

# ARIZONA MOTORIZED BICYCLE LAW REFORMS PROPOSED

JANUARY 20, 2013 10 COMMENTS

The topic of motorized bicycles (henceforth referred to as MBs) always seems to be controversial.

Regardless, the [current set of definitions and laws](#) seem to have been drafted in such a way that has led to some interpretations with, in my opinion, absurd results.

There are a set of proposals that seek to amend/clarify MBs positions at [kcsbikes.com](http://kcsbikes.com), and while I don't necessarily support the specific proposals, but i do think some "reform" of the MB law is definitely needed!

Here are some thoughts off the top of my head about possible reforms:

1. Incorporate definitions congruent with [Federal / CPSC definitions of "low-speed electric bicycles"](#) (750W), the current Arizona definition oddly doesn't mention electric power rating.
2. I can't imagine the cc limit would ever get raised
3. The mph business should be changed to an \*equipment\* limitation and not an operating limitation; see other state's laws on the topic e.g. [CA language CVC 406b](#), something to the effect of the motor "is capable of propelling the device at a maximum speed of not more than xx miles per hour on level ground". There should be no prohibition on operating speed (the usual speed laws, that apply to everybody, of course apply to MBs, as they do to bicyclists and no explicit reference is needed or desirable)
4. somehow cities/localities should try be prevented from trying to (mis)apply local "[play vehicle](#)" ordinances to MBs
5. While we're at it, a good clarification would be to state explicitly that the definition of moped that the speed mentioned is an equipment definition; some have argued this is an operational restriction, though I would disagree. I.e. 28-101(31) "Moped" means a bicycle that is equipped with a helper motor if the vehicle has a maximum piston displacement of fifty cubic centimeters or less, a brake horsepower of one and one-half or less CAPABLE OF PROPELLING AT a maximum speed of twenty-five miles per hour or less on a flat surface with less than a one per cent grade.

Apparently some places (the prime example i know of is Tucson), the police/city currently consider MBs operated at 20 or above to be mopeds (or possibly motorcycles); and that this leads to a cascade of potential criminal charges and large fines including 1) driving without a drivers license (if applicable), 2) violation of financial responsibility / no insurance, and 3) driving without registration.

It's my theory/understanding that it's impossible to get a MB registered with AZ(?), and furthermore, it's impossible to purchase liability insurance for a MB. If this is the case — i would think you could get some more libertarian-minded legislators (there are plenty of them) interested in what seems to be a government-built Catch-22.

## Insurance / Financial Responsibility

Is required for "motor vehicles" by [28-4135](#): "Motor vehicle financial responsibility requirement... A motor vehicle that is operated on a highway in this state...". The general def'n of motor vehicle is given in [28-](#)

[101\(33\)](#), which as you might expect, depends on the def'n of vehicle, ([28-101\(57\)](#)). There is an additional def'n of motor vehicle specific to chapter 9( Vehicle Insurance...), [28-4001\(3\)](#) ” ‘Motor vehicle’ means a self-propelled *vehicle*...”.

As things turn out, in AZ, bicycles are plainly not vehicles; because the def'n of vehicle [28-101\(58\)](#) “exclud(es) devices moved by human power” , and as such are not motor vehicles either. Both mopeds ([28-101\(31\)](#) ” ‘Moped’ means a *bicycle* that is equipped...” and motorized bicycles ( [28-2516C](#) ” ‘motorized ...bicycle’ means a bicycle equipped...” ) are defined as types of bicycles, and as such neither of them are vehicles. Presumably because they *can* be human-powered. (but see below for an additional moped ambiguity \*)

Therefore no insurance is required for bicycles (no surprise there), motorized bicycles, or –it would appear– mopeds. Insurance IS clearly required, however, for motor driven cycles (usually called “motor scooters”; e.g. vespa), and motorcycles. Note that this conflicts with what [Arizona MVD](#) says in FAQ

*What is the difference between a moped and a motor-driven cycle and what are the licensing requirements?*

*A moped is a bicycle or human-powered vehicle (with pedals)...Any class of driver license can be used to operate a moped. A moped must be registered, but a vehicle title is not issued. Emissions testing is not required. Vehicle liability insurance is required...*

???? [So ADOT thinks otherwise but will not, or can not, explain why]

List of relevant background [here](#). This situation might be traced to a “defect” in Arizona law; it is customary in other codes, e.g. in the UVC to define a moped as a kind of motor-driven cycle, rather than as a type of bicycle. That would clearly mean mopeds were by definition motor vehicles, and then would clearly be covered under Arizona’s financial responsibility law.

I would suspect some will continue to claim insurance is required for mopeds by seizing on the phrase about registration in [28-4001\(3\)](#) “a self-propelled vehicle that is ... required to be registered...”; because mopeds, indeed, do require registration. They are still, however, not vehicles. (and just to make double-clear, motorized bicycles explicitly do not require registration, [28-2516\(2\)](#); in fact it’s not really clear if/how it’s even *possible* to title and register a motorized bicycle with Arizona MVD. Why would one ever want that? One reason could be in order to qualify as a moped when operated at 20mph or greater)

\*There is an additional ambiguity in the moped definition statute, [28-101\(31\)](#) more full reads: ” ‘Moped’ means a *bicycle* that is equipped with a helper motor if *the vehicle* has...” < 50cc. In other words, they’ve muddled the definition by beginning by stating it’s a type of bicycle and go on to refer to *the vehicle*. But as we well know, a bicycle is not a vehicle. Oh well.

## **Is a Moped a Motor Vehicle? What about a Motorized Bicycle?**

This is related to the insurance question, but is more fundamental. ARS has some oddities/quirks/flaws(?) that make what would seem to be a very simple question very muddled.

As we (we [azbikelaw.org](#) readers) all know, bicycles are NOT vehicles; and because of that [it’s clear enough to state unequivocally that in az bicycles are not motor vehicles](#). Motorcycles, unsurprisingly, are motor vehicles. In most/many other states, mopeds are defined as a kind of motor cycle; but not in Arizona —

both mopeds and motorized bicycles are defined as bicycles with a motor (and like you said, there are various requirements regarding the size of the motor).

As such, we tell people riding bikes that no matter how slow you are going, you cannot be in violation of 28-704A (motor vehicles must not impede the normal movement of traffic); and that in narrow lanes, we advise “controlling” the lane — regardless of whether or not it impedes motorists, and is perfectly legal.

What about a motorized bicycle? what about a moped?

Conclusion: according to the definitions in 28-2513 and 28-101 — motorized bicycles and mopeds are NOT vehicles. And they therefore cannot be motor vehicles. (these terms all have specific definitions: bicycle, vehicle, motor vehicle, motorized bicycle, and moped).

## Registration

Registration requirements in general are given in Title 28, Chapter 7 Certificate of Title and Registration by [28-2153](#): “Registration requirement; A person shall not operate, move or leave standing on a highway a motor vehicle... unless (it) has been registered with the department...”. Chapter 7 has no further definitions of the terms here, so the normal definitions of “vehicle” and “motor vehicle” would be those found in 28-101.

Bicycles are not motor vehicles.

Motorized bicycles state explicitly in their defining statute [28-2516A](#)(1) and (2) “A certificate of title is not required... Registration is not required...”.

For Mopeds, their defining statute *refers* to registration [28-2513](#), but never actually says registration is required. So, again, like DL or insurance requirements, it would revolve around whether or not a moped is a motor vehicle. As stated above, per the definitions in 28-101, a moped is not a motor vehicle and as such does not require registration. **[Note that ADOT thinks otherwise but will not, or can not, explain why]**

## Driver’s license

Bicycles require no operating license, see [bicycle-license](#). I found it interesting to note that nowhere, in statute, does it say a license is or isn’t required.

Motorized bicycles state explicitly in their defining statute [28-2516A5](#) state “A driver license is not required to operate”.

Mopeds: [28-2513](#) “7. Any class of driver license is valid for operating a moped” (so that moots the point about is a drivers license is required by virtue of whether or not a moped is a motor vehicle?)

Motor-driven and motorcycles clearly require a class M endorsed driver’s license. In the first place, they are both motor vehicles, and thus require a license per the general motor vehicle license requirement, [28-3151](#) ” a person shall not drive a motor vehicle ... without a valid driver license and proper endorsement”. The business about endorsements is covered in [28-3101](#) and [28-3103A](#)

## Some Deep Background

Much of the impetus for the 2006 law, both state and Tuscon's was due to the efforts of Spooky Tooth Cycles; a retailer of motorized bicycles. There is a trove of, albeit anecdotal, info on [their forum](#). I also looked up the House and Senate Transportation committee meetings; they were pretty uneventful, according to the minutes... the video is available, but I didn't watch it.

[motorized bicycle](#)

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### 10 THOUGHTS ON “MOTORIZED BICYCLE LAW REFORMS PROPOSED”

1.  **KC Vale**

FEBRUARY 4, 2013 AT 8:36 AM

I am in my 3rd year building motorized bicycles for a living and riding them for my own transportation needs so I consider myself a pretty well informed source on them.

Ed and I differ somewhat on what should be allowed for a bicycle with motor assist and what is required to operate them, but we both agree the rules are vague.

I do feel some prudent limits need be in place to keep idiots from killing themselves, I also feel that anyone than can responsibly ride a bicycle on the road should be able to keep up with even the best athletes with as much motor assist as that may take.

In short, the ability to ride along side a doped up Lance Armstrong on his 5 pound racing bike sitting up comfortably on my 50 pound solid bicycle.

Motor assisted bicycles are not for recreation, they are primarily used for feasible low cost independent personal transportation needs.

Limiting assist size by 'Capable Power' is not the way to go. It is so ambiguous, difficult to establish without specialized equipment, and it does not take into account the size and weight of either the bike or the rider.

For example any athlete could compete with Lance with just a 48cc 1.95HP assist on the same bike but the regular non-athletic people that need an assist don't ride \$10,000 bicycles and not able to pedal around the block without getting winded but still need to get to and from work in a timely fashion on a tight budget and that is where motor assisted bicycles come in.

The power required to move a large 250+ pound man on a large heavy Beach Cruiser style bicycle at even 20MPH is much greater than that of a fit athlete on a race bike.

My contention for a motor size limit is yes, there needs to be a number to keep the idiots that might want to try to put a Harley motor on a bicycle in check the bottom line is in the motor assist world the 66cc 2-stroke 2.75HP engine is the defacto standard best power plant for efficiency and cost.

30MPH max speed is a reasonable, safe and actually practical speed for those that have a 10-20 mile round trip work commute or even just a cheap green and fun way for those little neighborhood store runs.

Please support this, there are a lot of able workers in this state that need help and if practical less cars on the road or taking up parking spaces.

2.  azbikelaw

FEBRUARY 16, 2013 AT 1:58 PM

so i got a response to my question (both pasted below) submitted via the [Contact ADOT form](#):

Can you see \*any\* redeeming value in the answer? I can't but maybe i'm missing something. It seems to me that NHTSA guidelines, whatever they may be, are all well and good, but have nothing to do with the question. And then loaded on top of all that, he/she makes bizarre statements like a "(motorized bicycle) therefore cannot be driven legally on a public roadway". huh? and this one "A motorized bicycle operates under the same requirements as a non-motorized bicycle and prohibited from traveling like authorized motor vehicles within travel lanes" double huh? (one guess was the adot repsondant was speaking off the top is his/her head; also possibly was mixing the notion of "limited access highways" (where bicycles are either banned outright, or restricted to the shoulder) and all other roadways (where bikes are always permitted unless explicitly banned by a jurisdiction — which AFAIK is never done).

I wonder in the back of my mind whether there could be some sort of "incorporation by reference" into ARS; analogous to [MUTCD in ARS](#).

**Question:** [According to your FAQ](#) "42) What are the differences....? Motorized Bicycle – vehicle insurance is not required... Mopeds – vehicle insurance is required" Can you tell me specifically what the statutory basis for this distinction is? I ask because i can't find any difference — that is to say both are defined as types of bicycles. And both do have motors. Either both are motor vehicles; or neither are motor vehicles — or so it would seem to me. 2/13/2013 12:45:29 PM

**ADOT Response:** Mr. Beighe, Thank you for contacting the Arizona Department of Transportation. In response to your inquiry, the difference is outlined on the same web page that you noted. A motorized electric or gas powered bicycle or tricycle does not meet the National Highway Traffic Safety Administration (NHTSA) guidelines for a vehicle and therefore cannot be driven legally on a public roadway. Since it is not legal for street usage and should not be driven on a public roadway, there is no state registration or insurance requirement. It does not have the physical capacity by law to be classified and registered as a street legal vehicle. The engine design limits the capacity to a maximum speed of 20 m.p.h., with most operating at a maximum of 10 to 15 m.p.h. Also it is not designed with front/rear lighting or braking equipment that meets the minimum NHTSA standards. A motorized bicycle operates under the same requirements as a non-motorized bicycle and prohibited from traveling like authorized motor vehicles within travel lanes. A moped has the capacity of being street legal and operated on a public roadway with a maximum speed of 25 m.p.h. or slightly higher m.p.h. for some models. A moped does have front/rear lighting and braking equipment that meets the

NHTSA requirement in order to be operated legally on a public roadway. A moped must have state registration and carry insurance in order to be operated on a public roadway. Basically if any type of vehicle is street legal to operate on a public roadway with all the required NHTSA equipment, it will also be required to have current street registration and insurance. 2/14/2013 4:16:08 PM

— Forwarded Message —

From: "noreply@azdot.gov"

Sent: Thursday, February 14, 2013 4:16 PM

Subject: Contact ADOT Response ~ Request ID: 1304446394

Dear Ed Beighe,

Thank you for your input.

Click [here](#) to view the ADOT response to your inquiry. Also use this link if the response was not helpful or the ADOT representative requested additional information.

The Passcode for this Ticket is 1519554031

Note: This is an automated response system, please do not respond to this email.

ADOT is unable respond to emails that are sent to this return address.

3.  **ArizonaBikeLaw**

SEPTEMBER 11, 2013 AT 3:42 PM

In 2013 (51st / 1st regular) session, there was a bill introduced that would have tweaked 28-2516, the moto bike statute:

HB2177 – electric bicycles; gas bicycles;

[http://www.azleg.gov/DocumentsForBill.asp?Bill\\_Number=hb2177&Session\\_Id=110](http://www.azleg.gov/DocumentsForBill.asp?Bill_Number=hb2177&Session_Id=110)

The bill never went anywhere; it was never heard by any committee...

4.  **Bradley Koch**

APRIL 30, 2014 AT 7:31 AM

I personally feel that this 25 miles n hr is pure crap. Because a plain pedal bike can reach higher speeds than a stock 66cc motorized bicycle. If we allow such laws to become active restricting motorizedbicycle's . We as people will not be we the people anymore. It will be commie Amercia stifling commerce! Law makers need to stop hurting Amercia !!!

5.  **ArizonaBikeLaw**

MAY 10, 2014 AT 4:32 PM

Oh, i also came one step closer (i think!) to understanding the moped vs. moto bicycle insurance thing — i never noticed this one before... it's in Chapter 9 Insurance:

28-4001(3) "Motor vehicle" means a self-propelled vehicle that is registered or required to be registered under the laws of this state.

Mopeds are required to be registered [update: or are they? the moped statute never actually says that], but motorized bicycles are not. So moto bikes aren't/can't be required to have insurance in any event. I'm not entirely clear about "self-propelled", though — are mopeds self-propelled? they \*can\* be but they need not be, thus the vestigial pedals; which i often thought/suspected were left over simply to meet somebody's legal definitions.

ARS has some oddities/quirks/flaws(?) that make what would seem to be a very simple question very muddled. As we (i mean you me and mike) all know, bicycles are NOT vehicles; and because of that it's simple enough to state unequivocally that in az bikes are also not motor vehicles. Motorcycles, unsurprisingly, are motor vehicles. In most/many other states, mopeds are defined as a kind of motor cycle; but not in Arizona — both mopeds and motorized bicycles are defined as bicycles with a motor (and like you said, there are various requirements regarding the size of the motor).

As such, we tell people riding bikes that no matter how slow you are going, you cannot be in violation of 28-704A (motor vehicles must not impede the normal movement of traffic); and that in narrow lanes, we advise "controlling" the lane — regardless of whether or not it impedes motorists, and is perfectly legal. What about a motorized bicycle? what about a moped?

6.  **KC Vale**

SEPTEMBER 5, 2014 AT 10:33 AM

Updates:

Any Chinese low cost 2-stroke motorized bicycle engine 48cc or less is virtually impossible to find now.

California has raised the limits on motorized bicycle to 4HP and 35MPH.

\*Requires a license.

Elections are coming up...

Has anyone asked these new politicians their stance on motorized bicycle law?

7.  **DK**

MARCH 1, 2015 AT 10:24 AM

California did not raise the speed limit on Motorized Bicycles or Mopeds. It's still 30mph

8.  **Bryan Keith Armstrong**

SEPTEMBER 10, 2015 AT 11:37 PM

I have ridden bikes for a long time now. I owned "bike Barn" from 1986-1990, or, for a short period of time. In 1988 I put together a bike and a motor and have used it as a part time and a full time source of point A to point B travel. Upon putting the bike together and starting to ride it, I had an officer pull me over and wasn't sure just what I was doing wrong. After 1/2 hour or so I was let go without ticketing me. From there I was unmolested

really in any way until I moved to Mesa Arizona. 1989-2011 was a span of time where I lived and rode my motor assisted bike in several arizona places (Phoenix, Cottonwood, Camp Verde, Sedona) It's to be noted that all of this riding was done on the same bike I had built, and that, I requested from the seller (shop I purchased the motor from and ones that actually built the bike with motor kit installed) a motor and shaft size that would produce top speeds of 23-25 mph. I did not have a clue what cc the motor was. I just didn't need to know it because there weren't any regulations being enforced heavily back then. So my build criteria was based on what I felt was the proper transport given my environment. So there it was and I had a long period of time and a large amount of experience in riding this bike in varying circumstances involving the automobiles being a part of the terrain. This is what I come to know as a result. When I travel down a road there are many things that give right of way to. Most all that I give this to, I do because if I didn't, I would suffer in some negative way as a result, some involving actual pain to my person. Some things I gave yield to because it would be rather vulgar and disrespectful of their limited ability to defend themselves if I didn't. Like a rat running across my path. For those of you who don't yet get it, ; It really sucks when I see a person go out of their way to have the world see that they can snuff out a rat on the road... I found out a lot of things to be evident as factors and facts, like it or not. Ride in my minds eye, As I start my travel I check for mirror, speedometer, head and tail lights are in order and or activated. I don't ride bikes missing any of the equipment that I consider critical to a responsible ride. ( many actual events that might alternately seen to be required, or not, in ones experience, should be dealt with as the event would have it always remembering that to be carefull is to live. I start my assist motor. As soon as possible I enter the roadway and become as a car. I follow all car rules and make attempt to be a part of the tarffic that finds itself travelling within the void that egsists between waves of heavy traffic. To achieve this condition of opperating whils not really being noticed , or having to interact with traffic I Sometimes will Wait, on the sidewalk at an intersecting in- out curb. I enter the void and travel at speeds of up to 24-25 mph but most often 15- 21 to achieve this invisible thus, safe traversing along side cars. as I travell in residential areas I found that if I traveled at 25 mph that I encountered less interaction with cars. Often, or much of my ride experiance in residential zones would not allow safe travel riding that fast. Thus, my average speed was 13mph. Average speed on my bike computer with both residetial speed averaged and main road travel, IE: total average is 15 mph. I know that if I encounter any physical object, be it, asphalt, metal, dog, beach ball, muffler, tree branch, stoller, bed, office desk, bail of hay , grocery cart trailer, roll off truck. trash can, I will be hurt, and possible dead. For that not to happen, I willingly yield right of way to everything else. I have no problem being last and alive to experiance. There are many times when I use a sidewalk but do not exersize any notion that I have right of way over anything and find that many added factors simply does not allow much over 11-12 mph has been my experiance overall. A car is a car. a bike is a bike and has him loose any fight with a car so it is in my best interest to give in to whatever he wants period. I do not seek debate with road rage coming into play so being invisible( doing nothing that hinders a cars present speed or creates any need to alter direction) gets me there safely. At times I have encountered many that do not like our presence and they have done some pretty nasty things to get their point across. I really resent this behavior and when possible let them know this. **LETTING THESE ONES KNOW THAT IF THEY ARE WITNESSED DOING THIS THEY CAN BE CHARGED WITH SOME PRETTY LIFE CHANGING OFFENCES IS THE BEST MESSAGE I CAN PROVIDE THEM.** Courtesy and patience when travelling makes the experiance smoother and less deadly. I travel responsibly and have been in no accidents on the road with cars in any way, until living in Mesa. I Mesa I was regulated to travelling 19 mph max by all the officers. Told it was legal to ride on the sidewalk, illegal to ride on the sidewalk, legal to follow car traffic in it's entirety and that it was illegal to be on the road, I have to walk my bike when travelling in it, that I can't legally be using it at all, I can use the left turn lane, I must get off my bike and walk my bike across when wanting to cross any on coming traffic, **I CANN'T RIDE MY BIKE EXCEPT IN RESIDENTIAL TERRITORY**, I can use the bike lane but with motor off. that I can use the bike with motor on, or that I must remain in bike lane and that when I came to an approved intersection I will become a pedestrian using the cross walk and that is the only way I can obtain travelling left of my current position of travel. All things becoming apparent, I have found that under Arizona law I am abike with an assisted motor on it which cannot be required to have a title, be made to be registered, titled,insured for liability. I am to funtion as as bike would and can go the same places bikes go. And as a bike I stay as far as is safe to the right when encountering traffic. Significantly altered however is my right to travel reasonably and prudently which might be a s fast as the posted limit that is posted far all travelers. I personally do not feel safe at speeds greater than

30-35 mph and if ever I found myself with the option I find reasonable and prudent at much reduced speed is in order for my bikes limitations not to be exceeded. Over thirty and one had better be on a better than average bike and would do well to realize that dead right is dead none the less. I find it best not to push any issue that might have me suffering as a resulting nay vote might have it. In plain talk. If you threaten to be being where I want to also be, I will not be there when you get there. If after that you say, "STAY THE FUCK OFF THE ROAD OR I WILL SMASH YOU LIKE A BUG, FUCKER!!" i MIGHT FROM THE RELATIVE SAFETY OF THE SIDEWALK TELL YOU WHAT I THINK ABOUT LIFE, THE UNIVERSE, AND EVERYTHING. HAVING FIRST MAPPED OUT AN ESCAPE ROUTE WHICH IS TO BE TAKEN GIVEN THE RISK DIDN'T PAN OUT WELL. Point being that I am not going to fight a car with my bike because I know my limitations and physically can not go past them with impunity It can't be bought so we cannot live beyond the physics that are our makeup. Enough said. Now I am here in the recent pasts and present dealing with is no less than an all out war on riders of motor assisted bikes that I am involved in, under taken by SOME police officers in many places around the united states. reason being, by vertue of the lack of regulating and taxing and thus ticketing these modes of transport is a sore spot for those that want to push people around and feel restrained from carrying out their victimizing with impunity tword as they live out their pathetic lives. So it is a sad fact that some of the police, and it seems in Mesa, there are an alarming number of pretty dirty cops will to invent a senario that puts you in line with those that drive on a suspended. Im sorry, when exactly did I become a vehicle. At best all I can become is a person that was doing over the allowed speed religated to a bicycle with a helper motor and nothing but. The court seems to agree with the police that when traveling greater than 19 mph you are now a moped. I am pulled over. told I was doing 30 mph in a twenty five zone. Not only am I to be A MOPED, but I have to be a speeding moped so that he can have me provide him with licence and insurance. Thus the need to have been doing 30. A mopeds speed limit (that most departments interpret incorrectly) is 25 mph. So this fine officer took the 19-20 mph that I was traveling and added 10-11 miles an hour to it which leads me to state that I am riding a bike with helper motor on it .badda bing,bodda bamm. No licence required. No you are a moped, and, I got behind you and paced you at 30 mph in the 100 yards available to perform that task from a standstill exiting my hidden position along side the road. My bicycle is impounded and a 30 day hold is placed on it befitting a driver that is driving on a suspended and the punishments to have placed on them. So now my bike with the helper motor on it is in a place reserved for vehicles that are towed. Problem is that my bike is not a vehicle by law and a city government has no right to it. It cannot be titled because It is not a vehicle by law, therefore the DMV will not register it whether I want them to or not. thus, I cannot get liability insurance even if i beg and plead it does not exist for bicycles in the form of car insurance period. I could ride it from the tow yard with impunity as it is a bicycle with a helper motor on it and it did not change in any way. It is by law a bicycle and is not a vehicle So I must prove the officer wrong which should be easy enough because the bike at best can go only 24 mph and can achieve no greater speed than 27 mph under all circumstances involved that would have it achieve top speed including pedaling as hard as I can while in my highest gear, travelling down a hill, This is because my motor that is in contact with the wheels cannot spin any faster than what turns out to be 27 mph, I know because I was on that ride and I tried for the fastest It can be made to go top speed. 27 mph period. OK so let's say I am found not guilty. What about the fact that I must pay for the impounded bike. If I have the money to get it out of impound at the 30 mark it will cost me \$450.00 + the original tow fee. and every day that I cannot yet get the money up to get it another \$15.00 is added until it is theirs by default. I'm innocent and loose my bike to the possess. THIS ABSOLUTELY SHITS IN THE FACE OF THE FACT THAT I AM INNOCENT UNTIL PROVEN GUILTY IN A COURT OF LAW. IT ALSO STINKS OF MESA WITH IMPUNITY, STEALING MY BIKE RIGHT UNDER MY NOSE. I ask the reader of this, what it is that I can do to stop this from happening over and over as the bastards see fit to inflict upon me, or you or anyone else for that matter???

9.  **Bryan Keith Armstrong**

SEPTEMBER 11, 2015 AT 2:50 PM

Here's a real winner fact for you. Under Mesa Arizona statutes, a bicycle has to travel at speeds reasonable and prudent and obeying the the top speed limit posted in the area traveled as being its maximum. A motorized SKATEBOARD can travel reasonable and prudent speeds within roads that are 30mph roads or slower and cannot operate on any roads with greater speed limits. So a skateboard can travel up to 30mph legally. A BICYCLE WITH A HELPER MOTOR ON IT CANNOT EXCEED 19 MPH. IF IT DOES THEN IT IS NOT CONSIDERED A BICYCLE WITH A HELPER MOTOR ON IT THAT IS SPEEDING: GIVEN IT'S IMPOSED SPEED LIMIT, BUT RATHER IT IS BUMPED UP INTO A VEHICLE THAT REQUIRES THINGS THAT THE RIDER CANNOT OBTAIN PERIOD. IT CANNOT BE TITLED, THE DMV WILL NOT TITLE IT BECAUSE IT IS NOT A VEHICLE BY LAW. IT CANNOT BE INSURED BECAUSE IT IS NOT A VEHICLE AND AS SUCH THEY DO NOT HAVE LIABILITY INS IN A STRUCTURE THAT MEETS THE REQUIREMENTS SET FORTH TO BE CONSIDERED MEETING THE MINIMUM LIABILITY STRUCTURED INS. SO NO ONE CAN COME INTO COMPLIANCE WITH THIS BIKE HAVING INSURANCE MANDATE. BECAUSE BIKES AREN'T VEHICLES AND AS SUCH NONE EXISTS. So it would seem rather abusive for the powers that be, given what they most certainly know are the facts of the matter, should impose sanctions befitting the driver of a car upon a bicycle that is going faster than the speed they ignorantly and without merit place upon it. As a matter of fact, Placing a speed limit on these modes of transport is to greatly increase the dangers that such riders must navigate every time they travel. Since having this mandate adhered to with the threat of going to jail as the facilitator, I have come close to dying no less than 15 times, as a result During the entire 1988-2010 time period, 22 years that I rode at what I thought reasonable and prudent, which included speeds up to 25 mph I had 4 such sensations of imminent death experienced. That is a very very big difference in exposure rate per exposure time under the two conditions. This places the law as dangerous to adhere to and a great injustice to the placing of law with the aim to increase safety. Really stupid and in need of complete restructuring of bike statutes is in order here. One knows things are way out of whack when no two people can say the same thing when it comes to the laws concerning bikes and no one can provide any justification. for placing a 19 mph limit on a bike with helper motor. while allowing a skateboard with a motor on it to go up to 30 hour. When did common sense leave of being the structured base of the laws we enact...

10.  ArizonaBikeLaw

DECEMBER 16, 2015 AT 4:12 PM

Thanks to [flagstaffbiking.org](http://flagstaffbiking.org) for pointing out that according to the [US National Forest Service](http://US National Forest Service) their policy is that e-bikes are motor vehicles and as such are only allowed to be operated on federal lands in places where motor vehicles are allowed:

*A question has arisen about whether e-bikes should be regulated as motor vehicles on federal lands. The Bureau of Land Management (BLM) is categorizing e-bikes as motor vehicles, and controversy has arisen in BLM's Moab District, where e-bikes are prohibited on non-motorized trails. This management decision has sparked a discussion in the media on management of e-bikes on federal lands... E-bikes have a motor and are therefore self-propelled and are not covered by the exceptions in the definition. Therefore, e-bikes are motor vehicles and are subject to regulation under the TMR, which requires designation of National Forest System (NFS) roads, NFS trails, and areas on NFS lands for motor vehicle use. 36 CFR 212.51(a).*

Note that the definition as a motor vehicle federally is not true under Arizona law (ARS), where e-bikes (or more generally, motorized bicycles) are **\*NOT\*** vehicles, because they can be human-powered, and therefore cannot be motor vehicles.