

# Electric Bicycle Laws in Wisconsin

Interest in electric bicycles is growing in Madison. City staff receive many inquiries about the laws governing electric bicycle use. Most of these rules are state laws. The City of Madison does not have the authority to enact laws that differ from these state laws. Below is a summary of the most important of these laws for people considering purchasing an electric bicycle, or people who already have an electric bicycle. The numbers in square brackets refer to the state statutes the information in each section is based upon. You can look these up yourself if interested in the precise wording of the laws. State statutes can be found on the Wisconsin State Legislature's website <https://docs.legis.wisconsin.gov/statutes/prefaces/toc>

## What is an electric bicycle?

By definition, an electric bicycle is a type of motor bicycle with an electric motor. It must also have pedals and be able to be operated under pedal power alone. Electric bicycles come in a variety of forms. The most common are pedal assist and power on demand. With pedal assist the electric motor is regulated by pedaling. The pedal assist motor adds to the effort of the rider when they are pedaling. With power on demand the motor is activated by a throttle, usually handlebar mounted like on motorcycles or mopeds.

To be considered an electric motor bicycle,

- The electric motor has to be less than 750 watts,
- The maximum speed has to be less than 20 mph when operated solely by motor power, and
- It has to have fully operative pedals. With the motor completely off it can still be operated via pedal power alone. [340.01(30)(b)]

## Driver's License Required

Anyone operating an electric bicycle must possess a valid driver's license, a special restricted operator's license, or an instruction permit.

[343.05(3)(c), 343.07(4)(c), 343.08, 343.135]

## Rules of the Road for Electric Bicycles

Electric bicycle operators follow essentially the same rules of the road as bicyclists. Note that these are basically the same rules as for motor vehicle drivers as well. There are a few notable exceptions which will be covered below. [346.02]

## **Electric Bicycles and Shared Use Paths**

The most common question we receive is can electric bicycles be used on the city's shared use paths. Two state laws address this question. First, no motorized vehicles are allowed on paths. Another law specifically prohibits the operation of motor (including electric) bicycles on paths with the motor in operation. An electric bicycle is allowed on paths only when operated solely under human power, as a bicycle, without any motor assist. If the motor is off and it is being pedaled without any motor power, it is considered a bicycle and allowed on the paths. If the motor is on it is a motor vehicle and not allowed on the paths. It does not matter if the electric bicycle is pedal assist or power on demand, the motor has to be turned off when operating on a path. [340.01(5s), 346.79(5), 346.94(12)]

## **Electric Bicycles and Sidewalks and Crosswalks**

No motor vehicle can be operated on a sidewalk, thus an electric bicycle cannot be operated on a sidewalk with the motor in operation. Bicycles can only be used on sidewalks where a local ordinance permits this. Madison does permit bicyclists to operate on sidewalks except where buildings abut the sidewalk. As with shared use paths, an electric bicycle can only be operated on permitted sidewalks in Madison if operated under human power, with the motor off. When operating on a sidewalk, bicyclists must yield the right-of-way to pedestrians and give an audible warning before passing.

Electric bicycles cannot be operated in crosswalks. Although state statutes treat bicyclists in crosswalks similar to pedestrians, and drivers on the street are required to yield to bicyclists in crosswalks the same as for pedestrians, electric bicycles are specifically not covered by these laws. [346.02(4)(b), 346.23, 346.24, 346.37(1)(a)2, (c)2 and (d)2, 346.38, 346.804, 346.94(1)]

## **Electric Bicycle Registration**

Electric bicycles are considered bicycles for vehicle registration purposes. There is no statewide bicycle or electric bicycle registration requirement. If you live in the city of Madison, your electric bicycle needs to be registered with the city's bicycle registration program. [341.05(23), 349.18] See [www.cityofmadison.com/bikeMadison/programs/registration.cfm](http://www.cityofmadison.com/bikeMadison/programs/registration.cfm)



If you have questions, please contact  
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