



## E-BIKES

# Electric Assist Bicycles

New York State recently legalized e-bikes and their use and availability across the State has increased rapidly in recent years. E-bikes make bicycling a more viable travel option for many people, but their proliferation has raised concerns about management and regulation. This Fact Sheet is intended to provide clarity about what constitutes an e-bike, what types of e-bikes are legal ([S07508/A09508-B, Part XX](#) - Pages 73-83) and where they can be used.

## BENEFITS OF E-BIKES



### Environment

- Often replaces motor vehicle trips
- No use of gasoline
- No emissions



### Accessibility

- Enables riders of diverse ages & abilities
- Makes longer-distance trips more feasible
- Makes routes with hills easier



### Health

- Benefits heart, lung, and muscle health
- Provides a low-impact exercise option
- Outdoor activity is good for mental health

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## WHAT IS AN E-BIKE?

An e-bike is a bicycle with electric assist, with an electric motor of less than 750 watts, and equipped with pedals, thereby meeting the equipment and manufacturing requirements for bicycles adopted by the Consumer Product Safety Commission in 2002. There are three classes of e-bikes:

### CLASS 1

The electric motor provides assistance only when the rider is pedaling. The maximum assisted speed is 20 miles per hour.

### CLASS 2

The electric motor may be used without pedaling, but stops providing assistance at 20 miles per hour.

### CLASS 3

The electric motor may be used without pedaling, but stops providing assistance at 25 miles per hour.

## E-BIKES - COMMON MISCONCEPTIONS

*E-bikes are the same as mopeds.*

E-bikes are electric, not gas powered like mopeds. The [NYS DMV](#) clarifies that e-bikes do not qualify for registration as a motorcycle, limited use motorcycle, moped, or ATV.

*E-bikes go too fast.*

[Research](#) has shown that, aside from riding uphill, Class 1 and Class 2 e-bike riders don't usually go faster than experienced riders of traditional bikes. Except for Class 3 e-bikes, their top speeds don't tend to be faster than traditional bicycles.

*E-bikes are less safe than traditional bikes.*

[Research](#) on e-bike safety has not found definitive negative or positive safety impacts due to the technology of the e-bike itself. As with other bicycles, conflicts related to e-bikes are often related to [rider behavior](#). Riders new to e-bikes may need to adapt to the changes in weight and acceleration, while those who are older or inexperienced with cycling may have slower reflexes or struggle with balance. To address safety concerns, education campaigns can help prepare cyclists for the differences between traditional and electric bicycles. This could include media campaigns, signage at e-bikes docks for shared systems, or information contained in any related apps. Class 3 e-bikes, due to their higher speeds, may pose higher crash risks.

*E-bikes are too expensive for most riders.*

While more expensive than traditional bicycles, e-bikes cost much less than a car, providing an [alternative form of transportation](#) for lower-income individuals. Delivery companies are also using e-bikes in urban areas. E-bikes help all types of people ride bikes, especially older adults, those with physical limitations, those living in hilly areas, and those traveling longer distances.



# NEW YORK STATE LAW & REGULATIONS

In April 2020, it became legal to ride e-bikes on some streets under NYS law ([S07508/A09508-B, Part XX](#)). In August 2020, the law was amended to allow the operation of e-scooters (See Resources on p.4 for more information).

- Class 1 and Class 2 e-bikes are permitted throughout New York State, but Class 3 e-bikes are only allowed in cities with a population of one million or more.
- Motorized mini-bikes and dirt bikes/off-road motorcycles are not allowed on streets, sidewalks or anywhere that allows public motor vehicle traffic.
- E-bikes and e-scooters can be ridden on streets with a posted speed limit of 30 mph or less.
- E-bikes cannot be ridden on sidewalks or shared use paths without explicit authorization from a municipality.
- Riders must be at least 16 years old.
- All of the rules that apply to bicycles apply to e-bikes.
- Municipalities are given broad latitude to create their own ordinances to regulate e-bikes including banning them.

*Note: State regulations are subject to change.*

## LOCAL LEGISLATION -- IS IT NECESSARY?

Municipalities may enact additional regulations concerning the time, place, and manner of operation for Class 1 and Class 2 e-bikes. The decision tree below can help determine whether a local rule is needed. (Note: Local governments in Westchester, Nassau and Suffolk counties need County approval to regulate maximum speed, clothing, and helmets.)

DESIRED CONDITION	NO LOCAL ORDINANCE NEEDED	LOCAL ORDINANCE REQUIRED
<b>ALLOW E-BIKES...</b>	... on roads with speed limits <b>30 mph or under</b>  ... in <b>bike lanes</b>	... on roads with speed limits over <b>30 mph</b>  ... on <b>sidewalks</b>  ... on <b>trails/paths*</b>  ... as part of a <b>bikeshare system</b>
<b>PROHIBIT E-BIKES...</b>	... from <b>sidewalks</b>  ... from <b>trails/paths*</b>	... from an <b>entire municipality</b>  ... on <b>all or specific roads</b>
<b>LIMIT E-BIKES...</b>	... to a <b>speed limit of 20 mph</b>	... to <b>some roads/trails/paths*</b> (but not others)  ... according to <b>time of day and/or season</b>  ... to speed limit <b>less than 20 mph</b>
<b>ADDITIONAL REQUIREMENTS</b>	Minimum operator <b>age 16</b>	Use of <b>helmets or reflective clothing</b>

\*For the purposes of this fact sheet, the terms "trail" and "path" refer to facilities other than sidewalks which are designated for use by bicyclists, pedestrians, skaters, wheelchair users, joggers, and/or other non-motorized users. These can also be known as bikeways, multi-use trails, or shared-use paths. Current New York State legislation appears to effectively ban e-bikes from these facilities as they are not specifically defined or permitted in the list of locations where an e-bike can operate. Local legislation by the appropriate municipality or agency is therefore necessary to allow e-bikes on these facilities.

# WANT TO LEARN MORE?



## ISSUES TO CONSIDER/ BEST PRACTICES

### WHERE SHOULD WE ALLOW E-BIKES?

In most cases, e-bikes can be treated the same as traditional bikes in terms of use on roads, trails, and sidewalks; refer to the decision chart on page 3 if additional limitations are desired. Since each municipality can create e-bike rules, it is important for adjacent municipalities to coordinate.

### HOW CAN WE REGULATE SPEEDS ON TRAILS?

Speed limits on trails are difficult to enforce. Consider whether a speed limit is necessary; NYS Law already contains speed limits for e-bikes. Also, appropriate speeds may change depending on how busy the trail is, how wide it is, weather conditions, and other factors. Consider encouraging trail etiquette as an alternative (see below).

### WHAT ARE THE BEST POLICIES FOR MANAGING E-BIKES AND OTHER TRAIL USERS?

Consider adopting a policy that allows e-bikes and motorized wheelchairs but not gas-powered vehicles. Establish trail etiquette for all trail users - such as stay to the right, use a bell or voice when passing, keep dogs on a short leash, and "wheels yield" to others. Warning signs can also be used in high-conflict areas (See Seattle's *How to Use Multi-Use Trails* website link in Resources section).

### HOW CAN WE ENFORCE OUR POLICIES?

One approach is to develop an ambassador program to provide on-the-ground guidance to people on the trail. Clear, simple signage can reinforce the message. Policies can also be posted online, via social media, news coverage and other media. Consider training programs as well. Informing and educating people is usually more effective than implementing overly restrictive regulations that may be difficult to enforce.

## RESOURCES

USDOT FHWA Resources - Electric Bicycles (E-bikes)

[https://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/resources/e-bikes/](https://www.fhwa.dot.gov/environment/bicycle_pedestrian/resources/e-bikes/)

NYS DMV e-bikes and e-scooters  
<https://dmv.ny.gov/registration/electric-scooters-and-bicycles-and-other-unregistered-vehicles>

NYS e-bikes legislation  
<https://legislation.nysenate.gov/pdf/bills/2019/S7508B>

League of American Bicyclists  
<https://bikeleague.org/content/what-know-about-e-bikes>

Rails to Trails  
<https://www.railstotrails.org/build-trails/trail-building-toolbox/management-and-maintenance/e-bikes>

Cornell University: Regulating e-bicycles and e-scooters  
<http://access-to-law.com/nyguide>

New York Bicycling Coalition  
<https://nybc.net/e-bike>

People for Bikes: About e-bikes  
<https://www.peopleforbikes.org/busting-10-myths-about-ebikes>

Seattle's How to Use Multi-Use Trails Website  
<https://www.seattle.gov/transportation/projects-and-programs/programs/bike-program/how-to-use-multi-use-trails>

## NYSAMPO

- **NYSAMPO** is a coalition of the 14 MPOs in New York State, which have committed to work together toward common goals. NYSAMPO works collaboratively on planning and research initiatives in order to provide high-quality transportation planning expertise to the public.
  - » The [Bicycle & Pedestrian Working Group](#) provides a forum for the exchange of active transportation planning-related ideas and information among a range of Federal, State, regional, and local agencies.



New York State Association of Metropolitan Planning Organizations

[www.nysampos.org](http://www.nysampos.org)