

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 485**

**FISCAL  
NOTE**

By Senator Woodrum

[Introduced January 19, 2026; referred  
to the Committee on Transportation and  
Infrastructure; and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
2 designated §20-20-1, §20-20-2, §20-20-3, §20-20-4, §20-20-5, §20-20-6, §20-20-7, §20-  
3 20-8, §20-20-9, §20-20-10, §20-20-11, §20-20-12, and §20-20-13, relating to the West  
4 Virginia Behavior-based E-Bike and Multi-Use Trail Mobility Act; creating a short title,  
5 scope, and purpose; defining terms; setting operational classes; creating certain safety  
6 requirements; creating penalties and enforcement; permitting rulemaking; reporting  
7 requirements; and setting an effective date.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 20. THE WEST VIRGINIA BEHAVIOR-BASED E-BIKE AND MULIT-USE  
TRAIL MOBILITY ACT.**

**§20-20-1. Short Title, scope, purpose.**

1 (a) Short title. – This article shall be known as the West Virginia Behavior-Based E-Bike  
2 and Multi-Use Trail Mobility Act.

3 (b) Purpose. – The purpose of this article is to establish a modern, safety-focused,  
4 behavior-based regulatory framework for bicycles, electric bicycles, adaptive mobility devices, and  
5 other personal mobility devices operating on public multi-use trails; to protect pedestrians,  
6 equestrians, and vulnerable users; to promote consistent statewide standards; to support tourism  
7 and outdoor recreation; and to future-proof West Virginia law for emerging micromobility  
8 technologies.

9 (c) Scope. – This article applies to all bicycles, e-bikes, pedal-assist devices, adaptive  
10 mobility devices, and personal mobility devices operating on any public multi-use trail, shared-use  
11 path, greenway, rail-trail, park trail, municipal trail, or other publicly accessible trail corridor within  
12 the State of West Virginia.

**§20-20-2. Definitions.**

1 As used in this article:

2       "Bicycle" means a human-powered device with pedals, with or without electric assistance,  
3       where the rider's speed is primarily derived from pedal input.

4       "Pedal-assist bicycle" means a bicycle equipped with an electric motor that provides  
5       assistance only when the rider is pedaling, and which ceases to provide assistance when the rider  
6       stops pedaling or exceeds trail speed limits established under this chapter.

7       "Motor-propelled device" means any personal mobility device capable of propelling the  
8       user without pedal input, including but not limited to throttled e-bikes, electric scooters, one-wheel  
9       devices, stand-up micro-mobility boards, or any device capable of sustained self-propulsion  
10       exceeding posted trail speed limits.

11       "Adaptive Mobility Device" (AMD) means any mobility device used by an individual with a  
12       disability for the purpose of mobility assistance, including adaptive cycles, off-road wheelchairs,  
13       adaptive trikes, or other devices regardless of motor-assist characteristics.

14       "Improper use" means operating any device in a manner that exceeds posted speed limits,  
15       endangers other trail users, uses unauthorized throttle propulsion in restricted zones, or violates  
16       the right-of-way and yield standards established under this chapter.

17       "Trail managing authority" means the Division of Natural Resources, State Parks, counties,  
18       municipalities, rail-trail authorities, or any public entity responsible for the maintenance or  
19       oversight of a public trail.

20       "Multi-use trail" means any trail designed for use by more than one category of non-  
21       motorized or low-impact users, including pedestrians, bicycles, runners, e-bikes, equestrians, and  
22       adaptive devices.

23       "Equestrian use" means the presence or operation of a horse and rider on any trail where  
24       permitted.

25       "Personal mobility device" means any device used for personal transportation, regardless  
26       of fuel source, number of wheels, or configuration.

27       "Technology-neutral propulsion rule" means classification based on behavior and

28 capability rather than device design, wattage, labeling, or manufacturer class.

**§20-20-3. Behavior-based operational classes.**

1 (a) Operational classes established. – Device classification is based solely on behavior,  
2 capability, and operation on the trail.

3 (1) Class A – Traditional Use

4 (A) Human-powered bicycles.

5 (B) Pedal-assist permitted up to posted speed limits.

6 (C) No throttle-based continuous propulsion.

7 (D) Permitted on all multi-use trails unless otherwise posted.

8 (2) Class B – Low-Impact Motor-Assist

9 (A) Pedal-assist allowed.

10 (B) Throttle permitted only for low-speed starts or maneuvering.

11 (C) Continuous throttle propulsion prohibited on Class A trail segments.

12 (D) Permitted on most multi-use trails unless posted otherwise.

13 (3) Class C – Motor-Propelled Device

14 (A) Any device capable of sustained self-propulsion without pedal input.

15 (B) Permitted only on designated motor-assisted or multi-use corridors.

16 (b) Technology-neutral propulsion clause. – Any device capable of exceeding posted  
17 speed limits under its own power shall be classified as a Class C motor-propelled device,  
18 regardless of design, fuel type, wheel count, wattage, or manufacturer designation.

**§20-20-4. Right-of-way, yield, and safety requirements**

1 (a) Universal yield hierarchy. – The following hierarchy applies on all public trails:

2 (1) All bicycles, e-bikes, and mobility devices shall yield to equestrian traffic.

3 (2) All bicycles, e-bikes, and mobility devices shall yield to pedestrians and hikers.

4 (3) Faster or more maneuverable users shall yield to slower or more vulnerable users.

5 (b) Passing and audible signal. – Riders shall give an audible signal or clear verbal notice

6 before passing and may pass only when safe and with adequate visibility.

7 (c) Equestrian passing protocol. – Where equestrian use is present:

8 (1) Riders must slow to a safe speed and announce their presence verbally;

9 (2) Riders must await acknowledgment from the horse rider before proceeding;

10 (3) Riders must dismount if necessary for safe passage; and

11 (4) Riders must stop immediately if a horse shows signs of distress.

#### **§20-20-5. Speed regulation and dynamic authority**

1 (a) Default statewide trail speed limits. – Unless otherwise posted:

2 (1) Narrow natural-surface trails: 12–15 mph maximum.

3 (2) Paved shared-use paths: 20 mph maximum.

4 (3) Exceeding posted speed limits constitutes improper use.

5 (b) Dynamic Speed-Setting Authority.— Trail managing authorities may:

6 (1) Reduce or increase speed limits within a range of eight to 25 mph based on trail width,  
7 congestion, visibility, environmental conditions, or user conflicts;

8 (2) Establish temporary slow-zones or event-based speed restrictions; and

9 (3) Post designated speed zones by signage or digital mapping notices.

#### **§20-20-6. Trail segment designations.**

1 (a) Four Trail Segment Types. -- Trail managing authorities may designate segments as:

2 (1) Non-Motorized Only (Class A only);

3 (2) Pedal-Assist Allowed (Class A & B);

4 (3) Managed Motor-Assist Corridor (Class A/B/C with limits); or

5 (4) Motorized Multi-Use Corridor (full Class C permitted).

6 (b) Temporary operational restrictions. -- Authorities may temporarily restrict Class B or  
7 Class C device types due to congestion, safety, weather, or maintenance conditions. This section  
8 does not authorize general trail closures.

#### **§20-20-7. Adaptive mobility devices permitted.**

1 Adaptive Mobility Devices used by individuals with disabilities shall be permitted on all  
2 trails where bicycles are allowed, regardless of motor-assist characteristics, subject to safe-  
3 operation requirements.

**§20-20-8. Enforcement, penalties, and civil authority.**

1 (a) Enforcement. – The civil citations may be issued by:

2 (1) Division of Natural Resources officers;

3 (2) State Park rangers;

4 (3) County or municipal recreation officers; or

5 (4) Volunteer Trail Compliance Officers authorized by a managing authority

6 (b) Penalties. – The following penalties apply for the violation of this article:

7 (1) First violation: warning or civil fine up to \$25;

8 (2) Second violation: civil fine up to \$50;

9 (3) Subsequent violations: civil fines up to \$100; and

10 (4) Reckless, aggressive, or endangering behavior may be prosecuted under existing state  
11 law.

12 (c) Manufacturer and Retailer Safe Harbor. – A manufacturer, distributor, or retailer shall  
13 not be liable for the rider's operation of any device inconsistent with its design, labeling, or  
14 intended use.

**§20-20-9. Rulemaking authority.**

1 The Division of Natural Resources shall propose rules for legislative approval pursuant to  
2 §29A-3-1 et seq. of this code to implement this article.

**§20-20-10. Uniform signage standards.**

1 DNR shall establish statewide signage standards indicating:

2 (1) Trail segment classification;

3 (2) Speed limits;

4 (3) Yield hierarchy; and

5           (4) Pedal-assist or throttle restrictions.

**§20-20-11. Local model ordinance package.**

1           DNR shall publish a model county and municipal ordinance to support uniform adoption.

**§20-20-12. Annual trail use and safety report.**

1           Trail managing authorities shall maintain incident logs documenting crashes, conflicts, and  
2 enforcement activity and shall provide an annual summary report to DNR for statewide analysis.

**§20-20-13. Effective Date**

1           This act shall take effect July 1, 2026.

NOTE: The purpose of this bill is to create the West Virginia Behavior-based E-bike and Multi-use Trail Mobility Act.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.