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February 5, 2026

Chair Susan McLain
House Committee on Transportation
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: PeopleForBikes Proposed Amendments to HB 4007 - Regulating Powered Micromobility Devices

Dear Chair McLain and Members of the House Committee on Transportation:

On behalf of the PeopleForBikes Coalition, I write to propose amendments to HB 4007, legislation that would define and regulate a new class of vehicles called Powered Micromobility Devices in Oregon. While we support the objective of this bill and many of its existing components, we oppose this bill as currently drafted.

We'd like to applaud the sponsors of this bill for tackling many important challenges posed by newer, high-speed electric devices. This bill addresses several key issues, such as battery safety and deceptive marketing of electric devices. These are important changes to Oregon law that we support.

However, we also believe the bill could be refined and improved to address the most pressing safety issues posed by the increased use of higher-speed electric devices. We recommend the following changes to improve the bill and create a safer environment for the use of electrically powered vehicles in Oregon:

- Reduce the maximum motor-powered speed allowed for "powered micromobility devices" from 28 miles per hour to 20 miles per hour.
- Amend the battery safety requirements to identify which safety standard batteries must be certified to, and align the requirements with California's battery safety law.
- Amend and supplement the "imposter vehicle" requirements to address the most problematic practices that are misleading customers about how different types of electric vehicles are regulated. We've proposed specific amendments to this section at the end of this letter.

About PeopleForBikes

The PeopleForBikes Coalition is the sole trade association for U.S. manufacturers, suppliers, and distributors of bicycle products, including electric bicycles. In 2019, PeopleForBikes merged with the Bicycle Product Suppliers Association (BPSA) to form a single trade association to represent the interests of the U.S. bicycle industry. We have over 330 members who produce goods in every segment of the bicycle market, from high-end competition bicycles to affordable kids' bikes. Our members produce the full range of components, parts, and accessories used for bicycling, as well as electric bicycles. Our membership is a true cross-section of the U.S. bicycle industry.

PeopleForBikes has been the leader in working state-by-state to create modern, harmonized standards for the regulation of electric bicycles throughout the United States. PeopleForBikes developed the Three-Class Model Law to better define and regulate the various types of electric bicycles, which has now been adopted in whole or part by 49 states (including Oregon) and the federal government. With other nonprofit partners, we developed an online educational safety course for consumers, E-bike Smart. PeopleForBikes and our members also published the first comprehensive E-bike Owner's Manual for use by the industry with new electric bicycles. For several years, PeopleForBikes has partnered with Call2Recycle to create the very first program for recycling batteries used to power electric bicycles.

The E-Moto Problem

Electrically powered vehicles are being sold as "e-bikes" and used on public highways and lands that are not within the definition of "electric bicycle" due to their speed and/or motor power. Oregon's Vehicle Code (*ORS 801.258*) provides that these vehicles are *not* electric-assisted bicycles. However, manufacturers continue to sell throttle-actuated two-wheeled electric vehicles as "e-bikes" or "off-road electric dirt bikes" that are *not* electric bicycles and are instead a type of motor vehicle that may be classified as either a moped, a motorcycle, or an off-highway vehicle, depending upon their capabilities.

Because their sellers often claim these products are "street legal e-bikes" or Class 2 electric bicycles, consumers are being deceived into buying e-motos, thinking that they are electric bicycles and therefore exempt from motor vehicle requirements, or worse, *able to be operated by underage youth on busy public streets*. Additionally, there is a subculture of individuals who either modify or build e-motos and attempt to operate them "under the radar" by adding pedals or false "Class 2 E-bike" labeling and representing to law enforcement that they are electric bicycles.

E-motos are inherently dangerous because, as undefined electric vehicles, they are not clearly subject to current laws regulating their use either on public roads or off-road, including operator age requirements, registration, insurance or equipment

standards. They are generally much faster, heavier, and more powerful than electric bicycles, with larger batteries and motors, and can quickly accelerate to highway speeds. When used off-road, they are equivalent to traditional gas-powered dirt bikes in terms of impact on trails and are unsuitable for trails used for pedestrians, equestrians, and mountain bikers.

Currently, PeopleForBikes estimates that there are at least 400 manufacturers or sellers of E-motos, some of whom are physically based in the US and virtually all of whom sell and ship to consumers through online websites and social media advertising. A leading brand, Surron, advertises its products as having the maneuverability of a bicycle, with the power and torque of a motorcycle - *which is exactly what it is*. A Surron has an electric motor with a peak power of 7000 watts that is able to accelerate the vehicle to 50 miles per hour, or faster if the vehicle is modified. Unlike electric bicycles, few e-motos are tested to any electrical or battery safety standards whatsoever, presenting a fire hazard to consumers and first responders.

PeopleForBikes strongly believes that the solution to the E-moto problem is not to impose additional limitations and labeling requirements on manufacturers and users of compliant electric bicycles that meet the state definition, or similarly, focus new rules on lower-speed devices that achieve speeds of 20 miles per hour or less. Since the issue is with "e-motos," the solution lies with establishing clear regulatory requirements for these vehicles - and *their* manufacturers, sellers, and users.

As currently drafted, we're concerned that HB 4007 could potentially exacerbate the safety challenges posed by e-motos rather than address the problem. By adding a new vehicle category of "powered mobility devices" that allows vehicles that travel up to 28 miles per hour - and essentially regulates them like bicycles - the Oregon Vehicle Code would provide even more confusion and cover for the distribution of e-motos. We strongly encourage the legislature to close any existing loopholes rather than expand them by capping the motor-powered speed of these devices at 20 miles per hour and clearly stating that devices that exceed that limit are motor vehicles, subject to requirements such as licensing, registration, and insurance.

We propose the following amendments to improve HB 4007 and ensure it can be an effective law that improves the safety of Oregon's streets.

1. **Reduce the maximum motor-powered speed of a powered micromobility device from 28 miles per hour to 20 miles per hour.**

The first proposed change is straightforward. The maximum speed limit for a "powered micromobility device" provided in the proposed definition at subsection (1)(c) should be reduced from 28 miles per hour to 20 miles per hour. Federally, the

National Highway Traffic Safety Administration (NHTSA) has drawn a clear line regarding when a device becomes a motor vehicle subject to Federal Motor Vehicle Safety Standards. That line is 20 miles per hour under motor power. *See*, *e.g.*, *NHTSA Importation and Certification FAQs for Motorcycles and Scooters*.[1] Most other states draw a similar line between devices that they regulate as motor vehicles, and those like scooters or bicycles that are regulated separately. Indeed, HB 4007 itself seems to recognize that 20 miles per hour is the appropriate speed cutoff for low-speed electric devices by lowering the speed limit of scooters from 24 miles per hour to 20 miles per hour at *ORS 801.348*. Oregon's vehicle definitions for lower-speed devices, including "powered micromobility devices," should align with this well-established speed standard.[2]

HB 4007's current speed limit of 28 miles per hour also creates a natural tension and confusion between when a device is a "powered mobility device" that is exempt from licensing, registration, and insurance, and when a device is a "moped" (which is defined at *ORS 801.345* as having a maximum speed of 30 miles per hour) that is a motor vehicle that requires all of these. As we've described above, many device manufacturers are ready to exploit any ambiguity in state laws to sell high speed devices to consumers. Oregon should not exacerbate this problem by creating overlapping and confusing vehicle classifications.

The solution is simple - lower the maximum motor-powered speed of a "powered mobility device" to 20 miles per hour. This is an appropriate maximum speed for a device that is exempt from motor vehicle requirements, and it would align Oregon's laws with federal motor vehicle requirements and the laws of other states.

2. **Amend the battery safety requirements to specify which standard different devices must meet, and align the requirements with California**

We strongly support mandatory battery safety requirements for electric vehicles. It is critical that batteries, chargers, and their electric systems be properly designed and manufactured to prevent fires and ensure consumer safety. We are entirely in favor of including battery safety standards in HB 4007.

However, HB 4007 is currently silent as to which safety standard batteries should be certified to. Manufacturers need clarity on that point in order to comply, and

[1] https://www.nhtsa.gov/importing-vehicle/importation-and-certification-faqs-0

[2] We note that Oregon's definitions and speed requirements for electric assisted bicycles are entirely consistent with the approach we propose for powered mobility devices. The only class of electric assisted bicycle that may be powered solely by the motor - Class 2 - is also set at 20 miles per hour in order to be consistent with U.S. consumer product safety law and NHTSA's stance on motor vehicles. Class 3 e-bikes are distinct in that they do not operate under motor power alone, and are always being propelled by a hybrid combination of human power through the pedals and motor assistance.

certainty on what standard will be enforced since certification is a time-consuming and costly part of product development. To address these ambiguities, we encourage the committee to amend the battery safety requirements in HB 4007 and align them with requirements in California that recently went into effect.

California's requirements are located at California Health & Safety Code §§ 26300-26305.[3] Aligning Oregon's battery safety requirements with California's would offer multiple benefits: 1) It will specify the appropriate standard (e.g., UL 2271) that storage batteries should be certified to; 2) It will ensure that labs used to certify batteries, chargers and electric systems are cross-compliant between Oregon and California; and 3) it will ensure labels on battery and vehicles are cross-compliant between Oregon and California.

Finally, we encourage the committee to include mandatory battery safety requirements for e-motos within any new battery safety law. Due to their greater power and speed, these devices have even higher-capacity batteries than electric bicycles or electric scooters, which can pose a greater risk to consumers if a fire occurs. It is crucial that they be covered in battery safety legislation.

In sum, we strongly encourage battery safety requirements to be included in HB 4007, but propose aligning the statutory language with California's requirements to harmonize state laws in this point.

3. **Amend the "imposter vehicle" requirements to address the most deceptive and problematic e-moto marketing practices**

HB 4007's focus on addressing "imposter vehicles" is exactly the right approach to addressing the e-moto problem. We strongly support the addition of new rules for imposter electric vehicles to address consumer confusion and prohibit deceptive marketing and advertising practices. It is crucial that consumers start receiving truthful and accurate information about how the products they purchase are regulated.

There are a wide range of solutions that can be implemented to address the current problem of high-speed e-motos. We would propose the following amendments and additions to further strengthen this section of HB 4007.

- Clarify the legal status of electrically powered devices with fewer than four wheels that exceed 20 miles per hour under motor power alone, which we propose defining and designating as "e-motos."

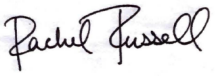
[3]https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&division=20.&title=&part=&chapter=23.&article=

    - Goal: Ensure that these devices are regulated as motor vehicles, or if intended solely for off-road use, off-road vehicles.
- Impose Vehicle Identification Number (VIN) and labeling requirements on e-motos.
    - Goal: Ensure purchasers can lawfully register them as motor vehicles, and inform prospective customers of how they are regulated.
- Expand the list of prohibited deceptive practices to stop e-motos from being misrepresented as electric bicycles or scooters.
    - Goal: Prevent customer confusion by banning the prevalent misleading practices we've identified, particularly for e-motos posing as electric-assisted bicycles.
- Ensure sellers of e-motos are regulated as vehicle dealers.
    - Goal: E-motos are motor vehicles, and sellers should be complying with state vehicle dealer laws.

Draft legislative language for these additions is attached.

Thank you for your leadership on addressing these important issues. We welcome the opportunity to provide further information and appreciate the chance to share our resources and knowledge.

Sincerely,



Rachel Fussell
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PeopleForBikes Coalition
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Proposed Imposter Vehicle Amendments

(PeopleForBikes proposed changes in Red)

SECTION 20.

(1) **As used in this section, "e-moto" means a vehicle with less than four wheels that is powered by an electric motor that is capable of reaching a speed of more than 20 miles per hour when powered solely by the motor.**

(2) (a) An e-moto is a motor vehicle as defined in ORS 801.258.

(b) An e-moto or the operator of an e-moto is subject to the requirements for motor vehicles, and if satisfies the requirements in Chapter 821, the requirements for off-road vehicles.

(c) An e-moto is a vehicle subject to Chapter 822 — Regulation of Vehicle Related Businesses.

(3) (a) E-motos intended for use on highways or roadways (or dual sport use) are required to have:

(A) a VIN plate or unique identification number permanently marked or stamped into the frame so that the vehicle can be properly registered.

(B) a permanent label in a visible location that states: "This is a motor vehicle and must be registered and insured to be used on public roads. This vehicle cannot be operated on sidewalks or in bicycle lanes or paths. Check your local laws for specific requirements that apply to this vehicle."

(b) E-motos intended for off-road use only are required to have a permanent label in a conspicuous location that includes the vehicle type (off-road motorcycle), the top speed capability of the e-moto and the motor power in watts, and states:

"This electric motorcycle is intended for off-road use only and must be registered as an off-highway vehicle. Unless registered as a motor vehicle it is unlawful to operate this vehicle on public roads, paths, sidewalks, or off-road trails not intended for off-highway vehicles."

(4) A person commits the offense of selling an impostor vehicle if:

(a) The person advertises, sells or offers for sale a**n e-moto~~vehicle~~**:

(A) As an electric assisted bicycle **~~and the vehicle does not fit the definition of an electric assisted bicycle~~** as defined in ORS 801.258;

(B) As a motor assisted scooter **~~and the vehicle does not fit the definition of a motor assisted scooter~~** as defined in ORS 801.348; or

(C) As a powered micromobility device ~~and the vehicle does not fit the definition of a powered micromobility device~~ as defined in section 2 of this 2026 Act; or

(b) The vehicle is designed, manufactured or intended by the manufacturer or seller to be configured or modified to not meet the requirements or operate within:

(A) The requirements for the type of vehicle it is being sold, leased or offered for sale as; or

~~**(B) If an electric assisted bicycle, the class of electric assisted bicycle it is being sold, leased, or offered for sale as.**~~

(c) The person:

(A) Falsely labels any motor vehicle, including an e-moto, as any class of electric assisted bicycle or advertises, sells, or offers for sale any motor vehicle, including an e-moto, falsely labeled as an electric assisted bicycle.

(B) Advertises, sells, distributes, or offers for sale any product, device, or application that can configure or modify the speed capability of an electric assisted bicycle such that it no longer meets the definition of an electric assisted bicycle.

(C) The person advertises, sells, or offers for sale a motor vehicle, including an e-moto, with operable pedals or advertises, sells or offers for sale a motor vehicle, including an e-moto, equipped with operable pedals as being any class of electric assisted bicycle or capable of being lawfully operated as any class of electric assisted bicycle.

(2) The offense of selling an impostor vehicle is a Class D traffic violation.

(3) In addition to any other penalty, a person that violates this section commits ~~in~~ an unlawful practice under ORS 646.608.

(4) For purposes of this section, “configured or modified” includes any of the following changes:

(a) A mechanical switch or button;

(b) A modification or change to the electric motor or the electric drive system;

(c) The use of an application to increase or override the electric drive system; or

(d) Any other means represented or intended by the manufacturer or seller to modify the electric assisted bicycle, motor assisted scooter or powered micromobility device to no longer meet the requirements or classification of the vehicle.

Proposed Conforming Amendments to definition of electric assisted bicycle at ORS 801.

801.258 "Electric assisted bicycle."
(1) "Class 1 electric assisted bicycle" means an electric assisted bicycle that:
(a) Provides assistance only when the rider is pedaling; and
(b) Ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

(2) "Class 2 electric assisted bicycle" means an electric assisted bicycle that:
(a) May be propelled by its motor without a rider pedaling; and
(b) Ceases to provide assistance once the bicycle reaches a speed of 20 miles per hour.

(3) "Class 3 electric assisted bicycle" means an electric assisted bicycle that:
(a) Provides assistance only when the rider is pedaling;
(b) Ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour; and
(c) Is equipped with a speedometer.

(4) "Electric assisted bicycle" means a bicycle that is equipped with an electric motor and that is a Class 1 electric assisted bicycle, a Class 2 electric assisted bicycle or a Class 3 electric assisted bicycle.

(5) The following vehicles are not electric assisted bicycles under this code and shall not be advertised, sold, offered for sale, or labeled as electric assisted bicycles:
(a) A vehicle with two or three wheels powered by an electric motor that is intended by the manufacturer to be modifiable to attain a speed greater than 20 miles per hour on motor power alone.
(b) A vehicle that is modified to attain a speed greater than 20 miles per hour on motor power alone.
(c) A vehicle that is modified to have its operable pedals removed.