          an electric motor that provides assistance only when the rider is pedaling and that  
20          stops providing assistance when the bicycle reaches the speed of 20 miles per hour;

21          (35) "class 2 electric-assisted bicycle" means a bicycle equipped with  
22          an electric motor that may be used exclusively to propel the bicycle and that stops  
23          providing assistance when the bicycle reaches the speed of 20 miles per hour;

24          (36) "class 3 electric-assisted bicycle" means a bicycle equipped with  
25          an electric motor that provides assistance only when the rider is pedaling and that  
26          stops providing assistance when the bicycle reaches the speed of 28 miles per hour;

27          (37) "electric-assisted bicycle" means a bicycle that

28                  (A) is designed to travel with not more than three wheels in  
29                  contact with the ground;

30                  (B) has fully operative pedals for human propulsion;

31                  (C) has a seat or saddle for use of the rider;

1 (D) is equipped with an electric motor that has a power output  
2 of not more than 750 watts; and

3 (E) is a class 1, class 2, or class 3 electric-assisted bicycle.

4 \* **Sec. 10.** AS 41.23 is amended by adding new sections to article 1 to read:

5 **Sec. 41.23.295. Electric-assisted bicycles.** In a management plan adopted  
6 under AS 41.23.010 - 41.23.300, the department may establish different standards for  
7 nonelectric-assisted bicycles and for each class of electric-assisted bicycle.

8 **Sec. 41.23.300. Definitions.** In AS 41.23.010 - 41.23.300,

9 (1) "bicycling" includes the operation of an electric-assisted bicycle;

10 (2) "electric-assisted bicycle" has the meaning given in  
11 AS 28.90.990(a).



# Senator Scott Jiu Wo Kawasaki

Alaska State Legislature

Senate District P

## **Senate Bill 62 – Version B**

### **Updated Sectional Analysis**

*"An act relating to electric bicycles."*

**Section 1. (Page 1) Amends AS 19.10.399(9)** to state that the definition of motor vehicle excludes electric-assisted bicycles.

**Section 2. (Page 1) Amends AS 19.10.399(16)** to clarify that electric-assisted bicycles are to be regulated as bicycles in regard to operation on a way, path, or area.

**Section 3. (Page 1-2) Amends AS 28.05.011(a)** to state that electric-assisted bicycles should be regulated as bicycles in regards to the rules of the road. It also includes electric-assisted bicycles under an existing provision allowing municipal ordinances to separately regulate in this area.

**Section 4. (Page 3) Amends AS 28.10.011** to state that an electric-assisted bicycle is not required to be registered as a vehicle.

**Section 5. (Page 3-4) Amends AS 28.90.990(a)(12)** to state that an electric-assisted bicycle does not fall under the definition of an "electric personal motor vehicle."

**Section 6. (Page 4) Amends AS 28.90.990(a)(18)** to state that an electric-assisted bicycle does not fall under the definition of "motor vehicle."

**Section 7 (Page 4) Amends AS 28.90.990(a)(19)** to state that an electric assisted bicycle does not fall under the definition of a "motorcycle."

**Section 8 (Page 4) Amends AS 28.90.990(a)(20)** to state that an electric-assisted bicycle does not fall under the definition of a "motor-driven cycle."

**Section 9 (Page 4-5) Amends 28.90.990(a)(33-36)** to state the term "bicycle" includes electric-assisted bicycles in the three following classes

**(34) Class 1:** bicycles that assist only while the rider is pedaling and that stop providing assistance at the speed of 20 miles per hour.

**(35) Class 2:** bicycles that can propel whether or not the rider is pedaling and that stop providing assistance at the speed of 20 miles per hour

**(36) Class 3:** bicycles that only assist while the rider is pedaling and that stop providing assistance at the speed of 28 miles per hour.



# Senator Scott Jiu Wo Kawasaki

Alaska State Legislature

Senate District P

**Section 9 Cont. (Page 4-5) Amends AS 28.90.990(a)(37)** to define electric assisted bicycles as a bicycle that is designed to travel with not more than three wheels in contact with the ground, has fully operative pedals for human propulsion, is equipped with an electric motor that has a power output of not more than 750 watts, and includes Class 1, Class 2, and Class 3 electric assisted bicycles.

**Section 10 (Page 5):**

**Amends AS 41.23** by adding section 41.23.295 “Electric Assisted Bicycles,” clarifying that the Department of Natural Resources may establish regulations governing non-electric assisted bicycles and each class of electric-assisted bicycle on land in their management. The same authority to regulate is granted to the Department of Public Safety and municipalities in Section 3.

**Amends AS 41.23.300** by adding a new section that states “bicycling” includes the use of electric-assisted bicycles, and that “electric-assisted bicycles” have the meaning provided for in Section 9.

**HOUSE BILL NO. 8**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES CARRICK, Mina, Prax, Sumner, Ruffridge, Galvin

Introduced: 1/19/23

Referred: State Affairs, Transportation

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to electric-assisted bicycles."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 19.10.399(9) is amended to read:

4 (9) "motor vehicle" means a vehicle that is self-propelled, except **for** a  
5 vehicle moved by human or animal power; **"motor vehicle" does not include an**  
6 **electric-assisted bicycle as defined in AS 28.90.990(a);**

7 \* **Sec. 2.** AS 19.10.399(16) is amended to read:

8 (16) "vehicular way or area" means a way, path, or area, other than a  
9 highway or private property, that is designated by official traffic control devices or  
10 customary usage and that is open to the public for purposes of pedestrian or vehicular  
11 travel, and which way or area may be restricted in use to pedestrians, bicycles, or other  
12 specific types of vehicles as determined by the Department of Public Safety or other  
13 agency having jurisdiction over the way, path, or area; **in this paragraph, "bicycle"**  
14 **has the meaning given in AS 28.90.990(a).**

15 \* **Sec. 3.** AS 28.05.011(a) is amended to read:



1 (a) The commissioner of public safety shall, unless otherwise provided by  
 2 statute, adopt regulations in compliance with AS 44.62 (Administrative Procedure  
 3 Act) necessary to carry out the provisions of this title and other statutes whose  
 4 administration is vested in the Department of Public Safety. The regulations must  
 5 include

6 (1) rules of the road relating to the driving, stopping, standing, parking,  
 7 and other conduct of vehicles, to pedestrians, and to official traffic control devices;  
 8 regulations adopted under this paragraph may not prohibit the use of an electric  
 9 personal motor vehicle **or an electric-assisted bicycle** on a sidewalk, bike path, or  
 10 vehicular way or area restricted to the use of pedestrians; limitations on regulation of  
 11 electric personal motor vehicles **or electric-assisted bicycles** imposed under this  
 12 paragraph do not apply to a municipal ordinance regulating electric personal motor  
 13 vehicles, **electric-assisted bicycles, or specific classes of electric-assisted bicycles,**  
 14 enacted to meet local requirements; **unless otherwise specified by regulation,**

15 **(A) an electric-assisted bicycle is considered a bicycle and**  
 16 **may not be regulated as another type of vehicle; and**

17 **(B) a user of an electric-assisted bicycle shall be afforded**  
 18 **the same rights and be subject to the same duties as a user of a bicycle;**

19 (2) minimum equipment for vehicles, including minimum standards of  
 20 compliance to be met by manufacturers and vehicle sales and repairs businesses;

21 (3) inspection of vehicles other than commercial motor vehicles, and  
 22 the removal of vehicles from areas of public use when they are found to be in a  
 23 defective or unsafe condition;

24 (4) abandonment of vehicles;

25 (5) management of records of the Department of Public Safety  
 26 required for that department's administration of this title and its regulations adopted  
 27 under this title, including provisions for ensuring the accuracy of information  
 28 contained in automated and manual information retrieval systems;

29 (6) definitions of words and phrases used in this title and in regulations  
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31 (7) certification and regulation of junk yards.

1 \* **Sec. 4.** AS 28.10.011 is amended to read:

2 **Sec. 28.10.011. Vehicles subject to registration.** Every vehicle driven,  
3 moved, or parked **on** [UPON] a highway or other public parking place in the state  
4 shall be registered under this chapter except when the vehicle is

5 (1) driven or moved on a highway only for the purpose of crossing the  
6 highway from one private property to another, including an implement of husbandry  
7 as defined by regulation;

8 (2) driven or moved on a highway under a dealer's plate or temporary  
9 permit as provided for in AS 28.10.031 and 28.10.181(j);

10 (3) special mobile equipment as defined by regulation;

11 (4) owned by the United States;

12 (5) moved by human or animal power;

13 (6) exempt under 50 U.S.C. App. 501-591 (Soldiers' and Sailors' Civil  
14 Relief Act);

15 (7) driven or parked only on private property;

16 (8) the vehicle of a nonresident as provided under AS 28.10.121;

17 (9) transported under a special permit under AS 28.10.151;

18 (10) being driven or moved on a highway, vehicular way, or a public  
19 parking place in the state that is not connected by a land highway or vehicular way to

20 (A) the land-connected state highway system; or

21 (B) a highway or vehicular way with an average daily traffic  
22 volume greater than 499;

23 (11) an implement of husbandry operated in accordance with the  
24 provisions of AS 19.10.065;

25 (12) an electric personal motor vehicle;

26 **(13) an electric-assisted bicycle.**

27 \* **Sec. 5.** AS 28.90.990(a)(12) is amended to read:

28 (12) "electric personal motor vehicle" means an electric personal  
29 assistive mobility device that is a self-balancing vehicle with two nontandem wheels,  
30 designed to transport only one person, has an electric propulsion system, and has a  
31 maximum speed of not more than 15 miles an hour; **"electric personal motor**

1 **vehicle" does not include an electric-assisted bicycle;**

2 \* **Sec. 6.** AS 28.90.990(a)(18) is amended to read:

3 (18) "motor vehicle" means a vehicle **that** [WHICH] is self-propelled,  
4 except **for** a vehicle moved by human or animal power; **"motor vehicle" does not**  
5 **include an electric-assisted bicycle;**

6 \* **Sec. 7.** AS 28.90.990(a)(19) is amended to read:

7 (19) "motorcycle" means a vehicle having a seat or saddle for the use  
8 of the rider and designed to travel on not more than three wheels in contact with the  
9 ground; **"motorcycle"** [THE TERM] does not include a tractor **or an electric-**  
10 **assisted bicycle;**

11 \* **Sec. 8.** AS 28.90.990(a)(20) is amended to read:

12 (20) "motor-driven cycle" means a motorcycle, motor scooter,  
13 motorized bicycle, or similar conveyance with a motor attached and having an engine  
14 with 50 or less cubic centimeters of displacement; **"motor-driven cycle" does not**  
15 **include an electric-assisted bicycle;**

16 \* **Sec. 9.** AS 28.90.990(a) is amended by adding new paragraphs to read:

17 (33) "bicycle" includes an electric-assisted bicycle;

18 (34) "class 1 electric-assisted bicycle" means a bicycle equipped with  
19 an electric motor that provides assistance only when the rider is pedaling and that  
20 stops providing assistance when the bicycle reaches the speed of 20 miles per hour;

21 (35) "class 2 electric-assisted bicycle" means a bicycle equipped with  
22 an electric motor that may be used exclusively to propel the bicycle and that stops  
23 providing assistance when the bicycle reaches the speed of 20 miles per hour;

24 (36) "class 3 electric-assisted bicycle" means a bicycle equipped with  
25 an electric motor that provides assistance only when the rider is pedaling and that  
26 stops providing assistance when the bicycle reaches the speed of 28 miles per hour;

27 (37) "electric-assisted bicycle" means a bicycle that

28 (A) is designed to travel with not more than three wheels in  
29 contact with the ground;

30 (B) has fully operative pedals for human propulsion;

31 (C) has a seat or saddle for use of the rider;

1 (D) is equipped with an electric motor that has a power output  
2 of not more than 750 watts; and

3 (E) is a class 1, class 2, or class 3 electric-assisted bicycle.

4 \* **Sec. 10.** AS 41.23 is amended by adding a new section to article 1 to read:

5 **Sec. 41.23.300. Definitions.** In AS 41.23.010 - 41.23.300,

6 (1) "bicycling" includes the operation of an electric-assisted bicycle;

7 (2) "electric-assisted bicycle" has the meaning given in  
8 AS 28.90.990(a).