WEBINAR: Everything you need to know to update your state’s e-bike law

Agenda

1. Federal and state e-bike policy 101
2. Concerns, takeaways, and 2019 plans
3. Why e-bike legislation?
4. Ingredients of a successful campaign
5. Partnership roles
6. Process + getting started

BUSINESS | E-BIKES

CREATING A BRIGHT FUTURE FOR EBIKES THROUGH MODEL LEGISLATION AND EDUCATION
Federal and State Policies

Federal Regulations

• E-bikes are federally regulated for the purposes of product safety and federal funding.
• Consumer Product Safety Commission regulates their condition at their first point of sale, not their use (15 U.S.C. § 2085(a)).
• Federal law provides that e-bikes may be used on federally funded facilities that are otherwise non-motorized (except for RTP funds).

State Regulations

• States regulate the use of e-bikes on streets and bike paths.
• About 30 regulate e-bikes like bicycles.
• Others have no e-bike definition, and may require licensing and registration.


Different from eMTB trail access (public land agencies, not DOTs).

Three Classes of E-Bikes

• Class 1: Pedal assist, maximum assisted speed 20 mph (regulated like bikes, permitted on paths, local regulation allowed).
• Class 2: Throttle assist, maximum assisted speed 20 mph (regulated like bikes, permitted on paths, local regulation allowed).
• Class 3: Pedal assist, maximum assisted speed 28 mph (equipment and use restrictions, local regulation needed for path use).
Key Features of Model Bill

- Specific definitions for the three classes of e-bikes
- Exclusion of e-bikes from other vehicle categories to eliminate confusion (e.g., motorcycle, scooter, motor vehicle)
- Clarity on which bicycle laws apply to e-bikes
- Default rules for bike path usage
- New e-bike specific requirements:
  - Labeling
  - Motor engagement
  - Safety provision for Class 3

State Regulations

E-BIKE REGULATIONS

- Model regulations
  - MI and UP have adopted our model key which allows our legislation
- Acceptable
  - Designed as a bicycle
  - Passenger allowed
  - No age restriction
  - No licensing or registration required
  - Can use existing bike infrastructure
- Problematic
  - Regulated as a motor vehicle
  - Carrying required license requirements
  - Cannot access existing bike infrastructure

Takeaways After Four Years

- It’s not always easy
- Bipartisan issue
- Normalization of class system
- Few cities using their local authority to restrict access
- Many more cities using their local authority to align local ordinances with state law
- Few changes to class 3 bike path access

2019 Agenda

- With more acceptance of our model, we want to push hard in the near term to make the class system dominant form of regulation.
Working on an E-Bike Campaign

What Do We Need E-Bike Legislation?

- E-bike use is growing and many state laws are out of date.
- There are no specific terms for e-bikes in traffic statutes, so e-bikes could be included definitions (moped, scooter, motor vehicle, motorized bicycle) that are irrelevant, outdated and confusing.
- E-bikes could also be subject to insurance, licensing, or registration requirements.
- Defining Class 1, 2, 3 e-bikes ensures that they are classified as bicycles with the same rules of the road, traffic laws, and equipment requirements.
- New rules specific to e-bikes (labels, rules for access to multi-use paths, class 3 e-bike requirements) provide safeguards and local control.

Ingredients of a Successful Campaign

Successful e-bike legal campaign = Business + Advocacy + Legislators

If enough bike riders and retailers speak with a unified voice to support improved access, decision makers will listen.

Partnership Roles

PeopleForBikes can:
- Write a model bill for your state
- Explain what the current law is and how it can be improved
- Connect you with legislators, advocates, retailers, manufacturers
- Provide guidance throughout the process

You can:
- Tell your story and raise awareness
- Be the subject matter/technical expert
- Conduct demos
- Attend meetings with legislators with model legislation
- Submit letters of support and testify
- Rally fellow retailers, advocates, riders, partners
**Process + Getting Started**

- Find a friendly legislator, preferably on a Transportation Committee
- Start the conversation and bring model legislation
- Build a coalition of supporters
- Know the bike and non-bike talking points
- Show up when needed

**Talking Points**

- Model e-bike legislation has already been passed in 10 states
- The goal is to update laws to address new products and reach national consistency
- Clear laws help consumers, retailers and government officials
- This is a bipartisan issue with "D" and "R" support
- E-bikes make riding a bicycle easier, more convenient, more accessible on a day to day basis

**Talking Points**

- Studies show that e-bikes do not travel significantly faster than regular bicycles and can be slower, depending on the location and the rider
- E-bikes have to be labeled by their class and top assisted speed
- E-bikes are here: In 2016 e-bikes represented 1% of sales in the bicycle market and in 2017 that number was 7%

**Questions?**

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