

[REDACTED]

From: katie eby [REDACTED]
Sent: Wednesday, May 01, 2019 9:06 PM
To: House Judiciary
Subject: Please support HB 123

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Hello,

I am writing to express my support of HB 123. This bill is of great importance to Alaskans who enjoy cycling as a lifelong sport.

I have had the pleasure of commuting nearly every day for the past year, thanks to my ebike. The year before I biked maybe 3 times total. Ebikes open up a world of cycling to those of us that may not otherwise be able to enjoy cycling for health or other reasons.

Ebikes are safe, and operate much the same as a standard bicycle. They offer many of the same cardiovascular benefits as a standard bike, as a health care provider I can attest to this. I feel so safe on my ebike and I enjoy it so much that I've been able to commute to work even into the 3rd trimester of my pregnancy. While I could do this on a standard bike it would not be nearly as safe or pleasant.

The ebike is such a transformative and efficient mode of transportation we are now a sole car household with untold benefits for reducing our carbon footprint.

Please consider supporting HB 123

Thank you,
Katie Linduska

Sent from my iPhone

From: John Schauer [REDACTED]
Sent: Thursday, May 02, 2019 6:35 PM
To: House Judiciary
Subject: Support for HB 123: "An Act relating to electric-assisted bicycles."

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Honorable Representatives of the Alaska House Judiciary Committee,

I strongly urge representatives to support and enact HB 123: "An Act relating to electric-assisted bicycles."

This bill clarifies the classification of electric bicycles as bicycles and specifically excludes them from regulations and laws that pertain to motorcycles and motor driven cycles.

These bicycles with which I am very familiar should not be considered as motorized vehicles. This bill includes language to clarify the definition of low speed electric bicycles and specifically states that they are not to be considered or regulated as electric bicycles.

Sections 6, 7 of this bill, if passed, will amend AS 28.90.990 clarify that electric-assisted bicycles not be considered as either motorcycles, motor-driven cycles. Section 8 clearly defines the criteria that electric-assisted bicycles must meet to be considered as bicycles.

Specifically it states that a "bicycle" includes an electric-assisted bicycle;

"electric-assisted bicycle" means a bicycle that

- (A) is designed to travel with not more than three wheels in contact with the ground;
- (B) has fully operative pedals for human propulsion; and
- (C) is equipped with an electric motor that
 - (i) has a power output of not more than 750 watts;
 - (ii) provides assistance only when the rider is pedaling;
 - (iii) ceases to provide assistance to the rider when the bicycle reaches a speed of 28 miles per hour.

There are a number of precedents for treating electric-assisted bikes as bicycles and not as motor-driven cycles, mopeds, or motorcycles. There exist electric motorcycles, and two or three wheeled cycles with electric motors which do not qualify by the classification outlined in this bill; however, the bill clearly outlines the criteria by which electric bicycles should be classified.

The federal Consumer Product Safety Act defines a "low speed electric bicycle" as a two or three wheeled vehicle with fully operable pedals, a top speed when powered solely by the motor under 20 mph (32 km/h) and an electric motor that produces less than 750 W (1.01 hp).

In conformance with legislation adopted by the U.S. Congress defining this category of electric-power bicycle (15 U.S.C. 2085(b)), CPSC rules stipulate that low speed electric bicycles[64] (to include two- and three-wheel vehicles) are exempt from classification as motor vehicles providing they have fully operable pedals, an electric motor of less than 750W (1 hp), and a top motor-powered speed of less than 20 miles per hour (32 km/h) when operated by a rider weighing 170 pounds.[65] An electric bike remaining within these specifications is subject to the CPSC consumer product regulations for a bicycle.

A widely accepted classification system in the U.S. classifies eBikes as follows:

- Class 1: eBikes that are pedal-assist only, with no throttle, and have a maximum assisted speed of 20 mph.
- Class 2: eBikes that also have a maximum speed of 20 mph, but are throttle-assisted.
- Class 3: eBikes that are pedal-assist only, with no throttle, and a maximum assisted speed of 28 mph.

All classes limit the motor's power to 1 horsepower (750W).

The first and third of these classes would meet the criteria of electric-assisted bicycle according to HB 123. It is appropriate that these should be considered as bicycles and not as motor vehicles.

In 2016 the Municipality of Anchorage passed Anchorage Ordinance AO No. 2016-67. This ordinance includes specific language to consider low speed electric bicycles as non-motorized vehicles

Low-speed electric bicycle means any bicycle or tricycle with fully operable pedals, an electric motor of no more [LESS] than 750 watts (1 h.p.), and a maximum speed on a paved level surface, when powered solely by such a motor and when carrying one person weighing 170 pounds, of no more [LESS] than 20 miles per hour. For purposes of this title, low-speed electric bicycles are not motor vehicles or motor- driven cycles. (AO No. 2011-113(S), § 1, 12-22-11)

Class 1 (pedal assist only) and Class 2 (pedal and throttle assist) electric bicycles do not exceed speeds that can be achieved by a fit cyclist on a conventional bicycle without an electric motor assist. The Anchorage ordinance clearly includes the first two classes of eBike as listed above. It is appropriate to consider them as bicycles, and to permit their use on pathways designated for cyclists.

Many mainstream bicycle manufacturers are now producing pedal assist bicycles as commuter bikes, road bikes, mountain bikes, and fat tire bikes. These are environmentally friendly transportation and recreation options. A bicycle rider on an eBike can safely coexist on roads, bike paths, mountain bike trails, and multi-use trails with other cyclists and where appropriate, pedestrians and other vehicles.

Conventional bicyclists can achieve or exceed the maximum electric-assisted speeds of which riders pedal assist electric bicycles are capable. However, commuters on eBikes can travel to work, school, or commerce centers, even in hilly terrain, without the exertion that would discourage this form of transportation. Few cyclists wish to arrive to work, attend classes, interview for jobs, or attend appointments after sweating hard from heavy exertion. Ebikes can allow bike commuters to be comfortable interacting with others without showering or changing clothes after a ride. Challenging terrain such as steep uphill climbs can be surmounted with far less exertion and in shorter time. This encourages environmentally friendly commuting and use of bicycle trails and paths by a larger segment of the population.

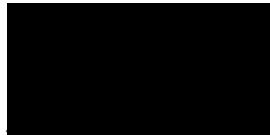
Reducing barriers to use of electric assist bicycles by classifying them as non-motorized vehicles also has health benefits for our state's population. Choosing electric assist bicycles as transportation alternatives over internal combustion engine powered vehicles can help improve air quality. There are also significant health benefits to the exercise which low speed electric assist bicycles can convey. All of the Class 1 eBikes which have only pedal assist and no throttle require riders to pedal in order for the motor to amplify their efforts. Because the assist makes climbing hills or navigating rough or soft surfaces more achievable and enjoyable with less effort, eBikes can encourage riders to go farther and ride more frequently. This is especially true for riders who may be recovering from injury, experiencing physical limitations such as heart conditions, working to reduce weight, or are simply getting older.

My wife and I first rode low speed electric pedal assist mountain bikes during a visit to the Alps in Bavaria and Austria in 2013. We were able to enjoy rides with our son and daughter-in-law where were recent graduates and Cross-Country ski team members from University of Alaska Anchorage. With the electric pedal assist bikes, we were able to ride with these young, fit athletes on mountainous trails. These eBikes were relatively new in the market at that time. We have recently returned from visiting with our children and grandchildren in Europe. Ebikes were very common on roads and mountain bike trails in all of the places we visited in Germany, Austria, and Italy. Riders of all ages enjoyed the use of these cycles, including families with young children who could easily pull child bike trailers or carry toddlers in bike seats. Many eBike riders were in their 60's or older.

2019 is my fortieth year living in Alaska. I am 62 years old. In January of 2018, my wife and I purchased Class 1 fat tire eBikes (low speed pedal-assist electric bicycles) manufactured by a reputable American bicycle company from a local bike store in Fairbanks. Since then, I have put more than 1500 miles on trails and roads in all seasons. I own a dual sport 250cc motorcycle and have a motorcycle endorsement on my Alaska drivers license. Since getting the eBike, I have rarely ridden a motorcycle. I find the eBike much more fun and rewarding to ride and I enjoy more healthy exercise on it. I have also put more miles on winter trails on my bicycle than I have on my snowmachine in the past two winters.

Thank you for considering my written testimony in support of HB 123: "An Act relating to electric-assisted bicycles." I hope you will support and vote to enact this legislation.

John Schauer



[REDACTED]

From: Cary Shiflea [REDACTED]
Sent: Thursday, May 02, 2019 7:26 PM
To: House Judiciary
Subject: House Bill 123

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To whom it may concern:

I am writing today in support of House Bill 123 regarding Electric Assisted Bicycles. This law as written would do a great job bringing Alaska State Law up to date with both the Federal Consumer Product Safety Act Definition and Municipality of Anchorage legal definition of Low Speed Electric Bikes.

Electric Bikes allow a greater number of people to enjoy the healthy benefits of biking and can lead to people choosing to ride their bikes instead of using the a car or truck for short distance commuting.

Thank you for your time and consideration of this public comment.

Cary Shiflea
Owner, Alaska eBike Store
[REDACTED]

"Providing the Highest Quality Light Electric Vehicles in Alaska"

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[REDACTED]

From: Gmail [REDACTED]
Sent: Friday, May 03, 2019 9:56 AM
To: House Judiciary
Subject: Support for HB123

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> I am writing in support of HB123. I have lived all around the country and world serving in the military and Anchorage has some of the best trails I have ever seen. I hope to someday permanently reside here, and the outdoor lifestyle is a large reason. I recently bought an eBike and it has gotten me outdoors so much more. Instead of driving to and from JBER from Eagle River, I now ride my eBike on the Glenn Highway bike trail. Over this last winter, I have commuted over 500 miles on my eBike. I have also been out on the trails with my family and have enjoyed so much of that time. Riding an eBike has even made my commute enjoyable. With the spectacular trail system physically separated from cars, I am also able to enjoy eBike commuting and recreating safely! So thank you, you and your team do amazing work keeping these trails accessible. I support eBikes being considered the same as any other bike. I also support safety, and when I ride, I wear all the appropriate protective gear. I also support all bikers being respectful of all trail users to include slowing when passing and alerting others when passing. Some complain that eBikes are too fast, but they are often slower than conventional road type bikes, and with common courtesy and current laws in place, safe, shared trails are possible. I have been using the trails on my eBike for the last 4 months and sharing the trails have not been a problem. From the interactions I have had, it seems more people want to get into eBikes, and I think the HB123 will aid in more people getting outside and enjoying Alaska!

>

> Thank you,
> Stephen Montgomery

> [REDACTED]

> [REDACTED]