

## E-Bike Policy in the United States

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peopleforbikes

## Layers of Regulation

- Federal law
  - Product safety rules (C.P.S.C.)
  - Allows e-bikes on federally funded bike paths
- State law
  - Confusing array of traffic rules and vehicle classifications

## Federal Law

The federal government defined e-bikes in 2002:

*"Low-speed electric bicycle" means a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph.*

15 U.S.C. § 2085

## Federal Law

- This is a consumer product safety law that applies to the manufacture and sale of e-bikes.
- It does not preempt state laws regulating their safety and operation, so states can generally make their own e-bike laws in their traffic codes.

## Federal Law

Federal law also allows, BUT DOES NOT REQUIRE, e-bike access on federally funded bike paths:

*"Motorized vehicles may not be permitted on trails and pedestrian walkways under this section, except for—*

...

*(4) when State or local regulations permit, electric bicycles;"*

23 U.S.C. § 217

## State Law - Every State Is Different

Bicycle  
Bicycle with a motor attached  
Electric assisted bicycle  
Electric bicycle  
Electric motorized bicycle  
Electric power assisted bicycle  
Electrical assisted bicycle  
Electrically powered bicycle  
Low speed electric bicycle  
Moped  
Motor assisted pedal bicycle  
Motor bicycle  
Motor driven cycle  
Motorized bicycle  
Motorized electric bicycle  
Pedalcycle with electric assist  
Power assisted bicycle  
Power bicycle

Not to mention licensing, registration, age, helmet, speed, pedal, and access restrictions.

## Why Is It So Confusing?

- Laws are outdated
  - Intended to regulate strap on motors and combustion engine mopeds
- Rules were not designed for e-bikes.
  - E.g., exhaust requirements

## Current State Regulation

- Two main categories of state law:
  - The “moped” state
    - E-bikes fall within the “moped,” “motorized bicycle,” or “motorized scooter” classification
  - The “e-bike” state
    - An “e-bike” specific definition has been added to the state’s traffic laws

## E-Bike States Aren't *All* Great

- Certain aspects of the motor vehicle code may have been overlooked when law adopted
- Utah: E-bikes are defined as “Electric Assisted Bicycles,” but there is still confusion:
  - Defined as both a “bicycle” and a “moped”
  - License requirement
  - Access rules are not clear







# BPSA Class System

- BPSA and PeopleForBikes are addressing these legal issues with a three class system for e-bikes

TYPE	ASSIST TYPE	MAX ASSIST SPEED	ACCESS + USE
TYPE 1	PEDAL	20 MPH (32 KPH)	SAME AS BICYCLE + USE ALL EXISTING BIKE INFRASTRUCTURE + NO ADDITIONAL AGE, HELMET OR OPERATING RESTRICTIONS*
TYPE 2	THROTTLE	20 MPH (32 KPH)	
TYPE 3	PEDAL	28 MPH (45 KPH)	USE, ACCESS AND EQUIPMENT RESTRICTIONS*

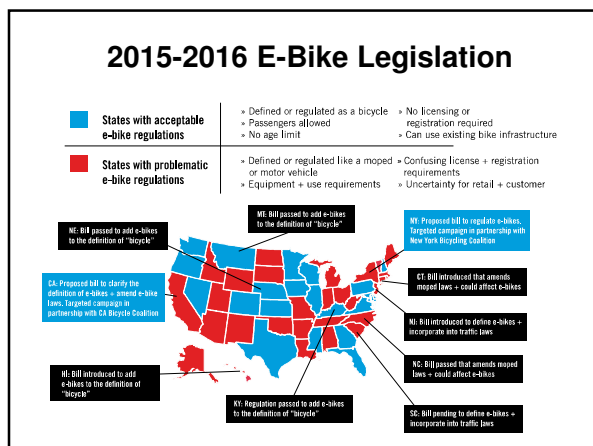
This is only to change vehicle codes and access to paved infrastructure – not dirt.

# California AB 1096

CALIFORNIA ELECTRIC BICYCLE POLICY									
VEHICLE TYPE	VEHICLE			USER			BUREAU ACTION		
	VEHICLE IDENTIFIED	MAXIMUM WEIGHT ADJUSTED SEAT W/ACCESSORIES	MINIMUM AGE (YEARS)	DRIVER'S LICENSE	LICENSED PLATE	WEIGHT	ASSEMBLY AND PAINT	CLASS 1 OR CLASS 2	CLASS 3 OR POWERED E-BIKE
BICYCLE  TYPE 1 6-BIKE  TYPE 2 6-BIKE  TYPE 3 6-BIKE  TYPE 3 6-BIKE  MOPED 	YES	N/A	N/A	NO	NO	17 AND UNDER	YES	YES	YES
	YES	20	N/A	NO	NO	17 AND UNDER	YES	YES	YES
	NO	20	N/A	NO	NO	17 AND UNDER	YES	YES	YES
	YES	28	16	NO	NO	YES	NO	YES	YES
	NO	N/A	16	YES	YES	YES	NO	YES	NO

## Nationwide Activity

- States with 2015 legislation addressing e-bikes:
  - California
  - Hawaii
  - Kentucky
  - Montana
  - Nebraska
  - New Jersey
  - New York
  - South Carolina



## Questions?

For more information on e-bikes, check out the PeopleForBikes e-bike page at:

<http://www.peopleforbikes.org/pages/e-bikes>

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