



Electric Bicycle Position Statement

Background

In the belief that in the near future electric bicycles (eBikes), particularly electric mountain bikes intended for trail use, may become more readily available to the public and more common on the trail, American Hiking Society seeks to clarify the organization's position on this topic.

"Low-speed electric bicycles" are defined by federal law (15 U.S. Code § 2085) as "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."

eBikes are generally categorized as:

- Type 1: pedal assist with a maximum assisted speed of 20 mph
- Type 2: throttle assist with a maximum assisted speed of 20 mph
- Type 3: pedal assist with a maximum assisted speed of 28 mph

Federal law does not specify regarding whether low-speed eBikes are considered motor vehicle or not. Under federal law, such low-speed eBikes (under 20mph) fall under the Consumer Product Safety Commission while the National Highway Transportation Safety Administration (NHTSA) is responsible for motor vehicles. In the case of electric mountain bikes, it is likely that NHTSA would not rule on them regardless, as they are not intended to be ridden on-road and so would be outside of the agency's authority.

Federal Land Management Agency Positions

As of April 29, 2017, both the Bureau of Land Management and the U.S. Forest Service, following the Code of Federal Regulations, consider eBikes as motorized vehicles.

Position

Everyone deserves places to experience the outdoors in a safe and enjoyable manner, whether motorized or muscle-powered, and in a sustainable manner. As the popularity of electric bicycles increases, it is the sense of the American Hiking Society Board of Directors to establish a policy on the integration of eBikes within the trails community in a way that protects the hiking experience and also allows eBike riders to enjoy the public lands.

It is the official policy of American Hiking Society that any vehicle that uses either an internal combustion engine or an electric motor for propulsion is a motorized vehicle.

While the Code of Federal Regulations, as of this date, considers eBikes to be motorized vehicles, should the regulations change to reflect that Type 1 eBikes are *not* motor vehicles under a revised CFR and/or if individual states begin allowing eBikes on trails, then American

Hiking Society recommends that the following areas be carefully considered prior to eBikes' inclusion on trails that are shared with hikers:

Trail Sustainability – While the International Mountain Biking Association (IMBA) has conducted a study that indicated that the differences between a regular mountain bike and a low-speed eBike on trail impact and erosion were not greatly different, they were in fact different. In their own industry-backed study IMBA found that on turns and grade changes in the trail, the eBikes had more of a physical impact on the soil than did muscle-powered bikes. Considering that the paths of natural trails tend to be both winding and hilly, this must be studied further by impartial experts to determine the impacts of eBikes on trails. Should eBikes alter trail sustainability, AHS insists that trail design standards be created that would ensure trails used by eBikes are sustainable and safe for all designated users on shared trails.

Enforcement of Standards – While California law stipulates that eBikes must be labeled as to which type/category they are, other states currently have no such laws. American Hiking Society advocates for consistent and mandatory labeling across all states along with mandatory consumer education at the point of sale to ensure that consumers are informed of where they may and may not legally ride the eBike they purchase.

Increased Agency Maintenance Funding – eBikes may logically be assumed to add more trail users onto multi-use trails and mountain biking trails. Additionally, riders of such bikes may be expected to cover longer distances on trails. American Hiking Society applauds getting more Americans onto trails but supports monitoring trail impact as well as increasing land management agency funding to support the increased trail maintenance that goes with increased usage.

Impacts on the Hiking Experience – Research has demonstrated the potential for conflicts between hikers and bicyclists, particularly at higher levels of use and differences in rates of speed between hikers and bikers. Trail design must take into account the likely rise in average speeds that increased usage of eBikes would introduce and ensure that all trail users can recreate safely and enjoyably. All trails opened to eBike usage must be inspected and rerouted as necessary to ensure sight lines that permit identification of people on the trail at distances which allow the mountain biker to slow or stop as necessary to avoid a collision. Speed limits, the enforcement of those limits, and the safety of hikers – the most at-risk community – must be closely monitored on all trails opened to eBikes.

Impact on the Hiking Community – An increased number of bicycles on a trail may lead to a significantly diminished hiking experience for hikers. A feeling of not being safe among numerous comparatively high-speed vehicles could inadvertently lead to the displacement of hikers. If such displacement takes place, American Hiking Society insists upon the creation or designation of foot-only trails that would best meet the needs of hikers.

Approved by AHS Board of Directors – June 2017