Section 1 Header

2026 SESSION

26-3084.0
06/09

HOUSE BILL ***[bill number]***

AN ACT creating a new classification for electric vehicles.

SPONSORS: [sponsors]

COMMITTEE: [committee]

ANALYSIS

This bill defines out-of-class electric vehicles, establishes disclosure requirements for sellers, restricts public operation unless reclassified, sets equipment and licensing standards, imposes age and safety requirements, and establishes penalties for violations.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

26-3084.0
06/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT creating a new classification for electric vehicles.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Section; Out-of-Class Electric Vehicles. Amend RSA 259 by inserting after section 27-a the following new section:

259:27-b Out-of-Class Electric Vehicles.

I. "Out-of-class electric vehicle" or "OCEV" means any vehicle with fewer than 4 wheels that:

(a) Is powered by an electric motor with a continuous rated output of 750 watts or greater;

(b) Is capable of attaining a speed of 20 miles per hour or greater on motor power alone; and

(c) Is not otherwise classified as:

(1) A moped;

(2) A motor-assisted scooter;

(3) A motorcycle;

(4) A motor-driven cycle; or

(5) An electric personal assistive mobility device.

II. A vehicle shall also be considered an OCEV if it:

(a) Has multiple operating modes, including any mode that exceeds 20 miles per hour on motor power alone; or

(b) Is advertised, marketed, or sold in a manner that implies it functions as an electric bicycle but does not meet the definition of "electric bicycle" under RSA 259:27-a.

III. OCEVs shall be considered "motor vehicles" under RSA 259:60 solely for the purposes of violations of RSA 265-A:2 and RSA 265-A:3.

2 New Section; Disclosures. Amend RSA 357-C by inserting after section 3-a the following new section:

357-C:3-b Disclosure of Out-of-Class Electric Vehicle Status Required.

I. Any seller of a new or used electric vehicle with fewer than 4 wheels that does not meet the definition in RSA 259:27-a shall provide the following disclosure at the point of sale and in all advertising:

"THIS VEHICLE IS NOT AN ELECTRIC BICYCLE AS DEFINED BY NH RSA 259:27-a AND IS INSTEAD A TYPE OF MOTOR VEHICLE AND SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC ROADS OR PUBLIC LANDS."

II. This disclosure shall:

(a) Be in bold, capital letters;

(b) Appear in a font size equal to or larger than the vehicle description; and

(c) Be included in all online listings, printed materials, and social media posts for the vehicle.

III. Failure to provide this disclosure constitutes prima facie evidence of a deceptive trade practice under RSA 358-A:2.

3 New Sections; Operation and Classification. Amend RSA 265 by inserting after section 144-a the following new sections:

265:144-b Operation and Classification of Out-of-Class Electric Vehicles.

I. An OCEV shall not be operated on any public way or non-motorized rail trail system unless:

(a) The vehicle is reclassified under a chapter of the RSA that permits such use;

(b) It meets all applicable safety and registration requirements; and

(c) The operator shall follow all applicable rules of the road.

II. OCEVs shall be exempt from the electric vehicle registration fee established in RSA 261:141-c.

III. No person shall operate an OCEV unless it is equipped with:

(a) At least one, but not more than 2, headlights in working order for use from one hour after sunset to one hour before sunrise;

(b) One or more rear taillights in working order for the same period;

(c) Adequate brakes capable of stopping the vehicle within 40 feet at 20 miles per hour or locking the wheels to a standstill;

(d) At least one mirror; and

(e) Either a bell or horn.

IV. A speedometer is required unless one was not originally installed by the manufacturer.

V. Operators of OCEVs shall:

(a) Hold a valid operator's license in accordance with RSA 263:1; and

(b) Be subject to RSA 263:64 if operating an OCEV upon a public way while under license suspension or revocation.

265:144-c Designated Use and Age Restrictions for Out-of-Class Electric Vehicles.

I. OCEVs may be operated only in designated areas as defined by RSA.

II. Operation on public ways or non-motorized rail trails is prohibited unless explicitly authorized.

III. Operators shall wear eyeglasses, goggles, or a protective face shield when operating on a public way.

IV. No person under 16 years of age shall operate an OCEV.

V. Any rider under 18 years of age shall wear a helmet.

265:144-d Penalties for Violations of Out-of-Class Electric Vehicle Laws. Any person or entity found in violation of this act shall be guilty of a violation and subject to a fine of $250 per offense.

4 Effective Date.

I. Section 2 of this act shall take effect July 1, 2026.

II. The remainder of this act shall take effect 60 days after its passage.