



### **A.233 (Gantt) / S.997 (Dilan)**

Transportation Alternatives strongly supports A.233(Gantt)/S.997(Dilan) and the full legalization of electric assist bicycles in New York. These bills will bring New York State in line with federal law by creating a long overdue distinction between safe electric bicycles on one side, and higher speed motorcycles and scooters on the other. Such legalization will support healthier lifestyles for urban and rural New Yorkers, and will likely create economic benefits for local businesses and have positive environmental impacts.

#### **Aligns New York with Federal Law and Other States**

New York State is currently out of sync with not only federal law but also the domestic trend in this area. Under Federal law electric bicycles are not classified as motor vehicles and are regulated by the Consumer Product Safety Commission as bicycles capable of reaching assisted speeds of 20 mph or less. Several other states, including California and Florida, have wisely aligned their state regulation with federal standards. However in New York these safe bicycles are classified as “Class C” Limited Use Motorcycles. Although the New York Department of Motor Vehicles is responsible for regulating Class C motorcycles, a process does not exist to allow for electric bicycles without VIN numbers to be registered, thus creating great uncertainty for e-bike users and other enforcement agencies -- effectively making many safe E-bikes illegal. The proposed legislation would bring certainty and full legality to E-bike users, to enforcement agencies, as well as to retailers who are already *selling* E-bikes legally in New York.

#### **E-Bikes' Economic, Environmental and Health Benefits**

Transportation Alternatives view E-bikes as an important component of a range of healthy and equitable transportation methods. Bicycling and biking infrastructure has been shown to increase retail sales by over 50%, partly because when people bike they tend to make more shopping trips, ultimately spending more than motorists, and because it encourages everyone -- people who bike, walk and drive cars -- to spend more time in retail areas.

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

Additionally, 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 biking possible for wide segments of the population, many who otherwise lack the physical strength to bike, because of age or because they lack the physical capacity, or have long distances to travel.

#### **Safety**

Electric assist bicycles have been shown to be no more dangerous than traditional bicycles. With average riding speeds of about 8.5 mph, which is comparable to traditional bicycle riders, and a weight that is also similar, these bikes operate in much the same way. Although specifically commercially used E-bikes have created a sense of fear in some areas, this is a problem of rider behavior, not the E-bikes themselves, and is something that can be addressed separately through existing laws, appropriate enforcement and legislation.

#### **Conclusion**

Safe electric assist bicycles should be a legal part of the transportation methods easily available for New Yorkers. Creating a long overdue legal clarification in this area will support healthier lifestyles for urban and rural New Yorkers, and will likely create economic benefits for local businesses and have positive environmental impacts. Federal law and several other states have recognized this, as has the New York State Senate in this session and the Assembly in prior sessions.

**Transportation Alternatives strongly supports A.233 by Assembly Member Gantt and S.997 by Senator Dilan and the full legalization of safe electric assist bicycles in New York.**