

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 25-0775.01 Clare Haffner x6137

HOUSE BILL 25-1197

HOUSE SPONSORSHIP

Smith and Taggart,

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.

HOUSE
Amended 2nd Reading
March 7, 2025

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, 42-4-221, **amend**
3 (11); and **add** (9)(c), (10)(d), (12), (13), and (14) as follows:

4 **42-4-221. Bicycle, electric scooter, and personal mobility**
5 **device equipment - sale of electrical assisted bicycle equipment**
6 **requirements - deceptive trade practice.** (9) (c) ON OR AFTER JANUARY

1 1, 2027, THE LABEL REQUIRED BY SUBSECTION (9)(a) OF THIS SECTION
2 MUST, FOR A MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE, ALSO
3 IDENTIFY THE HIGHEST CLASS OR EACH OF THE CLASSES IN WHICH THE
4 ELECTRICAL ASSISTED BICYCLE IS CAPABLE OF OPERATION.

5 (10) (d) A MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE MUST
6 MEET ALL THE REQUIREMENTS IN THIS ARTICLE 4 APPLICABLE TO EACH
7 RESPECTIVE CLASS OF ELECTRICAL ASSISTED BICYCLE FOR WHICH THE
8 MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE PROVIDES FOR
9 OPERATION.

10 (11) A person ~~who~~ THAT VIOLATES SUBSECTIONS (1) TO (10) OF THIS
11 SECTION COMMITS A CLASS B TRAFFIC INFRACTION.

12 (12) (a) A PERSON SHALL NOT SELL OR OFFER TO SELL, IN A STORE
13 OR ONLINE, A VEHICLE THAT IS NOT AN ELECTRICAL ASSISTED BICYCLE IF
14 THE VEHICLE IS FALSELY LABELED AS A CLASS 1, CLASS 2, CLASS 3, OR
15 MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE.

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

19 (I) BY REPRESENTING THE VEHICLE AS AN ELECTRICAL ASSISTED
20 BICYCLE; OR

21 (II) (A) USING THE WORDS "ELECTRICAL ASSISTED BICYCLE",
22 "ELECTRIC BIKE", "E-BIKE", OR OTHER SIMILAR TERMS WITHOUT
23 PROVIDING THE FOLLOWING DISCLOSURE IN CLEARLY LEGIBLE, WRITTEN
24 FORM: "THIS VEHICLE IS NOT AN ELECTRICAL ASSISTED BICYCLE AS
25 DEFINED IN STATE LAW PURSUANT TO SECTION 42-1-102, COLORADO
26 REVISED STATUTES. IT IS INSTEAD A TYPE OF MOTOR VEHICLE AND
27 SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC ROADS

1 OR PUBLIC LANDS. YOUR INSURANCE POLICIES MAY NOT PROVIDE
2 COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO
3 DETERMINE COVERAGE, YOU SHOULD CONTACT YOUR INSURANCE
4 COMPANY OR AGENT."

5 (B) THE DISCLOSURE REQUIRED PURSUANT TO SUBSECTION
6 (12)(b)(II)(A) OF THIS SECTION MUST BE PROVIDED AT THE STORE WHERE
7 THE VEHICLE IS ADVERTISED OR SOLD AND, FOR A VEHICLE ADVERTISED OR
8 SOLD ONLINE, ON THE WEBSITE FOR THE VEHICLE AND IN ANY SOCIAL
9 MEDIA MARKETING FOR THE VEHICLE.

10 (c) A PERSON THAT VIOLATES THIS SUBSECTION (12) COMMITS A
11 DECEPTIVE TRADE PRACTICE UNDER THE "COLORADO CONSUMER
12 PROTECTION ACT", ARTICLE 1 OF TITLE 6.

13 (13) A SELLER OF AN ELECTRICAL ASSISTED BICYCLE SHALL
14 DISCLOSE TO THE PURCHASER:

15 (a) THE MOTOR POWER IN WATTS OF THE ELECTRICAL ASSISTED
16 BICYCLE;

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

18 (c) WHETHER THE ELECTRICAL ASSISTED BICYCLE IS A CLASS 1,
19 CLASS 2, CLASS 3, OR MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE;
20 AND

21 (d) FOR A CLASS 3 ELECTRICAL ASSISTED BICYCLE OR MULTIPLE
22 MODE ELECTRICAL ASSISTED BICYCLE THAT IS CAPABLE OF OPERATING AS
23 A CLASS 3 ELECTRICAL ASSISTED BICYCLE, A STATEMENT THAT IT IS
24 UNLAWFUL FOR AN INDIVIDUAL WHO IS UNDER SIXTEEN YEARS OF AGE TO
25 OPERATE A CLASS 3 ELECTRICAL ASSISTED BICYCLE IN COLORADO.

26 (14) (a) A PERSON SHALL NOT MANUFACTURE, DISTRIBUTE,
27 ASSEMBLE, RECONDITION, SELL, OFFER TO SELL, LEASE, OR RENT A

1 LITHIUM-ION BATTERY OR A SECOND-USE LITHIUM-ION BATTERY AS PART
2 OF OR INTENDED FOR USE IN AN ELECTRICAL ASSISTED BICYCLE UNLESS
3 THE LITHIUM-ION BATTERY OR SECOND-USE LITHIUM-ION BATTERY HAS
4 BEEN CERTIFIED BY AN ACCREDITED TESTING LABORATORY FOR
5 COMPLIANCE WITH A BATTERY STANDARD REFERENCED IN UL 2849 OR EN
6 15194, OR ANOTHER SAFETY STANDARD APPROVED BY THE DIRECTOR OF
7 THE DIVISION OF FIRE PREVENTION AND CONTROL.

8 (b) (I) IF CERTIFICATION HAS BEEN OBTAINED PURSUANT TO
9 SUBSECTION (14)(a) OF THIS SECTION, THE CERTIFICATION OR THE LOGO,
10 WORDMARK, OR NAME OF THE ACCREDITED TESTING LABORATORY THAT
11 PROVIDED THE CERTIFICATION MUST BE DISPLAYED:

12 (A) ON THE PACKAGING OR DOCUMENTATION FOR AN ELECTRICAL
13 ASSISTED BICYCLE OR A LITHIUM-ION BATTERY OR SECOND-USE
14 LITHIUM-ION BATTERY INTENDED FOR USE IN AN ELECTRICAL ASSISTED
15 BICYCLE AT THE TIME OF SALE; OR

16 (B) DIRECTLY ON THE ELECTRICAL ASSISTED BICYCLE OR THE
17 LITHIUM-ION BATTERY OR SECOND-USE LITHIUM-ION BATTERY INTENDED
18 FOR USE IN AN ELECTRICAL ASSISTED BICYCLE AT THE TIME OF SALE.

19 (II) THE CERTIFICATION OR THE LOGO, WORDMARK, OR NAME OF
20 THE ACCREDITED TESTING LABORATORY THAT PROVIDED THE
21 CERTIFICATION NEED NOT BE DISPLAYED FOR AN ELECTRICAL ASSISTED
22 BICYCLE THAT IS BEING SOLD SECONDHAND OR RENTED.

23 **SECTION 2.** In Colorado Revised Statutes, 42-1-102, **amend**
24 (28.5); and **add** (1.5), (47.7), (60.2), and (88.7) as follows:

25 **42-1-102. Definitions.** As used in articles 1 to 4 of this title 42,
26 unless the context otherwise requires:

27 (1.5) "ACCREDITED TESTING LABORATORY" MEANS A TESTING

1 LABORATORY THAT IS RECOGNIZED BY THE FEDERAL OCCUPATIONAL
2 SAFETY AND HEALTH ADMINISTRATION OR AN INDEPENDENT LABORATORY
3 THAT HAS BEEN CERTIFIED BY AN ACCREDITING BODY TO THE STANDARD
4 ISO 17025 OR STANDARD ISO 17065 OF THE INTERNATIONAL
5 ORGANIZATION FOR STANDARDIZATION.

6 (28.5) (a) "Electrical assisted bicycle" means a vehicle having two
7 or three wheels, fully operable pedals, and an electric motor not
8 exceeding seven hundred fifty watts of power. Electrical assisted bicycles
9 are further required to conform to ~~one of three~~ CERTAIN classes as
10 follows:

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

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

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

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

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

26 (II) A VEHICLE THAT IS DESIGNED, MANUFACTURED, OR INTENDED
27 BY THE MANUFACTURER OR SELLER TO BE EASILY CONFIGURED SO AS NOT

1 TO MEET THE REQUIREMENTS OF AN ELECTRICAL ASSISTED BICYCLE,
2 WHETHER BY A MECHANICAL SWITCH OR BUTTON, BY CHANGING A
3 SETTING IN SOFTWARE CONTROLLING THE DRIVE SYSTEM, BY USE OF AN
4 ONLINE APPLICATION, OR THROUGH OTHER MEANS INTENDED BY THE
5 MANUFACTURER OR SELLER.

6 (47.7) "LITHIUM-ION BATTERY" MEANS A RECHARGEABLE
7 BATTERY WITH AN ORGANIC SOLVENT ELECTROLYTE AND POSITIVE AND
8 NEGATIVE ELECTRODES THAT UTILIZE AN INTERCALATION COMPOUND IN
9 WHICH LITHIUM IS STORED.

10 (60.2) "MULTIPLE MODE ELECTRICAL ASSISTED BICYCLE" MEANS
11 AN ELECTRICAL ASSISTED BICYCLE EQUIPPED WITH SWITCHABLE OR
12 PROGRAMMABLE MODES THAT PROVIDE FOR OPERATION AS TWO OR MORE
13 OF A CLASS 1, CLASS 2, OR CLASS 3 ELECTRICAL ASSISTED BICYCLE IN
14 CONFORMANCE WITH THE DEFINITION UNDER THIS SECTION FOR EACH
15 RESPECTIVE CLASS.

16 (88.7) "SECOND-USE LITHIUM-ION BATTERY" MEANS A
17 LITHIUM-ION BATTERY THAT HAS BEEN ASSEMBLED, REFURBISHED,
18 REPAIRED, REPURPOSED, OR RECONDITIONED USING CELLS REMOVED FROM
19 USED BATTERIES.

20 **SECTION 3.** In Colorado Revised Statutes, 6-1-105, **add** (1)(iii)
21 as follows:

22 **6-1-105. Unfair or deceptive trade practices - definitions.**

23 (1) A person engages in a deceptive trade practice when, in the course of
24 the person's business, vocation, or occupation, the person:

25 (iii) VIOLATES SECTION 42-4-221 (12).

26 **SECTION 4. Act subject to petition - effective date -**
27 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following

1 the expiration of the ninety-day period after final adjournment of the
2 general assembly; except that, if a referendum petition is filed pursuant
3 to section 1 (3) of article V of the state constitution against this act or an
4 item, section, or part of this act within such period, then the act, item,
5 section, or part will not take effect unless approved by the people at the
6 general election to be held in November 2026 and, in such case, will take
7 effect on the date of the official declaration of the vote thereon by the
8 governor.

9 (2) This act applies to conduct occurring on or after the applicable
10 effective date of this act.