



SUPPORT with Amendment

Electric Pedal-Assisted Bicycles - S.6029A (O'Mara)/A.7791A(Perry) 2017-18

- E-bikes are **safe** and **environmentally sustainable**, and are used by small businesses in NY
- E-bikes allow more people of varied age and ability to bike, contributing to a **healthy lifestyle**
- Current NY law for e-bikes is confusing, it is outdated and out of sync with other jurisdictions

Transportation Alternatives strongly supports the full legalization of safe electric pedal-assist bicycles in New York, including regulation that will require labeling of e-bikes to aid police enforcement against illegal e-bikes. However, we strongly oppose any measure that allows imprisonment for violating provisions related specifically to e-bikes.

Align NY With Federal Law & Provide Certainty For All Stakeholders

Electric bikes (e-bikes) are legal to sell and own in New York State, but are treated by authorities as illegal to operate. Under Federal law, e-bikes are regulated by the Consumer Product Safety Commission as bicycles with pedals, capable of reaching electric-assisted speeds of up to 20 mph. Several states, including California and Florida, have legalized these bikes as Class 1 e-bikes. However, under New York State law, these safe bicycles are classified as "Class C" Limited Use Motorcycles, and a process does not exist to register any type of e-bike, thus making them illegal. At the same time, the City of New York, under a 2004 law, appears to distinguish between Class 1 pedal-assist e-bikes and other higher speed e-bikes with a throttle (Class 2 and 3 e-bikes) – making the later illegal to sell and operate, while seemingly legalizing the former Class 1 type. This creates great uncertainty for bicyclists, business owners and enforcement agencies, and the lack of clear laws and guidelines contribute to discriminatory enforcement against predominantly immigrant working cyclists who use e-bikes.

E-Bikes Are Safe

Several studies show that e-bikes operate very similar to traditional bicycles and are not relatively dangerous, with average riding speeds of about 8.5 MPH in cities, and a maximum assisted speed of 20 MPH.

E-Bikes are Sustainable and Provide Health Benefits

By being 13 times more energy efficient than a standard car, e-bikes are an environmental and neighborhood friendly means of transportation, and emit no toxic pollutants that otherwise contribute to asthma -- a prevalent and debilitating ailment among children in cities throughout New York.

E-bikes contribute to healthier lifestyles for rural and urban New Yorkers by promoting bicycling as a healthy means of transportation and exercise, and by making bicycling possible for wide segments of the population -- many who otherwise lack the physical ability to bike, because of age or physical capacity, or who have long distances to travel.

Conclusion

Pedal-assist e-bikes should be treated as traditional bicycles, with no insurance or registration requirements. To aid police enforcement against illegal e-bikes, all e-bikes must bear a trade-specific label indicating its class and which will be illegal to alter. Safe electric assist bicycles should be a legal part of the transportation methods easily available for all New Yorkers. Creating long overdue legal clarification in this area will support healthier lifestyles for urban and rural New Yorkers, and will create economic benefits for local businesses along with positive environmental impacts. Federal law and several other states have recognized this, as have both the New York State Senate and Assembly in prior, but separate, sessions.

Transportation Alternatives urge passage of S.6029A/A.7791A and the full legalization of safe electric pedal-assist bicycles in New York.

Examples



Electric Bicycle (e-bike)

An e-bike that meets the U.S. federal definition of an electric bicycle and is subject to product safety standards for bicycles. Transportation Alternatives supports the full legalization of this type of e-bike without any owner registration or operator licensing requirements.



Electric Bicycle (e-bike) in Paris' Bikeshare Program

The new e-bike due to be rolled out as part of Paris' bikeshare program in 2018. (Charles Platiau/Reuters).



Electric Scooter (not an e-bike)

An electric scooter that does not meet the federal definition of an e-bike and is regulated as a motor vehicle. Transportation Alternatives does not propose changing the regulation of this type scooter and moped.