



*Empowering all to enjoy, share, and preserve the hiking experience*

June 8, 2020

Public Comments Processing  
Attn: Docket No. FWS-HQ-NWRS-2019-0109  
U.S. Fish and Wildlife Service  
MS:JAO/1N  
5275 Leesburg Pike  
Falls Church, VA 22041

*Submitted Electronically at regulations.gov*

RE: American Hiking Society Comments on Proposed Rule *Use of Electric Bicycles*

*Submitted Electronically at regulations.gov*

On behalf of American Hiking Society (AHS), our members, supporters, and the millions-strong hiking community nationwide, we respectfully submit these comments on the Fish and Wildlife Service (FWS) proposed rule, *Use of Electric Bicycles*. This proposed rule would amend 50 CFR Part 27 §27.31 *General provisions regarding vehicles*, concerning the use of electric motorized bicycles. We do not support permitting their use on non-motorized trails through a blanket approach, given the lack of data on the impact on trails and all user groups, unclear guidance for discretion to limit use, and the need for further environmental impact assessments.<sup>1</sup>

Our nation's public lands and trails provide access to millions of recreation users every year including hiking, mountain biking, equestrian use, and electric motorized bicycle use. As FWS considers changes to the definitions of “electric bicycles,” and electric motorized bicycle use on non-motorized trails we encourage the agency to consider the impacts on all user groups, the trails themselves, and the surrounding environment.

### **Social and Physical Impacts of Electric Motorized Bicycles Use on Non-Motorized Trails**

AHS strongly supports the use of public lands for all types of recreation activities and for all types of users and welcomes the increased recreational opportunities that electronic motorized bicycles can provide regardless of “fitness level or ability”<sup>2</sup> It's unclear where use of electronic motorized bicycles is permitted on the 11,200 miles of roads and bridges and 2,100 miles of trails on FWS managed land.<sup>3</sup>

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<sup>1</sup> AHS bases these comments on the organizations Electric Bicycle Position Statement, available at, <https://americanhiking.org/policy-positions/electric-bicycle-position-statement/>.

<sup>2</sup> 85 Fed. Reg. No.67 19419.

<sup>3</sup> U.S. FISH AND WILDLIFE SERV., BUREAU HIGHLIGHTS (2018), available at [https://edit.doi.gov/sites/doi.gov/files/uploads/fy2019\\_bib\\_bh059.pdf](https://edit.doi.gov/sites/doi.gov/files/uploads/fy2019_bib_bh059.pdf); U.S. DEP'T OF THE INTERIOR, FISH AND WILDLIFE SERV., BUDGET JUSTIFICATIONS AND PERFORMANCE INFORMATION FISCAL YEAR 2019 NWRS-10 (2018),

However, to allow motorized recreation on non-motorized trails will degrade the natural, cultural, recreational and social values for which that land is managed. We urge FWS to reserve non-motorized trails for non-motorized use.

The hiking community seeks out FWS' non-motorized trails for recreation, solitude, and the physical and mental benefits that these trails provide. The addition of motorized users, through electric motorized bicycles, raises concerns over trail conflict and safety, increases trail maintenance needs, and could displace hikers and other non-motorized trail users.

### Safety of All Trail Users

The use of electric motorized bicycles can jeopardize the safety of non-motorized trail users in several ways. First, as the FWS indicates, refuges are within a 1-hour drive of most major cities and one quarter of all visitors to refuges utilize the trails.<sup>4</sup> Adding electric motorized bicycle riders to the mix will create more congestion. Increased congestion combined with already frequent conflicts on trails between fast-moving mountain bikes and slower-moving hikers and horseback riders can result in increased safety concerns on the trail.

Second, research by Brigham Young University<sup>5</sup> indicates that electric motorized bicycles travel faster on average than mountain bikes, including the potential to travel quickly uphill, while other users are travelling quickly downhill, further increasing the risk for accidents. Higher speeds by one user group increases the risk for all user groups. Allowing potentially fast-moving electric motorized bicycles on trails will exacerbate these conflicts and further marginalize the hikers, equestrians, and other users whose safety and enjoyment are at risk. This is especially true as FWS predicts increased electric motorized bicycle usage by those "limited by fitness level or ability" who can travel "farther with less effort" onto trails. Given the limited research into electric motorized bicycle usage, it's a logical assumption that users with limited experience or "limited by fitness level or ability" may access more challenging and remote non-motorized trails of which they are unfamiliar and unprepared, creating safety issues for both themselves and other users.

### Trail Impact

As the proposed rule indicates, electric motorized bicycles may add more trail users onto non-motorized trails. These users will have the capability to travel a longer distance more frequently resulting in heavier use in previously less utilized and remote sections of trails. With the maintenance backlog for FWS at \$336 million, and the agency understaffed, it's unclear how FWS will address the increased trail maintenance and management needs resulting from the impact of this type of usage.<sup>6</sup>

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<sup>4</sup>National Wildlife Refuge System, Refuge Trails, <https://www.fws.gov/refuges/roads/trails.html> (last visited June 8, 2020).

<sup>5</sup> Hall, et. al, 2019, Pedal-Assist Mountain Bikes: A Pilot Study Comparison of the Exercise Response, Perceptions, and Beliefs of Experienced Mountain Bikers (*JMIR Form Res* 2019;3(3):e13643). doi:10.2196/13643

<sup>6</sup> U.S. FISH AND WILDLIFE SERV., BUREAU HIGHLIGHTS (2018), available at [https://edit.doi.gov/sites/doi.gov/files/uploads/fy2019\\_bib\\_bh059.pdf](https://edit.doi.gov/sites/doi.gov/files/uploads/fy2019_bib_bh059.pdf); U.S. DEP'T OF THE INTERIOR, FISH AND WILDLIFE SERV., BUDGET JUSTIFICATIONS AND PERFORMANCE INFORMATION FISCAL YEAR 2019 NWRS-10 (2018),

## Electric Motorized Bicycles on Non-Motorized Trails Impact on Hiking Experience

The hiking community often seeks out trails as a respite to their day-to-day lives. This includes seeking solitude away from motorized vehicles and technology to enjoy a quiet, slow-moving, natural environment. The addition of electric motorized vehicles to non-motorized trails can lead to a reduction in the numbers of trails where hikers feel safe and welcome. The phenomenon of technological displacement can occur where recreation users with more advanced forms of transportation displace other users. Hikers, equestrian riders, and others could find it uncomfortable to share trails with fast electronic motorized bicycles coming from both directions, uphill and downhill, resulting in non-bicycle users essentially being forced off of these trails. FWS acknowledges as much, stating the impact is uncertain “whether other recreational visitors decrease visits due to increased conflicts.” Despite having no research or data on the impact of this decision FWS is proposing to implement it anyways.

### **Conclusion**

AHS thanks FWS for the opportunity to submit public comments and urges the agency to reconsider the provisions of the proposed rule that would, in effect, permit electronic motorized bicycle use on non-motorized trails. Given the concerns outlined above and the impact on all trail user groups, adopting the proposed rule would not benefit the trails community as a whole and would, in fact, have negative effects on all users of FWS-managed trails.