

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0775.01 Clare Haffner x6137

HOUSE BILL 25-1197

HOUSE SPONSORSHIP

Smith,

SENATE SPONSORSHIP

Amabile,

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 CONCERNING REQUIREMENTS RELATED TO ELECTRICAL ASSISTED
102 BICYCLES OFFERED FOR SALE IN THE STATE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Section 1 of the bill:

- Requires that a seller of an electrical assisted bicycle must make certain disclosures to the purchaser regarding the characteristics of the electrical assisted bicycle;
- Requires that, on or after January 1, 2026, a manufacturer or distributor of an electrical assisted bicycle must label

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

each electrical assisted bicycle with certain information about the electrical assisted bicycle;

- Requires that, on or after January 1, 2026, a seller of an electrical assisted bicycle must provide a customer with certain written information about existing resources where the customer can find safety information for electrical assisted bicycles;
- Prohibits a person from selling or offering to sell a vehicle that is not an electrical assisted bicycle if the vehicle is falsely labeled as an electrical assisted bicycle; and
- Prohibits a person from advertising, offering for sale, or selling a vehicle that is not an electrical assisted bicycle by using certain words associated with electrical assisted bicycles without providing a disclosure that the vehicle is not in fact an electrical assisted bicycle.

Currently, "electrical assisted bicycle" is defined as having to conform to one of 3 classes based on the highest achievable speed and type of motor of the electrical assisted bicycle. **Section 2** amends the existing definition of "electrical assisted bicycle" to clarify that the following vehicles are not an electrical assisted bicycle:

- A vehicle that is modified so that it no longer meets the requirements for any electrical assisted bicycle class; or
- A vehicle that is designed, manufactured, or intended by the manufacturer or seller to be easily configured so as not to meet all the requirements of an electrical assisted bicycle class.

Section 2 also defines "multiple mode electrical assisted bicycle" to account for electrical assisted bicycles that are capable of switching between different classes.

Section 3 clarifies that a multiple mode electrical assisted bicycle must meet all the requirements applicable to each respective class of electrical assisted bicycle for which the multiple mode electrical assisted bicycle provides for operation.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 6-1-737 as
3 follows:

4 **6-1-737. Sale of electrical assisted bicycles - disclosures -**
5 **labeling requirements - safety resources provided to customer -**
6 **definitions. (1) Disclosures.** A SELLER OF AN ELECTRICAL ASSISTED

1 BICYCLE SHALL DISCLOSE TO THE PURCHASER IN CLEARLY LEGIBLE,
2 WRITTEN FORM:

3 (a) THE MAXIMUM CONTINUOUS RATED POWER OF THE ELECTRICAL
4 ASSISTED BICYCLE;

5 (b) THE MAXIMUM SPEED OF THE ELECTRICAL ASSISTED BICYCLE;

6 (c) WHETHER THE ELECTRICAL ASSISTED BICYCLE IS A CLASS 1,
7 CLASS 2, CLASS 3, OR MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE;

8 (d) WHETHER THE ELECTRICAL ASSISTED BICYCLE IS DESIGNED FOR
9 THE PURPOSE OF TRANSPORTING PASSENGERS AND THE LOCATION OF ANY
10 SEATING OR ATTACHMENT POINTS; AND

11 (e) FOR A CLASS 3 ELECTRICAL ASSISTED BICYCLE OR MULTIPLE
12 MODE ELECTRICAL ASSISTED BICYCLE THAT IS CAPABLE OF OPERATING AS
13 A CLASS 3 ELECTRICAL ASSISTED BICYCLE, A STATEMENT THAT IT IS
14 UNLAWFUL FOR AN INDIVIDUAL WHO IS UNDER SIXTEEN YEARS OF AGE TO
15 RIDE A CLASS 3 ELECTRICAL ASSISTED BICYCLE; EXCEPT THAT AN
16 INDIVIDUAL WHO IS UNDER SIXTEEN YEARS OF AGE MAY RIDE AS A
17 PASSENGER ON A CLASS 3 ELECTRICAL ASSISTED BICYCLE THAT IS
18 DESIGNED TO ACCOMMODATE PASSENGERS.

19 (2) **Labeling requirements.** ON OR AFTER JANUARY 1, 2026, THE
20 MANUFACTURER OR DISTRIBUTOR OF AN ELECTRICAL ASSISTED BICYCLE
21 SHALL APPLY A LABEL TO THE ELECTRICAL ASSISTED BICYCLE THAT IS
22 CLEARLY LEGIBLE AND PERMANENTLY AFFIXED IN A PROMINENT
23 LOCATION. THE LABEL MUST INCLUDE:

24 (a) THE CLASS NUMBER;

25 (b) THE TOP ASSISTED SPEED;

26 (c) WHETHER THE ELECTRICAL ASSISTED BICYCLE IS DESIGNED FOR
27 THE PURPOSE OF TRANSPORTING PASSENGERS;

1 (d) THE MOTOR WATTAGE; AND

2 (e) FOR A MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE,
3 IDENTIFICATION OF EACH OF THE CLASSES IN WHICH THE ELECTRICAL
4 ASSISTED BICYCLE IS CAPABLE OF OPERATION.

5 (3) **Safety information resources provided to customer.** ON OR
6 AFTER JANUARY 1, 2026, A PERSON SHALL NOT SELL, IN A STORE OR
7 ONLINE, AN ELECTRICAL ASSISTED BICYCLE TO A CUSTOMER IN THE STATE
8 UNLESS THE PERSON PROVIDES THE CUSTOMER WITH WRITTEN
9 INFORMATION ABOUT EXISTING RESOURCES WHERE THE CUSTOMER CAN
10 FIND SAFETY INFORMATION FOR ELECTRICAL ASSISTED BICYCLES. THE
11 WRITTEN INFORMATION MUST, TO THE EXTENT FEASIBLE, INDICATE WHERE
12 THE CUSTOMER CAN FIND INFORMATION REGARDING:

13 (a) ELECTRICAL ASSISTED BICYCLE CLASSIFICATION, INFORMATION
14 ON CERTAIN COMPONENTS THAT DISTINGUISH ELECTRICAL ASSISTED
15 BICYCLES FROM OTHER POWERED BICYCLES, AND THE LIMITATIONS OF
16 THOSE COMPONENTS;

17 (b) LAWS AND RULES SPECIFIC TO ELECTRICAL ASSISTED BICYCLES,
18 INCLUDING RIDING RULES AND EQUIPMENT REQUIREMENTS;

19 (c) BASIC OPERATING TECHNIQUES AND PASSENGER RESTRICTIONS;

20 (d) SAFE OPERATING PRACTICES WHEN OPERATING THE
21 ELECTRICAL ASSISTED BICYCLE ON A BICYCLE PATH, BICYCLE TRAIL, OR
22 SHARED-USE PATH;

23 (e) SAFE OPERATING PRACTICES WHEN OPERATING THE
24 ELECTRICAL ASSISTED BICYCLE ON A PUBLIC ROADWAY;

25 (f) ELECTRICAL ASSISTED BICYCLE TRAFFIC STRATEGIES; AND

26 (g) SAFE BATTERY STORAGE.

27 (4) **Unlawful practices.** (a) A PERSON SHALL NOT SELL OR OFFER

1 TO SELL, IN A STORE OR ONLINE, A VEHICLE THAT IS NOT AN ELECTRICAL
2 ASSISTED BICYCLE IF THE VEHICLE IS FALSELY LABELED AS A CLASS 1,
3 CLASS 2, CLASS 3, OR MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE.

4 (b) A PERSON SHALL NOT ADVERTISE, OFFER FOR SALE, OR SELL, IN
5 A STORE OR ONLINE, A VEHICLE THAT IS NOT AN ELECTRICAL ASSISTED
6 BICYCLE:

7 (I) BY REPRESENTING THE VEHICLE AS AN ELECTRICAL ASSISTED
8 BICYCLE; OR

9 (II) USING THE WORDS "ELECTRICAL ASSISTED BICYCLE",
10 "ELECTRIC BIKE", "E-BIKE", OR OTHER SIMILAR TERMS WITHOUT
11 PROVIDING THE FOLLOWING DISCLOSURE IN CLEARLY LEGIBLE, WRITTEN
12 FORM: "THIS VEHICLE IS NOT AN ELECTRICAL ASSISTED BICYCLE AS
13 DEFINED IN STATE LAW PURSUANT TO SECTION 42-1-102, COLORADO
14 REVISED STATUTES. IT IS INSTEAD A TYPE OF MOTOR VEHICLE AND
15 SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC ROADS
16 OR PUBLIC LANDS. YOUR INSURANCE POLICIES MAY NOT PROVIDE
17 COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO
18 DETERMINE COVERAGE, YOU SHOULD CONTACT YOUR INSURANCE
19 COMPANY OR AGENT."

20 (5) **Definitions.** (a) "ELECTRICAL ASSISTED BICYCLE" HAS THE
21 MEANING SET FORTH IN SECTION 42-1-102 (28.5).

22 (b) "MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE" HAS THE
23 MEANING SET FORTH IN SECTION 42-1-102 (60.2).

24 **SECTION 2.** In Colorado Revised Statutes, 42-1-102, **amend**
25 (28.5); and **add** (60.2) as follows:

26 **42-1-102. Definitions.** As used in articles 1 to 4 of this title 42,
27 unless the context otherwise requires:

1 (28.5) (a) "Electrical assisted bicycle" means a vehicle having two
2 or three wheels, fully operable pedals, and an electric motor not
3 exceeding seven hundred fifty watts of power. Electrical assisted bicycles
4 are further required to conform to ~~one of three~~ CERTAIN classes as
5 follows:

6 (a) (I) "Class 1 electrical assisted bicycle" means an electrical
7 assisted bicycle equipped with a motor that provides assistance only when
8 the rider is pedaling and that ceases to provide assistance when the
9 bicycle reaches a speed of twenty miles per hour.

10 (b) (II) "Class 2 electrical assisted bicycle" means an electrical
11 assisted bicycle equipped with a motor that provides assistance regardless
12 of whether the rider is pedaling but ceases to provide assistance when the
13 bicycle reaches a speed of twenty miles per hour.

14 (c) (III) "Class 3 electrical assisted bicycle" means an electrical
15 assisted bicycle equipped with a motor that provides assistance only when
16 the rider is pedaling and that ceases to provide assistance when the
17 bicycle reaches a speed of twenty-eight miles per hour.

18 (b) "ELECTRICAL ASSISTED BICYCLE" DOES NOT INCLUDE:

19 (I) A VEHICLE THAT IS MODIFIED SO THAT IT NO LONGER MEETS
20 THE REQUIREMENTS FOR ANY CLASS OF ELECTRICAL ASSISTED BICYCLE; OR

21 (II) A VEHICLE THAT IS DESIGNED, MANUFACTURED, OR INTENDED
22 BY THE MANUFACTURER OR SELLER TO BE EASILY CONFIGURED SO AS NOT
23 TO MEET THE REQUIREMENTS OF AN ELECTRICAL ASSISTED BICYCLE,
24 WHETHER BY A MECHANICAL SWITCH OR BUTTON, BY CHANGING A
25 SETTING IN SOFTWARE CONTROLLING THE DRIVE SYSTEM, BY USE OF AN
26 ONLINE APPLICATION, OR THROUGH OTHER MEANS INTENDED BY THE
27 MANUFACTURER OR SELLER.

1 (60.2) "MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE" MEANS
2 AN ELECTRICAL ASSISTED BICYCLE EQUIPPED WITH SWITCHABLE OR
3 PROGRAMMABLE MODES THAT PROVIDE FOR OPERATION AS TWO OR MORE
4 OF A CLASS 1, CLASS 2, OR CLASS 3 ELECTRICAL ASSISTED BICYCLE IN
5 CONFORMANCE WITH THE DEFINITION UNDER THIS SECTION FOR EACH
6 RESPECTIVE CLASS.

7 **SECTION 3.** In Colorado Revised Statutes, 42-4-221, **add**
8 (10)(d) as follows:

9 **42-4-221. Bicycle, electric scooter, and personal mobility**
10 **device equipment.** (10) (d) A MULTIPLE MODE ELECTRICAL ASSISTED
11 BICYCLE MUST MEET ALL THE REQUIREMENTS IN THIS ARTICLE 4
12 APPLICABLE TO EACH RESPECTIVE CLASS OF ELECTRICAL ASSISTED
13 BICYCLE FOR WHICH THE MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE
14 PROVIDES FOR OPERATION.

15 **SECTION 4. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2026 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.