

HB 1543-FN - AS INTRODUCED

2024 SESSION

24-2503

11/08

HOUSE BILL

1543-FN

AN ACT

relative to personal electric vehicles (PEVs).

SPONSORS:

Rep. L. Gould, Hills. 2; Rep. S. Pearson, Rock. 13; Rep. Vail, Hills. 6; Rep. Beaulieu, Hills. 19; Rep. Dutzy, Hills. 6; Rep. Ball, Rock. 25; Sen. D'Allesandro, Dist 20

COMMITTEE:

Transportation

ANALYSIS

This bill defines and regulates personal electric vehicles.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to personal electric vehicles (PEVs).

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Personal Electric Vehicles. Amend RSA 259 by inserting after section 57 the
2 following new section:

3 259:57-a Personal Electric Vehicle. "Personal electric vehicle" shall mean a motor-driven vehicle
4 or hybrid self-powered and electric-motor driven vehicle used for recreation or transport, and not
5 otherwise defined in Chapter 259 or Chapter 215, where the motor exceeds 1.0 horsepower, even if it
6 is equipped with pedals, but not to include electric bicycles. This class of vehicles shall include, but
7 not be limited to, electric unicycles, electric scooters, electric skateboards, electric hoverboards,
8 Gopeds, Segways, Onewheels, and electric skates. For purposes of this chapter "personal electric
9 vehicle" shall be abbreviated as PEV.

10 2 Motor-Driven Cycle; Moped. Amend RSA 259:65 to read as follows:

11 259:65 Motor-Driven Cycle. "Motor-driven cycle" shall mean any motorcycle, **moped**, or motor
12 scooter with a motor which produces not to exceed 5 horse-power, and any bicycle with motor
13 attached except any electric bicycle.

14 3 New Section; Education; Personal Electric Vehicles. Amend RSA 263 by inserting after
15 section 19 the following new section:

16 263:19-a Driver Education; Personal Electric Vehicles. Any person over 16 years of age or older
17 who does not hold a driver's license and who operates a PEV shall, prior to operation, complete an
18 online PEV safety course developed by the department of motor vehicles. Such course shall, at a
19 minimum, educate operators about safe operation and regulation of PEVs. An operator who
20 completes the course shall receive a certificate of completion, which the PEV operator shall have in
21 his or her possession in original, digital or digital image form, and shall produce upon request of a
22 peace officer. The department of motor vehicles may charge a fee for the course, with proceeds
23 inuring to the department of motor vehicles.

24 4 New Section; Personal Electric Vehicles. Amend RSA 261 by inserting after section 182 the
25 following new section:

26 261:183 Personal Electric Vehicle Registration. The department of motor vehicles shall adopt
27 rules regarding registration of PEVs. PEVs shall display a registration plate or decal that is plainly
28 visible. A person who operates a PEV without a driver's license or certificate required in RSA
29 263:19-A shall be guilty of a violation and shall be fined \$50. Any peace officer in their jurisdiction
30 may enforce this paragraph.

1 5 New Paragraph; Speed Limit and Protection; PEVs. Amend RSA 265:60 by inserting after
2 paragraph IV the following new paragraph:

3 IV-a.(a) No person shall operate a PEV over 5 miles per hour on sidewalks, walkways, or
4 walking trails, which for the purposes of this paragraph is deemed a prima facie reasonable and
5 prudent speed for PEV travel. No person shall operate a PEV over 15 miles per hour on public rail
6 trails, public hiking trails, and public bicycle trails.

7 (b) On public ways or public places besides those in (a), the speed limit shall be based on
8 speed limits in this section. No person younger than 16 years of age may operate a PEV on any
9 public property unless he or she wears protective headgear of a type approved by the commissioner
10 of health and human services. Any PEV operator shall wear at least one item of reflective outerwear
11 apparel, such as a reflective vest, jacket, or helmet strip, during the period from 1/2 hour after
12 sunset to 1/2 hour before sunrise.

13 (c) Operation of a PEV over the speed limit is a violation and shall be punishable by a
14 fine commensurate with any motor vehicle traveling above the speed limit.

15 6 New Subparagraph; Personal Electric Vehicles Exempt. Amend RSA 261:3, I by inserting
16 after subparagraph (I) the following new subparagraph:

17 (m) Personal Electric Vehicles;

18 7 Out-of-Class Electric Vehicle. Amend RSA 259:27-a to read as follows:

19 259:27-a Electric Bicycle.

20 **I.** "Electric bicycle" shall mean a pedaled vehicle equipped with an electric motor of less than
21 750 watts that falls within one of the following 3 classes:

22 ~~[I.]~~ **(a)** "Class 1 electric bicycle" shall mean a pedaled vehicle equipped with a motor that
23 provides assistance only when the rider is pedaling, and that ceases to provide assistance when the
24 bicycle reaches the speed of 20 miles per hour.

25 ~~[II.]~~ **(b)** "Class 2 electric bicycle" shall mean a pedaled vehicle equipped with a motor that
26 may be used exclusively to propel the bicycle and that is not capable of providing assistance when
27 the bicycle reaches the speed of 20 miles per hour.

28 ~~[III.]~~ **(c)** "Class 3 electric bicycle" shall mean a pedaled vehicle equipped with a motor that
29 provides assistance only when the rider is pedaling and that ceases to provide assistance when the
30 bicycle reaches the speed of 28 miles per hour.

31 8 Effective Date. This act shall take effect 60 days after its passage.

**HB 1543-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to personal electric vehicles (PEVs).

FISCAL IMPACT: ☒ State ☒ County ☒ Local ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	Indeterminable Increase		
Revenue Fund	Restricted Revenue to Division of Motor Vehicles			
Expenditures	Department of Safety Costs - \$69,000 in FY 2025, \$111,000 in FY 2026, and \$113,000 in FY 2027			
	Costs Related to Violation Offense Established - Indeterminable			
Funding Source	General Fund			
Appropriations	\$0	\$0	\$0	\$0
Funding Source	None			

Does this bill provide sufficient funding to cover estimated expenditures? ☒ No

Does this bill authorize new positions to implement this bill? ☒ No

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill defines and regulates personal electric vehicles (PEV). The Department of Safety states it will need to perform the following:

- Create an online safety course for those people 16 and older that want to operate a PEV and do not currently have a driver's license. The Division of Motor Vehicles (DMV) does not currently have an online course for this purpose and will need to create and deploy a training.
- The DMV will need to register personal electric vehicles and include the new registration information into the DMV's system of record.

The Department states revenue is indeterminable as the DMV does not have the ability to determine the cost to register a personal electric vehicle nor can the volume of registrations be estimated. The Department states it would need one new position, a full-time training coordinator (labor grade 21), to create and administer the provisions of this bill. Assuming a start date of January 1, 2025, this position would cost approximately \$44,000 in FY 2025, \$86,000 in FY 2026, and \$88,000 in FY 2027. The Department further estimates the cost for an online training program to be \$25,000 per year. It should be noted this bill provides neither authorization nor appropriation for new personnel.

This bill also adds a violation level offense. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Department of Safety, Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association