



# Senator Scott Jiu Wo Kawasaki

Alaska State Legislature

District P Fairbanks

*Questions and answers for SB62 from Senate Transportation on Feb. 16, 2023.*

## **Why limit the speeds of e-bikes, why can't I go faster if I want?**

For an e-bike to be classified under the definitions in this bill, the e-bike cannot be manufactured (or tampered with) to assist the rider beyond 20 mph (to be considered Class 1 or 2) or 28 mph (to be considered Class 3). The three classes of e-bikes created in Section 9 of the bill are the industry manufacturing standards that have been adopted in 37 other states. These are the only three classes of e-bikes that are made and sold. While e-bikes, like regular bicycles, can move faster than the highest assisted speeds of 20 and 28 mph, the electric assistance is disabled above those speeds and will no longer help the rider power the bike until they slow down again. In other words, this bill does not set an overall speed limit for e-bikes, it limits the top speed an e-bike can provide electric assistance to its rider. Bikers who can continue to increase their speed after the e-bike stops assisting at 20 or 28 mph (depending on classification) are not prohibited from doing so by this bill.

## **Would this legislation prohibit municipalities or the state Department of Natural Resources from creating their own regulations relating to e-bikes?**

No. Municipalities and DNR can impose their own restrictions. For example, municipalities could allow bicycles and e-bikes on some trails and restrict e-bikes on others. The Municipality of Anchorage adopted this same three class definition of e-bikes in 2016 for use on its trails.

## **Class 2 e-bikes as provided for in Section 9 can provide electric assistance without pedaling, much like a moped. What is the difference between an e-bike and a moped?**

Firstly, Section 8 of the bill specifically states that an e-bike is not a "motor-driven cycle," which is the statutory definition of a moped.

Secondly, although the electric assistance on a Class 2 e-bike does not require you to pedal to get the assistance, all e-bikes must have fully operable pedals and a power output that cannot exceed 750 watts to be considered an e-bike.

## **Does this bill allow for e-bike use on federal lands and federal trails?**

This bill does not deal with federal lands. Currently the National Parks Service considers e-bikes as non-motorized and regulates e-bikes as bicycles.

## **With this bill, can DNR or the Division of State Parks prohibit certain classes of e-bikes on certain trails?**

Yes. This bill designates e-bikes as bicycles and the Department of Natural Resources' existing regulations for bicycles would apply to e-bikes. However, if DNR wanted to limit e-bikes to a specific motor wattage to be considered non-motorized, they could amend their regulations to exclude electric-assisted bicycles on a non-motorized trail including those in State Parks.

## **It could be unsafe to have certain classes of e-bikes on certain trails or right of ways. Why consider all e-bikes as Bicycles?**

This three-class system is the industry standard; and is already being practiced on most bicycle paths or trails where bikes are already in use. If a municipality or DNR want to limit e-bikes to a specific motor wattage, or exclude e-bikes from a non-motorized trail, they could amend their regulations to exclude electric-assisted bicycles on a non-motorized trail.

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**Alaskans like to tinker with things, what if someone switches out the motor on their e-bike to a larger one?**

Changing the motor on an e-bike to one that exceeds the 750 power wattage threshold would change the classification of an e-bike to being a motorized vehicle and would cause the e-bike to fall outside the three-tier classification system. At this point, while the bike may be operable, it would not legally be considered an e-bike.