



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 122
[2009 Senate Bill 137]

**Definition of Motor Bicycle and
Moped**

CURRENT LAW

Under current law:

- A “moped” is defined to include a bicycle-type vehicle, which has fully operative pedals and an engine that is an integral part of the vehicle that is capable of a speed of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind.
- A “motor bicycle” is defined as a bicycle to which a *power unit not an integral part of the vehicle has been added* to permit the vehicle to travel at a speed of not more than 30 miles per hour under the same conditions. Thus, any bicycle-type vehicle that *has an integrated power unit is not* a “motor bicycle” under current law.

Certain legal consequences follow from the classification of a vehicle as a moped or a motor bicycle, including:

- A motor bicycle is exempt from the requirement of vehicle registration with the Department of Transportation (DOT), while a moped must be registered with DOT in the same manner as a motorcycle.
- With exceptions, mopeds are generally treated similarly to motorcycles for purposes of traffic regulation and vehicle equipment requirements, *while motor bicycles are generally treated similarly to bicycles*. However, a person must possess a valid operator’s license to operate on a highway either a moped or a motor bicycle.

2009 WISCONSIN ACT 122

2009 Wisconsin Act 122 *expands the definition of “motor bicycle”* to include a two-wheeled or three-wheeled vehicle that has fully operative pedals and an electric motor of less than 750 watts and

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

that is capable, when powered solely by the motor, of a maximum speed of less than 20 miles per hour with a 170-pound rider on a dry, level, hard surface with no wind. ***This definition is similar to the definition under current federal law of “low-speed electric bicycle.”***

The Act specifies that such a vehicle is not a moped and thus not subject to the requirements relating to mopeds described under current law, above.

Effective date: 2009 Wisconsin Act 22 takes effect on February 26, 2010.

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