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HOUSE BILL NO. 748

Offered January 10, 2024

Prefiled January 9, 2024

A *BILL to amend the Code of Virginia by adding in Chapter 17 of Title 45.2 an article numbered 10, consisting of sections numbered 45.2-1740 through 45.2-1743, relating to e-bike rebate program.*

Patrons—Thomas and Willett

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 17 of Title 45.2 an article numbered 10, consisting of sections numbered 45.2-1740 through 45.2-1743, as follows:

*Article 10.**Electric Power-Assisted Bicycle Rebate Fund and Program.***§ 45.2-1740. Definitions.**

As used in this article, unless the context requires a different meaning:

"Adaptive e-bike" means a qualifying e-bike that is specially designed to meet the needs of the rider, whether due to disability or other condition requiring a specialized vehicle.

"Cargo e-bike" means a qualifying e-bike that is specially designed for carrying goods or passengers.

"Electric power-assisted bicycle" or "e-bike" means the same as that term is defined in § 46.2-100.

"Participating retailer" means a retailer who is engaged in the business of selling electric power-assisted bicycles in the Commonwealth and is participating in the Program.

"Program" means the Electric Power-Assisted Bicycle Rebate Program established pursuant to this article.

"Purchase" means the purchase or lease of a new electric power-assisted bicycle.

"Qualified resident of the Commonwealth" means a resident of the Commonwealth whose annual household income does not exceed 300 percent of the current poverty guidelines.

"Qualifying e-bike" means an electric power-assisted bicycle that (i) has a manufacturer's suggested retail price of \$6,000 or less, (ii) carries at least a one-year warranty for its structural components, and (iii) is certified as meeting the UL 2849 or EN 15194 industry safety standards.

"Retailer" means the same as that term is defined in § 58.1-602.

§ 45.2-1741. Electric Power-Assisted Bicycle Rebate Program.

There is hereby established an Electric Power-Assisted Bicycle Rebate Program for the purchase of new electric power-assisted bicycles to provide an incentive to increase electric power-assisted bicycle awareness and adoption in the Commonwealth. The Program shall be administered by the Department. All funds appropriated for the Program and any other funds received on its behalf shall be paid into the state treasury and made available for Program purposes. The Department shall determine the best method to administer the Program, which may include contracting with a third-party administrator. The Director of the Department shall be authorized to examine any records, books, papers, or other documents of any retailer as may be necessary to verify the truth and accuracy of any statement or any other information relating to rebates claimed by the retailer.

§ 45.2-1742. Eligibility for rebate; amount of rebate.

A. 1. Beginning January 1, 2025, a resident of the Commonwealth who purchases a new qualifying e-bike from a participating retailer shall be eligible for a rebate of \$500. For a qualified resident of the Commonwealth the amount of the rebate shall be \$1,100 plus any additional amounts provided for in subdivision 2.

2. In addition to the rebates authorized by subdivision 1, the purchaser of a qualifying e-bike shall be eligible for a rebate of (i) the amount paid or \$100 for the purchase of equipment related to the qualifying e-bike, whichever is less; (ii) \$250 if the qualifying e-bike is an adaptive e-bike; and (iii) \$300 if the qualifying e-bike is a cargo e-bike.

B. Of the rebates authorized by this article, no less than 60 percent shall be allocated to qualified residents of the Commonwealth.

C. Any rebate provided under this article shall be applied toward payment for the purchase of a qualifying e-bike or equipment. The participating retailer shall be reimbursed by the Department from the Fund for each eligible rebate.

D. Rebates available pursuant to this article are subject to availability of funds being provided to the Program by the appropriation act.

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59 *E. The Department shall develop and implement a process for verifying eligible purchasers and*
60 *participating retailers and shall ensure that such process (i) is capable of being administered at the*
61 *point of sale, (ii) allows for the immediate determination of purchaser eligibility and the total amount of*
62 *the rebate to which the purchaser is entitled, and (iii) confirms the rebate to the participating retailer.*

63 **§ 45.2-1743. Program website.**

64 *The Department shall establish a website for the administration of the Program. The website shall*
65 *include general information for the public, including details about the Program and performance metrics*
66 *regarding the Program. The website shall also provide (i) data, updated weekly, regarding the*
67 *availability of rebates at the time of a purchase and (ii) instructions for the retailer as to how to*
68 *process a reimbursement for the rebate provided pursuant to this article.*