

Idaho Fact Sheet on Electric Bicycles (E-Bikes) rev. 1/5/2017

Disclaimer: Statements marked with an asterisk (*) are the author's interpretations of the law. These interpretations may or may not be the same as those of a law enforcement officer or a judge in a court of law.

15 U.S. Code 2085 defines the term "low-speed electric bicycle" as a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 horsepower) whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph. Vehicles meeting this definition are considered consumer products and, as such, are subject to regulation by the federal Consumer Product Safety Commission.

Idaho Statutes do not explicitly define electric bicycles or e-bikes. But, the statutes do define the following vehicles:

- Bicycle means every vehicle propelled exclusively by human power upon which any person can ride, having two tandem wheels, with the exception of scooters and similar devices. Title 49-103(1)
 - Motor scooters and scooters are not defined in the Idaho statutes but generally refer to a wide variety of motorized cycles and toys. Per the Idaho Motorcycle Operator's Manual (2015), if a scooter is manufactured for use on a public roadway and sold by a licensed dealer, it is probably a motorcycle.*
- Moped means a limited-speed motor-driven cycle with two or three wheels having both motorized and pedal propulsion that is not capable of propelling the vehicle at a speed in excess of 30 mph on level ground. Or, it means a cycle with two or three wheels with no pedals, is powered solely by electrical energy, has an automatic transmission, a motor which produces less than two gross brake horsepower, is capable of propelling the device at a maximum speed of not more than 30 mph on level ground and, as originally manufactured, meets federal motor vehicle safety standards for motor-driven cycles. Title 49-114(9)(a)(b)
 - Given the above definitions of a bicycle and a moped, an electric bicycle or e-bike incapable of travelling in excess of 30 mph is considered a moped and is not a "bicycle" in the State of Idaho.*
 - Mopeds are not required to be titled and no motorcycle endorsement is required for its operator.
 - Mopeds do require a driver's license per the Idaho Motorcycle Operator's Manual (2015).*
 - Any person driving a motor vehicle upon a highway must have a current and valid driver's license. Title 49-301
- Motorbike means any self-propelled two wheeled motorcycle or motor-driven cycle designed for or capable of traveling off developed roadways and highways and also referred to as trail bikes, enduro bikes, trials bikes, motocross bikes or dual purpose motorcycles. Title 67-7101(9)
 - Motorbikes must be titled and may be approved for motorcycle registration if upon certification of the owner that components have been installed making the motorbike compliant with federal motor vehicle safety standards. Title 49-114(10)
- Motor-driven cycle means a cycle with a motor that produces 5 brake horsepower or less as originally manufactured that meets federal motor vehicle safety standards as originally designed excluding mopeds.
 - Such vehicles must be titled and motorcycle endorsement is required for its operation. Title 49-114(13)
- Motorcycle means every motor vehicle having a seat or saddle and designed to travel on not more than three wheels and meets the federal motor vehicle safety standards excluding motor-driven cycles, motorbikes or mopeds. Title 49-114(11)

In addition to the Idaho state statutes above, federal land management agencies and local governmental entities often have other laws and regulations which prospective riders of e-bikes need to be aware. For example, the USDA Forest Service often disallows the use of e-bikes on any forest trail designated as non-motorized.