

107TH CONGRESS
1ST SESSION

S. 1156

To amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2001

Mr. SMITH of Oregon introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CONSUMER PRODUCT SAFETY ACT.**

4 (a) **LOW-SPEED ELECTRIC BICYCLES.**—The Con-
5 sumer Product Safety Act (15 U.S.C. 2051 et seq.) is
6 amended by adding at the end the following:

7 “LOW-SPEED ELECTRIC BICYCLES

8 “SEC. 38. (a) Notwithstanding any other provision
9 of law, low-speed electric bicycles are consumer products
10 within the meaning of section 3(a)(1) and shall be subject

1 to the Commission regulations published at section
 2 1500.18(a)(12) and part 1512 of title 16, Code of Federal
 3 Regulations.

4 “(b) For the purpose of this section, the term ‘low-
 5 speed electric bicycle’ means a 2- or 3-wheeled vehicle with
 6 fully operable pedals and an electric motor of less than
 7 750 watts (1 hp), whose maximum speed on a paved level
 8 surface, when powered solely by such a motor while ridden
 9 by an operator who weighs 170 pounds, is less than 20
 10 mph.

11 “(c) To further protect the safety of consumers who
 12 ride low-speed electric bicycles, the Commission may pro-
 13 mulgate new or amended requirements applicable to such
 14 vehicles as necessary and appropriate.

15 “(d) This section shall supersede any State law or
 16 requirement with respect to low-speed electric bicycles to
 17 the extent that such State law or requirement is more
 18 stringent than the Federal law or requirements referred
 19 to in subsection (a).”.

20 (b) CONFORMING AMENDMENTS.—Section 1 of the
 21 Consumer Products Safety Act (15 U.S.C. 2051 note) is
 22 amended by amending the table of contents to read as fol-
 23 lows:

“TABLE OF CONTENTS

“Sec. 1. Short title; table of contents.

“Sec. 2. Findings and purposes.

“Sec. 3. Definitions.

- “Sec. 4. Consumer Product Safety Commission.
- “Sec. 5. Product safety information and research.
- “Sec. 6. Public disclosure of information.
- “Sec. 7. Consumer product safety standards.
- “Sec. 8. Banned hazardous products.
- “Sec. 9. Procedure for consumer product safety rules.
- “Sec. 11. Judicial review of consumer product safety rules.
- “Sec. 12. Imminent hazards.
- “Sec. 14. Product certification and labeling.
- “Sec. 15. Notification and repair, replacement, or refund.
- “Sec. 16. Inspection and recordkeeping.
- “Sec. 17. Imported products.
- “Sec. 18. Exports.
- “Sec. 19. Prohibited acts.
- “Sec. 20. Civil penalties.
- “Sec. 21. Criminal penalties.
- “Sec. 22. Injunctive enforcement and seizure.
- “Sec. 23. Suits for damages by persons injured.
- “Sec. 24. Private enforcement of product safety rules and of section 15 orders.
- “Sec. 25. Effect on private remedies.
- “Sec. 26. Effect on State standards.
- “Sec. 27. Additional functions of Commission.
- “Sec. 28. Chronic Hazards Advisory Panel.
- “Sec. 29. Cooperation with States and with other Federal agencies.
- “Sec. 30. Transfers of functions.
- “Sec. 31. Limitation on jurisdiction.
- “Sec. 32. Authorization of appropriations.
- “Sec. 33. Separability.
- “Sec. 34. Effective date.
- “Sec. 35. Interim cellulose insulation safety standard.
- “Sec. 36. Congressional veto of consumer product safety rules.
- “Sec. 37. Information reporting.
- “Sec. 38. Low-speed electric bicycles.”.

1 SEC. 2. MOTOR VEHICLE SAFETY STANDARDS.

2 For purposes of motor vehicle safety standards issued
 3 and enforced pursuant to chapter 301 of title 49, United
 4 States Code, a low-speed electric bicycle (as defined in sec-
 5 tion 38(b) of the Consumer Product Safety Act) shall not
 6 be considered a motor vehicle as defined by section
 7 30102(6) of title 49, United States Code.

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