

Assembly Bill No. 441–Assemblymen Ohrenschall, Bobzien; Aizley, Buckley, Claborn, Denis, Goedhart, Goicoechea, Hambrick, Hogan, Kihuen, Koivisto, Leslie, Manendo, McClain, Mortenson, Munford, Ocegüera, Parnell and Segerblom

Joint Sponsor: Senator Parks

CHAPTER.....

AN ACT relating to vehicles; providing that an electric bicycle must be allowed on certain trails and pedestrian walkways; excluding electric bicycles from the provisions requiring licensing and registration of vehicles and vehicle drivers' licenses; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill requires that electric bicycles be allowed on any trail or pedestrian walkway that is intended for use by bicycles and is constructed using certain federal funds. **Section 1.3** of this bill requires the Department of Public Safety to include electric bicycles in educational programs concerning bicycle safety. (NRS 480.700) **Sections 1.7-8.7** of this bill exclude electric bicycles from vehicle licensing and registration requirements. **Sections 10-13** of this bill exclude electric bicycles from the provisions requiring vehicle drivers' licenses. **Section 14** of this bill adds electric bicycles to the requirements for the program of safety education. **Sections 15-30** of this bill provide that electric bicycles are subject to the same traffic laws and various other requirements as bicycles. **Section 35.5** of this bill requires the Motor Vehicle Recovery and Transportation Planner of the Department to include electric bicycles in the development and administration of plans relating to the establishment, construction and maintenance of bicycle lanes and routes in this State. (NRS 408.234)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 480 of NRS is hereby amended by adding thereto a new section to read as follows:

Electric bicycles, as defined in section 2 of this act, must be allowed on any trail or pedestrian walkway that is intended for use by bicycles and is constructed using federal funding obtained pursuant to 23 U.S.C. § 217.

Sec. 1.3. NRS 480.700 is hereby amended to read as follows:
480.700 1. The Department shall develop an educational program concerning bicycle safety which must be:

(a) Suitable for children and adults; and



(b) Developed by a person who is trained in the techniques of bicycle safety.

2. The program must be designed to:

(a) Aid bicyclists in improving their riding skills;

(b) Inform bicyclists of applicable traffic laws and encourage observance of those laws; and

(c) Promote bicycle safety.

3. As used in this section, "bicycle" has the meaning ascribed to it in NRS 484.019 and includes an electric bicycle as defined in section 2 of this act.

Sec. 1.7. Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. "Electric bicycle" means a device upon which a person may ride, having two or three wheels, or every such device generally recognized as a bicycle that has fully operable pedals and is propelled by a small electric engine which produces not more than 1 gross brake horsepower and which produces not more than 750 watts final output, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Powered solely by such a small electric engine, is capable of a maximum speed of not more than 20 miles per hour on a flat surface while carrying an operator who weighs 170 pounds.

↳ The term does not include a moped.

Secs. 3 and 4. (Deleted by amendment.)

Sec. 5. NRS 482.010 is hereby amended to read as follows:

482.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 482.0105 to 482.137, inclusive, **and section 2 of this act** have the meanings ascribed to them in those sections.

Sec. 6. NRS 482.069 is hereby amended to read as follows:

482.069 "Moped" means a ~~{vehicle which looks and handles essentially like a bicycle and}~~ **motor-driven scooter, motor-driven cycle or similar vehicle that** is propelled by a small engine which produces not more than 2 gross brake horsepower ~~{and which}~~, has a displacement of not more than 50 cubic centimeters ~~{}~~ **or produces not more than 1500 watts final output, and:**

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

↳ The term does not include an electric bicycle.



Sec. 7. NRS 482.070 is hereby amended to read as follows:

482.070 “Motorcycle” means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term *“electric bicycle,”* “tractor” or “moped” as defined in this chapter.

Sec. 7.5. NRS 482.087 is hereby amended to read as follows:

482.087 “Passenger car” means a motor vehicle designed for carrying 10 persons or less, except a motorcycle ~~[, power cycle]~~ or motor-driven cycle.

Sec. 8. NRS 482.210 is hereby amended to read as follows:

482.210 1. The provisions of this chapter requiring the registration of certain vehicles do not apply to:

- (a) Special mobile equipment.
- (b) Implements of husbandry temporarily drawn, moved or otherwise propelled upon the highways.
- (c) Any mobile home or commercial coach subject to the provisions of chapter 489 of NRS.
- (d) *Electric bicycles.*
- (e) Golf carts which are:

(1) Traveling upon highways properly designated by the appropriate city or county as permissible for the operation of golf carts; and

(2) Operating pursuant to a permit issued pursuant to this chapter.

~~[(e)]~~ (f) Mopeds. ~~†~~

~~—[(f)]~~ (g) Towable tools or equipment as defined in NRS 484.202.

~~[(g)]~~ (h) Any motorized conveyance for a wheelchair, whose operator is a person with a disability who is unable to walk about.

2. For the purposes of this section, “motorized conveyance for a wheelchair” means a vehicle which:

- (a) Can carry a wheelchair;
- (b) Is propelled by an engine which produces not more than 3 gross brake horsepower ~~[or]~~ has a displacement of not more than 50 cubic centimeters ~~†~~ *or produces not more than 2250 watts final output;*
- (c) Is designed to travel on not more than three wheels; and
- (d) Can reach a speed of not more than 30 miles per hour on a flat surface with not more than a grade of 1 percent in any direction.

↳ The term does not include a tractor.

Sec. 8.3. NRS 482.265 is hereby amended to read as follows:

482.265 1. The Department shall furnish to every owner whose vehicle is registered two license plates for a motor vehicle other than a motorcycle ~~[or power cycle,]~~ and one license plate for



all other vehicles required to be registered hereunder. Upon renewal of registration, the Department may issue one or more license plate stickers, tabs or other suitable devices in lieu of new license plates.

2. The Director shall have the authority to require the return to the Department of all number plates upon termination of the lawful use thereof by the owner under this chapter.

3. Except as otherwise specifically provided by statute, for the issuance of each special license plate authorized pursuant to this chapter:

(a) The fee to be received by the Department for the initial issuance of the special license plate is \$35, exclusive of any additional fee which may be added to generate funds for a particular cause or charitable organization;

(b) The fee to be received by the Department for the renewal of the special license plate is \$10, exclusive of any additional fee which may be added to generate financial support for a particular cause or charitable organization; and

(c) The Department shall not design, prepare or issue a special license plate unless, within 4 years after the date on which the measure authorizing the issuance becomes effective, it receives at least 250 applications for the issuance of that plate.

Sec. 8.7. NRS 482.275 is hereby amended to read as follows:

482.275 1. The license plates for a motor vehicle other than a motorcycle ~~[, power-cycle]~~ or motor vehicle being transported by a licensed vehicle transporter must be attached thereto, one in the rear and, except as otherwise provided in subsection 2, one in the front. The license plate issued for all other vehicles required to be registered must be attached to the rear of the vehicle. The license plates must be so displayed during the current calendar year or registration period.

2. If the motor vehicle was not manufactured to include a bracket, device or other contrivance to display and secure a front license plate, and if the manufacturer of the motor vehicle provided no other means or method by which a front license plate may be displayed upon and secured to the motor vehicle:

(a) One license plate must be attached to the motor vehicle in the rear; and

(b) The other license plate may, at the option of the owner of the vehicle, be attached to the motor vehicle in the front.

3. The provisions of subsection 2 do not relieve the Department of the duty to issue a set of two license plates as otherwise required pursuant to NRS 482.265 or other applicable law and do not entitle the owner of a motor vehicle to pay a reduced tax



or fee in connection with the registration or transfer of the motor vehicle. If the owner of a motor vehicle, in accordance with the provisions of subsection 2, exercises the option to attach a license plate only to the rear of the motor vehicle, the owner shall:

(a) Retain the other license plate; and

(b) Insofar as it may be practicable, return or surrender both plates to the Department as a set when required by law to do so.

4. Every license plate must at all times be securely fastened to the vehicle to which it is assigned so as to prevent the plate from swinging and at a height not less than 12 inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible, and must be maintained free from foreign materials and in a condition to be clearly legible.

5. Any license plate which is issued to a vehicle transporter or a dealer, rebuilder or manufacturer may be attached to a vehicle owned or controlled by that person by a secure means. No license plate may be displayed loosely in the window or by any other unsecured method in any motor vehicle.

Sec. 9. (Deleted by amendment.)

Sec. 10. Chapter 483 of NRS is hereby amended by adding thereto a new section to read as follows:

“Electric bicycle” means a device upon which a person may ride, having two or three wheels, or every such device generally recognized as a bicycle that has fully operable pedals and is propelled by a small electric engine which produces not more than 1 gross brake horsepower and which produces not more than 750 watts final output, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Powered solely by such a small electric engine, is capable of a maximum speed of not more than 20 miles per hour on a flat surface while carrying an operator who weighs 170 pounds.

↳ The term does not include a moped.

Sec. 11. NRS 483.020 is hereby amended to read as follows:

483.020 As used in NRS 483.010 to 483.630, inclusive, *and section 10 of this act*, unless the context otherwise requires, the words and terms defined in NRS 483.030 to 483.190, inclusive, *and section 10 of this act* have the meanings ascribed to them in those sections.

Sec. 12. NRS 483.088 is hereby amended to read as follows:

483.088 “Moped” means a ~~vehicle which looks and handles essentially like a bicycle and~~ *motor-driven scooter, motor-driven cycle or similar vehicle that* is propelled by a small engine which



produces not more than 2 gross brake horsepower ~~and which~~, has a displacement of not more than 50 cubic centimeters ~~and~~ *or produces not more than 1500 watts final output*, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and
2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

↳ *The term does not include an electric bicycle.*

Sec. 13. NRS 483.090 is hereby amended to read as follows:

483.090 “Motor vehicle” means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails. “Motor vehicle” includes *a* moped. *The term does not include an electric bicycle.*

Sec. 14. NRS 483.203 is hereby amended to read as follows:

483.203 The position of Drivers’ Education and Safety Officer is hereby created in the Department. The Drivers’ Education and Safety Officer:

1. Shall plan and administer a program of safety education which includes safety information concerning interaction among motor vehicles, bicycles, *electric bicycles* and pedestrians.
2. May provide grants to local governmental entities, including school districts, for assistance in carrying out the program of safety education.

Sec. 15. Chapter 484 of NRS is hereby amended by adding thereto a new section to read as follows:

“Electric bicycle” means a device upon which a person may ride, having two or three wheels, or every such device generally recognized as a bicycle that has fully operable pedals and is propelled by a small electric engine which produces not more than 1 gross brake horsepower and which produces not more than 750 watts final output, and:

1. *Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and*
2. *Powered solely by such a small electric engine, is capable of a maximum speed of not more than 20 miles per hour on a flat surface while carrying an operator who weighs 170 pounds.*

↳ *The term does not include a moped.*

Sec. 16. NRS 484.013 is hereby amended to read as follows:

484.013 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 484.014 to 484.217,



inclusive, *and section 15 of this act* have the meanings ascribed to them in those sections.

Sec. 17. NRS 484.0798 is hereby amended to read as follows:

484.0798 “Moped” means a ~~[vehicle which looks and handles essentially like a bicycle and]~~ *motor-driven scooter, motor-driven cycle or similar vehicle that* is propelled by a small engine which produces not more than 2 gross brake horsepower ~~[and which]~~, has a displacement of not more than 50 cubic centimeters ~~[.]~~ *or produces not more than 1500 watts final output*, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

↳ *The term does not include an electric bicycle.*

Sec. 18. NRS 484.083 is hereby amended to read as follows:

484.083 “Motorcycle” means every motor vehicle equipped with a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, ~~[including a power cycle but]~~ excluding *an electric bicycle*, a tractor or a moped.

Sec. 18.3. NRS 484.101 is hereby amended to read as follows:

484.101 “Passenger car” means every motor vehicle, except motorcycles ~~[, power cycles]~~ and motor-driven cycles, designed for carrying 10 passengers or less and used for the transportation of persons.

Sec. 18.7. NRS 484.313 is hereby amended to read as follows:

484.313 1. The Department of Transportation or a local authority, after considering the advice of the Nevada Bicycle Advisory Board, may with respect to any controlled-access highway under its jurisdiction:

(a) Require a permit for the use of the highway by pedestrians, bicycles or other nonmotorized traffic or by any person operating a power cycle; or

(b) If it determines that the use of the highway for such a purpose would not be safe, prohibit the use of the highway by pedestrians, bicycles or other nonmotorized traffic . ~~[or by any person operating a power cycle.]~~

2. Any person who violates any prohibition or restriction enacted pursuant to subsection 1 is guilty of a misdemeanor.

Sec. 19. NRS 484.324 is hereby amended to read as follows:

484.324 1. The driver of a motor vehicle shall not:



(a) Intentionally interfere with the movement of a person lawfully riding a bicycle ~~or~~ *or an electric bicycle*; or

(b) Overtake and pass a person riding a bicycle *or an electric bicycle* unless he can do so safely without endangering the person riding the bicycle ~~or~~ *or electric bicycle*.

2. The driver of a motor vehicle shall yield the right-of-way to any person riding a bicycle *or an electric bicycle* on the pathway or lane. The driver of a motor vehicle shall not enter, stop, stand, park or drive within a pathway or lane provided for bicycles *or electric bicycles* except:

- (a) When entering or exiting an alley or driveway;
- (b) When operating or parking a disabled vehicle;
- (c) To avoid conflict with other traffic;
- (d) In the performance of official duties;
- (e) In compliance with the directions of a police officer; or
- (f) In an emergency.

3. Except as otherwise provided in subsection 2, the driver of a motor vehicle shall not enter or proceed through an intersection while driving within a pathway or lane provided for bicycles ~~or~~ *or electric bicycles*.

4. The driver of a motor vehicle shall:

(a) Exercise due care to avoid a collision with a person riding a bicycle ~~or~~ *or an electric bicycle*; and

(b) Give an audible warning with the horn of the vehicle if appropriate and when necessary to avoid such a collision.

5. The operator of a bicycle *or an electric bicycle* shall not:

(a) Intentionally interfere with the movement of a motor vehicle;

or

(b) Overtake and pass a motor vehicle unless he can do so safely without endangering himself or the occupants of the motor vehicle.

Sec. 20. NRS 484.501 is hereby amended to read as follows:

484.501 1. It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in NRS 484.505 to 484.513, inclusive.

2. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

3. The provisions applicable to bicycles *and electric bicycles* shall apply whenever a bicycle *or an electric bicycle* is operated upon any highway or upon any path set aside for the exclusive use of bicycles *or electric bicycles* subject to those exceptions stated herein.



Sec. 21. NRS 484.503 is hereby amended to read as follows:

484.503 Every person riding a bicycle *or an electric bicycle* upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle except as otherwise provided in NRS 484.504 to 484.513, inclusive, and except as to those provisions of this chapter which by their nature can have no application.

Sec. 22. NRS 484.504 is hereby amended to read as follows:

484.504 1. Except as otherwise provided in this section, a peace officer, a firefighter, an emergency medical technician certified pursuant to chapter 450B of NRS or an employee of a pedestrian mall, who operates a bicycle *or an electric bicycle* while he is on duty, is not required to comply with any provision of NRS or any ordinance of a local government relating to the operation of a bicycle *or an electric bicycle* while on duty if he:

(a) Is responding to an emergency call or the peace officer is in pursuit of a suspected violator of the law; or

(b) Determines that noncompliance with any such provision is necessary to carry out his duties.

2. The provisions of this section do not:

(a) Relieve a peace officer, firefighter, emergency medical technician or employee of a pedestrian mall from the duty to operate a bicycle *or an electric bicycle* with due regard for the safety of others.

(b) Protect such a person from the consequences of his disregard for the safety of others.

3. As used in this section, "pedestrian mall" has the meaning ascribed to it in NRS 268.811.

Sec. 23. NRS 484.505 is hereby amended to read as follows:

484.505 1. A person propelling a bicycle *or an electric bicycle* shall not ride other than upon or astride a permanent and regular seat attached thereto.

2. No bicycle *or electric bicycle* shall be used to carry more persons at one time than the number for which it is designed and equipped.

Sec. 24. NRS 484.507 is hereby amended to read as follows:

484.507 No person riding upon any bicycle, *electric bicycle*, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

Sec. 25. NRS 484.509 is hereby amended to read as follows:

484.509 1. Every person operating a bicycle *or an electric bicycle* upon a roadway shall, except:



- (a) When traveling at a lawful rate of speed commensurate with the speed of any nearby traffic;
 - (b) When preparing to turn left; or
 - (c) When doing so would not be safe,
- ↳ ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

2. Persons riding bicycles *or electric bicycles* upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles  *or electric bicycles*.

Sec. 26. NRS 484.511 is hereby amended to read as follows:

484.511 No person operating a bicycle *or an electric bicycle* shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handle bars.

Sec. 27. NRS 484.513 is hereby amended to read as follows:

484.513 1. Every bicycle *or electric bicycle* when in use at night must be equipped with:

(a) A lamp on the front which emits a white light visible from a distance of at least 500 feet to the front;

(b) A red reflector on the rear of a type approved by the Department which must be visible from 50 feet to 300 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle; and

(c) Reflective material of a sufficient size and reflectivity to be visible from both sides of the bicycle for 600 feet when directly in front of the lawful lower beams of the head lamps of a motor vehicle, or in lieu of such material, a lighted lamp visible from both sides from a distance of at least 500 feet.

2. Every bicycle *or electric bicycle* must be equipped with a brake which will enable the operator to make the wheels skid on dry, level, clean pavement.

Sec. 28. NRS 484.595 is hereby amended to read as follows:

484.595 1. Every motor vehicle and combination of vehicles, at all times and under all conditions of loading, upon application of the service brake, shall be capable of:

(a) Developing a braking force that is not less than the percentage of its gross weight tabulated in subsection 2 for its classification;

(b) Decelerating to a stop from not more than 20 miles per hour at not less than the feet per second per second tabulated in subsection 2 for its classification; and



(c) Stopping from a speed of 20 miles per hour, in not more than the distance tabulated in subsection 2 for its classification, such distance to be measured from the point at which movement of the service brake pedal or control begins.

2. The required braking forces, decelerations and braking distances are tabulated as follows:

Classification of Vehicles	Braking force as a percentage of gross vehicle or combination weight	Deceleration in feet per second	Brake system application and braking distance in feet from an initial speed of 20 m.p.h.
Passenger vehicles with a seating capacity of 10 people or less including driver, not having manufacturer's gross vehicle weight rating	52.8%	17	25
All motorcycles [and <i>and</i> mopeds [and motor-driven cycles]	43.5%	14	30
Single-unit vehicles with manufacturer's gross vehicle weight rating of 10,000 pounds or less	43.5%	14	30
Single-unit vehicles with manufacturer's gross weight rating of more than 10,000 pounds	43.5%	14	40
Combination of a two-axle towing vehicle and trailer with a gross trailer weight of 3,000 pounds or less	43.5%	14	40



Classification of Vehicles	Braking force as a percentage of gross vehicle or combination weight	Deceleration in feet per second	Brake system application and braking distance in feet from an initial speed of 20 m.p.h.
Buses, regardless of the number of axles, not having a manufacturer's gross weight rating	43.5%	14	40
All combinations of vehicles in driveaway-towaway operations.....	43.5%	14	40
All other vehicles and combinations of vehicles.....	43.5%	14	50

3. Tests for deceleration and stopping distance shall be made on a substantially level (not to exceed plus or minus 1-percent grade), dry, smooth, hard surface that is free from loose material.

Sec. 29. NRS 484.601 is hereby amended to read as follows:

484.601 Every motor vehicle, trailer, semitrailer, house trailer and pole trailer, and every combination of such vehicles, except motorcycles ~~[.]~~ and mopeds, ~~[power cycles and motor driven cycles.]~~ equipped with brakes shall have the braking system so arranged that one control device can be used to operate all service brakes. The braking system on the towed vehicle may be surge actuated brakes. This requirement does not prohibit vehicles from being equipped with an additional control device to be used to operate brakes on the towed vehicles. This regulation does not apply to driveaway or towaway operations unless the brakes on the individual vehicles are designed to be operated by a single control on the towing vehicle.

Sec. 30. NRS 484.779 is hereby amended to read as follows:

484.779 1. Except as otherwise provided in subsection 3, a local authority may adopt, by ordinance, regulations with respect to highways under its jurisdiction within the reasonable exercise of the police power:

(a) Regulating or prohibiting processions or assemblages on the highways.



(b) Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction.

(c) Designating any highway as a through highway, requiring that all vehicles stop before entering or crossing the highway, or designating any intersection as a stop or a yield intersection and requiring all vehicles to stop or yield at one or more entrances to the intersection.

(d) Designating truck, ~~and~~ bicycle *and electric bicycle* routes.

(e) Adopting such other traffic regulations related to specific highways as are expressly authorized by this chapter.

2. An ordinance relating to traffic control enacted under this section is not effective until official devices for traffic control giving notice of those local traffic regulations are posted upon or at the entrances to the highway or part thereof affected as is most appropriate.

3. An ordinance enacted under this section is not effective with respect to:

(a) Highways constructed and maintained by the Department of Transportation under the authority granted by chapter 408 of NRS; or

(b) Alternative routes for the transport of radioactive, chemical or other hazardous materials which are governed by regulations of the United States Department of Transportation,

↳ until the ordinance has been approved by the Board of Directors of the Department of Transportation.

4. As used in this section, "hazardous material" has the meaning ascribed to it in NRS 459.7024.

Sec. 31. (Deleted by amendment.)

Sec. 32. NRS 485.313 is hereby amended to read as follows:

485.313 1. The Department shall create a system for verifying that the owners of motor vehicles maintain the insurance required by NRS 485.185.

2. As used in this section, "motor vehicle" does not include:

(a) ~~[A]~~ *Except as otherwise provided in subsection 1 of NRS 482.398, a golf cart as that term is defined in NRS 482.044.*

(b) A motortruck, truck-tractor, bus or other vehicle that is registered pursuant to paragraph (e) of subsection 1 of NRS 482.482 or NRS 706.801 to 706.861, inclusive.

Sec. 33. NRS 486.038 is hereby amended to read as follows:

486.038 "Moped" means a ~~[vehicle which looks and handles essentially like a bicycle and]~~ *motor-driven scooter, motor-driven cycle or similar vehicle that* is propelled by a small engine which



produces not more than 2 gross brake horsepower ~~[and which]~~, has a displacement of not more than 50 cubic centimeters ~~[]~~ *or produces not more than 1500 watts final output*, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and
2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

↳ The term does not include an electric bicycle as defined in section 10 of this act.

Sec. 34. NRS 486.041 is hereby amended to read as follows:

486.041 “Motorcycle” means every motor vehicle equipped with a seat or a saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, ~~[including a power cycle but]~~ excluding *an electric bicycle as defined in section 10 of this act*, a tractor and a moped.

Sec. 35. NRS 486A.110 is hereby amended to read as follows:

486A.110 “Motor vehicle” means every vehicle which is self-propelled, but not operated on rails, used upon a highway for the purpose of transporting persons or property. The term does not include ~~[a:]~~:

1. *An electric bicycle as defined in section 10 of this act;*
2. ~~[Farm]~~ *A farm tractor as defined in NRS 482.035;*
- ~~[2-]~~ 3. ~~[Moped]~~ *A moped as defined in NRS 482.069; and*
- ~~[3-]~~ 4. ~~[Motorcycle]~~ *A motorcycle as defined in NRS 482.070.*

Sec. 35.5. NRS 408.234 is hereby amended to read as follows:

408.234 1. The position of Motor Vehicle Recovery and Transportation Planner is hereby created in the Department.

2. The Motor Vehicle Recovery and Transportation Planner shall:

(a) Develop and administer a plan for the construction of motor vehicle recovery and bicycle lanes that are not less than 3 feet wide in all new construction and major repair work on every highway in the State, in accordance with appropriate standards of design;

(b) Develop a plan for the maintenance of motor vehicle recovery and bicycle lanes throughout the State;

(c) Prepare and distribute information on motor vehicle recovery and bicycle lanes, bicycle safety manuals and bicycle route maps throughout the State;

(d) Develop standards for the design of motor vehicle recovery and bicycle lanes and bicycle paths and routes;

(e) Develop standardized signs and markings which indicate bicycle lanes;



(f) Determine where appropriate signs and markings will be located on state highways and coordinate their placement;

(g) Establish a statewide plan of motor vehicle recovery and bicycle lanes and bicycle paths and routes and update the plan annually;

(h) Identify projects which are related to motor vehicle recovery and bicycle lanes and place each project in its proper order of priority;

(i) Investigate possible sources of money which may be available to promote motor vehicle recovery and bicycle lanes and bicycle facilities and programs throughout this State and solicit money from those sources;

(j) Provide assistance to the Department of Motor Vehicles and the Department of Public Safety in coordinating activities which are related to motor vehicle and bicycle safety in the communities of this State;

(k) Investigate the programs of the Rails-to-Trails Conservancy and where feasible, participate in those programs;

(l) Identify the potential effect of bicycle programs on tourism in this State; and

(m) Carry out any other duties assigned to him by the Director.

3. The Director may remove any of the duties set out in subsection 2 if he determines that the duty is no longer necessary or appropriate.

4. As used in this section, "bicycle" has the meaning ascribed to it in NRS 484.019 and includes an electric bicycle as defined in section 2 of this act.

