

equipped with fully operative pedals and an electric motor of 750 watts or less that fits one of three classes.⁴ A Class 1 e-bike assists only while the rider pedals and stops assisting at 20 miles per hour. A Class 2 e-bike can run on motor power alone but cannot provide power above 20 miles per hour. A Class 3 e-bike assists only while the rider pedals and stops assisting at 28 miles per hour.

Based on these definitions, an e-bike can be identified by its speed and whether the rider is pedaling. Only class 2 e-bikes can provide motor power without pedaling and only up to 20 miles per hour. If you see a potential e-bike rider maintaining more than 20 miles per hour on a flat road *without* pedaling, that is not an e-bike. If they are pedaling, a class 3 e-bike can provide power up to 28 miles per hour but should cut out after that. Professional bike riders can maintain around 28 miles per hour on a flat road without assistance. So, if you see someone comfortably going 30 miles per hour or more on a flat road while pedaling, they are probably not riding an e-bike. If it's not an e-bike, the next question is whether it's a motor bicycle or moped.

Mopeds and motor bicycles are distinguished from each other based on whether their motors are an "integral part of the vehicle."⁵ A motor bicycle's motor is not an integral part of the vehicle, but a moped's motor is.⁶ The statute doesn't define what it means to be an integral part, but it likely means the motor is built into the vehicle rather than attached to it as an aftermarket item.

Mopeds and motor bicycles are both defined by the power of their motor. Neither is allowed to have a motor that is more powerful than is necessary to propel a 150-pound rider up to 30 miles per hour on a dry, level, hard surface with no wind.⁷ This means that they could theoretically go faster if the rider is lighter, there is some tail wind, or they are going down a slope. But if it looks like a bike and it's going faster than 40 miles per hour on a flat road, it is almost certainly a motorcycle.

State Regulations

An e-bike and its operator have all the same rights and privileges, and are subject to all the same duties, as a bicycle and its operator throughout the vehicle code, and an e-bike is

considered a vehicle to the same extent as a bicycle.⁸ The rules of the road that apply to bicycles also apply to electric bicycles, except as otherwise expressly provided.⁹ One of these special rules is that e-bikes cannot go on expressways or freeways where an official sign is posted prohibiting them.¹⁰

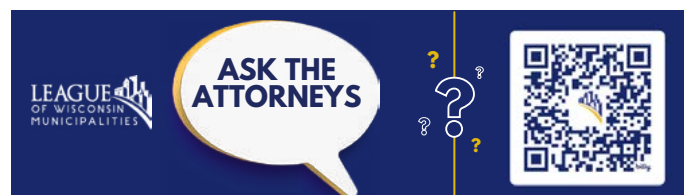
The legislature has adopted only a handful of e-bike-specific rules. E-bike riders are exempt from operator's license requirements, and e-bikes themselves are exempt from registration, certificate of title, and financial responsibility requirements.¹¹ No person under 16 may operate a class 3 e-bike, though a person under 16 may ride as a passenger on one designed to carry passengers.¹² E-bikes may be ridden with the motor engaged on bikeways, subject to local restrictions discussed below.¹³

Mopeds and motor bicycles are regulated slightly differently. Mopeds have to be registered, but motor bicycles don't.¹⁴ The rules of the road treat motor bicycles like bicycles except at crosswalks and on bicycle ways.¹⁵ On the other hand, mopeds are treated more like motorcycles with some special rules.

Mopeds and motor bicycles have some similarities, too. Like e-bikes, both motor bicycles and mopeds are prohibited from going on expressways or freeways where an official sign is posted prohibiting them.¹⁶ But unlike e-bikes, moped and motor bicycle riders both need a license to ride.¹⁷

Motorcycles are regulated like normal cars. They must be registered, and riders must have either a regular license with an endorsement or a special motorcycle license. They are subject to all the rules of the road as normal cars, with a few special rules.

The chart on the next page summarizes the differences between these vehicles.



4. Wis. Stat. § 340.01(15ph).
5. Wis. Stat. §§ 340.01(29m) & (30).
6. Wis. Stat. §§ 340.01(29m) & (30).
7. Wis. Stat. §§ 340.01(29m) & (30).
8. Wis. Stat. § 346.806(1).
9. Wis. Stat. § 346.02(4)(a).
10. Wis. Stat. § 346.16(2)(a).
11. Wis. Stat. § 346.806(2).
12. Wis. Stat. § 346.806(4).
13. Wis. Stat. §§ 346.806(3), 349.18(4).
14. Wis. Stat. §§ 341.25(1)(b) & 341.05(23).
15. Wis. Stat. §§ 346.02(4)(a) & 346.79(5).
16. Wis. Stat. § 346.16(2)(a).
17. Wis. Stat. § 343.05(3)(c).

Monthly Member Roundtable



**Second Tuesday
Each Month
12:00–1:00 pm**



To attend web events, join our [Member Portal](#), and then log in to the [League Learning Lab](#) with your member credentials to register for events.