



# Memo in Support

## Definition and regulation of electric assisted bicycles in NYS vehicle and traffic law

### Board of Directors

Judith C. Mower, *Chair*  
David Bronston, *Vice Chair*  
A. Joseph Scott III, *Vice Chair*  
John G. Hunter, *Secretary*  
Edward Doherty, *Treasurer*

Edward Bergstraesser  
John Bolebruch  
B. Deborah Cohen  
James C. Dawson  
Veronica Fitzgerald  
Charles A. Goldberger  
Robert J. Kafin  
Seymour H. Knox IV  
Kevin M. Lanahan  
Douglas Logan  
Richard P. Morse  
Kristen Heath  
Richard Remmer  
Alexander T. Rogers  
David F. Shaffer  
Susan C. Stashower  
Megan E. Toohey

### Advisory Council

Edward A. Ames  
Kent L. Barwick  
Anne Perkins Cabot  
Joan K. Davidson  
Henry L. Diamond  
Douglas Durst  
John Hanna, Jr.  
Barnabas McHenry  
Lynden B. Miller  
Frederick Osborn III  
Larry Rockefeller  
Anne Sidamon-Eristoff  
Diana L. Taylor

Robin Dropkin  
*Executive Director*

---

29 Elk Street  
Albany, NY 12207  
P 518.434.1583  
F 518.427-0067  
www.ptny.org  
ptny@ptny.org

---

**BILL NUMBER:** S.997 (Dilan) / A. 233 (Gantt)

**SUMMARY:** This bill would define the term "electric assisted bicycle" in regards to the vehicle traffic law, and legalize usage of electric assisted bicycles provided operators comply with all rules, regulations, and provisions applicable to standard bicycles, not motor vehicles; the bill also requires operators to be sixteen years of age or older, and to wear a helmet.

Electric bicycles ("e-bikes") look and operate like standard bicycles, except that their light-weight, battery-powered motors can be turned on to provide supplementary power going up hills, or on long rides or if the rider is tiring. E-bikes are designed with many of the same safety features as traditional bicycles and can be ridden in exactly the same way using only pedal power. E-bikes have two important additional safety features. First, the battery-powered motor only runs when the rider turns it on and is also pedaling. Second, if the e-bike's speed reaches 20 mph, the motor shuts down automatically. The safety features and the speed regulator distinguish e-bikes from motorcycles, mopeds and other two- and three-wheel motor-powered vehicles.

The U.S. Consumer Product Safety Commission Act (CPSC) ruled that electric bicycles and tricycles meeting the definition of low-speed, electric bicycles are consumer products. The Act defines "low-speed electric bicycles" as a two- or three-wheeled vehicle with fully operable pedals, a top speed when powered solely by the motor of 20 mph and a motor that produces less than 1 horsepower when operated by a rider weighing 170 lb. Low-speed electric bicycles that meet these criteria are exempt from classification as motor vehicles.

New York has yet to adopt the CPSC standard, which means that e-bikes can legally be sold, but not operated on any public roadway in the State. Moreover, there is no process whereby e-bike operators can register and license their e-bikes for use as motor vehicles, as exists with motorcycles and mopeds. This creates uncertainty for e-bike users and enforcement agencies.

**WHY PTNY SUPPORTS THIS BILL:** The proposed legislation will remove uncertainty for e-bike users, and enforcement agencies, as well as retailers who are currently selling e-bikes in New York. More importantly, legalizing and regulating e-bike use will make another healthy, low-emission transportation mode available to New Yorkers. This has the potential to benefit the environment, limit road congestion, support healthy living and promote tourism across the State.

**Parks & Trails New York strongly supports this bill.**