

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 1: Words and Phrases Defined

§ 1-104. Bicycle, electric-assisted bicycle, and motorized bicycle

Cite as: 47 CNCA § 1-104

A. A bicycle is a device upon which any person or persons may ride, propelled solely by human power through a belt, chain, or gears, and having two or more wheels, excluding mopeds.

B. An electric-assisted bicycle is any bicycle with:

1. Two or three wheels; and
2. Fully operative pedals for human propulsion and equipped with an electric motor with a power output of not more than seven hundred fifty (750) watts that meets the requirements of one of the following three classes:
 - a. "Class 1 electric-assisted bicycle" shall mean an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour,
 - b. "Class 2 electric-assisted bicycle" shall mean an electric-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of twenty (20) miles per hour, and
 - c. "Class 3 electric-assisted bicycle" shall mean an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour.

An electric-assisted bicycle shall meet the manufacturing and equipment requirements adopted by the Consumer Product Safety Commission for bicycles and shall operate in such a manner that the electric motor disengages or ceases to function when the rider stops pedaling or the brakes are applied.

C. A motorized bicycle is any bicycle having:

1. Fully operative pedals for propulsion by human power;
2. A power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged; and

3. A combustion engine with a piston or rotor displacement of eighty (80 cu cm) cubic centimeters or less, regardless of the number of chambers in the engine, which is capable of propelling the bicycle at a maximum design speed of not more than thirty-five (35) miles per hour on level ground.

D. As used in this title, the term "bicycle" shall include tricycles, quadcycles, or similar human-powered devices, electric- assisted bicycles, and motorized bicycles unless otherwise specifically indicated.

Historical Data

LA 2–91, eff. February 9, 1991. Amended LA 02-21, eff. January 11, 2021.