

**ALASKA STATE LEGISLATURE**  
**HOUSE JUDICIARY STANDING COMMITTEE**

May 7, 2021

2:04 p.m.

**MEMBERS PRESENT**

Representative Matt Claman, Chair  
Representative Liz Snyder, Vice Chair  
Representative Harriet Drummond  
Representative Jonathan Kreiss-Tomkins  
Representative David Eastman  
Representative Christopher Kurka  
Representative Sarah Vance

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 87

"An Act relating to electric-assisted bicycles."

- MOVED CSHB 87(JUD) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 87

SHORT TITLE: ELECTRIC-ASSISTED BICYCLES

SPONSOR(S): REPRESENTATIVE(S) WOOL

02/18/21	(H)	READ THE FIRST TIME - REFERRALS
02/18/21	(H)	TRA, JUD
04/20/21	(H)	TRA AT 1:00 PM BARNES 124
04/20/21	(H)	Heard & Held
04/20/21	(H)	MINUTE(TRA)
04/27/21	(H)	TRA AT 1:00 PM BARNES 124
04/27/21	(H)	Moved HB 87 Out of Committee
04/27/21	(H)	MINUTE(TRA)
04/28/21	(H)	TRA RPT 4DP 2NR
04/28/21	(H)	DP: DRUMMOND, HANNAN, MCKAY, MCCABE
04/28/21	(H)	NR: CRONK, HOPKINS
05/03/21	(H)	JUD AT 1:00 PM GRUENBERG 120
05/03/21	(H)	Heard & Held
05/03/21	(H)	MINUTE(JUD)
05/05/21	(H)	JUD AT 1:00 PM GRUENBERG 120

05/05/21 (H) Heard & Held  
05/05/21 (H) MINUTE (JUD)  
05/07/21 (H) JUD AT 1:00 PM GRUENBERG 120

#### **WITNESS REGISTER**

REPRESENTATIVE ADAM WOOL  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** As prime sponsor, answered questions during the hearing on HB 87.

#### **ACTION NARRATIVE**

[2:04:37 PM](#)

**CHAIR MATT CLAMAN** called the House Judiciary Standing Committee meeting to order at 2:04 p.m. Representatives Snyder, Kreiss-Tompkins, Eastman, Vance, Drummond, and Claman were present at the call to order. Representative Kurka arrived as the meeting was in progress.

#### **HB 87-ELECTRIC-ASSISTED BICYCLES**

[2:05:14 PM](#)

CHAIR CLAMAN announced that the only order of business would be HOUSE BILL NO. 87, "An Act relating to electric-assisted bicycles."

CHAIR CLAMAN said that Legislative Legal & Research services may make technical or conforming changes to the bill.

[2:06:02 PM](#)

REPRESENTATIVE KREISS-TOMKINS moved to adopt Amendment 1, labeled 32-LS0397\A.9, Dunmire, 5/7/21, which read as follows:

Page 2, line 13:

Delete "**or electric-assisted bicycles**"

Insert "**, electric-assisted bicycles, or specific classes of electric-assisted bicycles,**"

Following "requirements;":

Insert "**unless otherwise specified by regulation, (A) an electric-assisted bicycle is considered a bicycle and may not be regulated as another type of vehicle; and**"

**(B) a user of an electric-assisted bicycle shall be afforded the same rights and be subject to the same duties as a user of a bicycle;**"

Page 3, following line 31:

Insert a new bill section to read:

**"\* Sec. 7.** AS 28.90.990(a)(19) is amended to read:

(19) "motorcycle" means a vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground; **"motorcycle"** [THE TERM] does not include a tractor **or an electric-assisted bicycle;**"

Renumber the following bill sections accordingly.

Page 4, following line 7:

Insert new paragraphs to read:

"(34) "class 1 electric-assisted bicycle" means a bicycle equipped with a motor that provides assistance only when the rider is pedaling and that stops providing assistance when the bicycle reaches the speed of 20 miles per hour;

(35) "class 2 electric-assisted bicycle" means a bicycle equipped with a motor that may be used exclusively to propel the bicycle and that stops providing assistance when the bicycle reaches the speed of 20 miles per hour;

(36) "class 3 electric-assisted bicycle" means a bicycle equipped with a motor that provides assistance only when the rider is pedaling and that stops providing assistance when the bicycle reaches the speed of 28 miles per hour;"

Renumber the following paragraph accordingly.

Page 4, line 11:

Delete "and"

Page 4, following line 11:

Insert a new subparagraph to read:

"(C) has a seat or saddle for use of the rider;"

Reletter the following subparagraph accordingly.

Page 4, line 12, following "that":

Insert "has a power output of not more than 750 watts; and"

Page 4, lines 13 - 17:

Delete all material and insert:

"(E) is a class 1, class 2, or class 3 electric-assisted bicycle."

2:06:05 PM

REPRESENTATIVE KREISS-TOMKINS stated that Amendment 1 would institute a three-tiered classification system of e-bikes that had been discussed in previous hearings on HB 87.

REPRESENTATIVE EASTMAN asked for an explanation on the rationale to include such a classification system.

REPRESENTATIVE KREISS-TOMKINS answered that the classification system had been proposed to bring conformity on emerging national standards. He added that testimony at other hearings on HB 87 had compelled his rationale for proposing the amendment.

CHAIR CLAMAN asked the bill's sponsor his position on the proposed amendment before the committee.

2:07:30 PM

REPRESENTATIVE ADAM WOOL, Alaska State Legislature, as prime sponsor of HB 87, stated that his position on the proposed amendment language had changed and that he now had no opposition to the proposed amendment.

REPRESENTATIVE VANCE remarked that including the proposed amendment would aid municipalities to guide the development of local regulations based on feedback that she had received from her constituents.

REPRESENTATIVE EASTMAN asked whether the new definition of "class 2" would require the bicycle to have pedals.

REPRESENTATIVE WOOL answered that any e-bike would be required to have functional pedals.

REPRESENTATIVE EASTMAN asked whether a scooter would be categorized as an e-bike.

REPRESENTATIVE WOOL answered that a scooter is not a bicycle nor an e-bike if it does not have pedals.

CHAIR CLAMAN stated his position of support of Amendment 1 to HB 87.

REPRESENTATIVE EASTMAN removed his objection. There being no further objection, Amendment 1 was adopted.

[2:13:14 PM](#)

REPRESENTATIVE EASTMAN moved to adopt Amendment 2, labeled 32-LS0397\A.2, Dunmire, 5/4/21, which read as follows:

Page 4, line 12, following "that":

Insert "provides assistance only when the rider is pedaling and stops providing assistance when the bicycle reaches a speed of 28 miles per hour."

Page 4, lines 13 - 17:

Delete all material.

REPRESENTATIVE SNYDER objected.

[2:13:28 PM](#)

REPRESENTATIVE EASTMAN stated that Amendment 2 would remove language related to wattage [of an e-bike.]

REPRESENTATIVE WOOL stated that, as prime sponsor, he did not support Amendment 2. He stated that the adoption of Amendment 2 would negate the language adopted in Amendment 1. He stated that the industry standard of wattage for an e-bike was 750 watts. He stated that a limitation on wattage would cap the size of those which could be categorized as an e-bike.

REPRESENTATIVE KURKA stated his support for Amendment 2 so that the proposed law is not overly detailed and would permit for changing [technologies.] He stated his belief that an e-bike should be regulated based on its speed.

CHAIR CLAMAN stated that he would not support Amendment 2 because it would be inconsistent with the language adopted in Amendment 1.

REPRESENTATIVE EASTMAN asked for an explanation of the perceived conflict between the language in Amendment 1 and Amendment 2.

CHAIR CLAMAN answered that Amendment 2, on line 4 would delete n page 1, lines 13-17 in Amendment 1 and the two actions would be inconsistent. He added that the change incorporated by Amendment 1 on page 4, line 12 [of HB 87] would be fundamentally different with the adoption of Amendment 2.

CHAIR CLAMAN called for a vote on Amendment 2.

[2:19:19 PM](#)

REPRESENTATIVE KURKA asked to offer a conceptual amendment to Amendment 2.

CHAIR CLAMAN answered that a roll call vote would be taken on Amendment 2.

[2:19:31 PM](#)

A roll call vote was taken. Representatives Eastman and Kurka voted in favor of Amendment 2. Representatives Snyder, Kreiss-Tompkins, Vance, Drummond, and Claman voted against it. Therefore, Amendment 2 to HB 87 failed to be adopted by a vote of 2-5.

[2:20:37 PM](#)

REPRESENTATIVE EASTMAN moved to adopt Amendment 3, labeled 32-LS0397\A.5, Dunmire, 5/4/21, which read as follows:

Page 3, line 24:  
Delete "self-balancing"  
Insert "[SELF-BALANCING]"  
Delete "nontandem"  
Insert "**or more** [NONTANDEM]"

REPRESENTATIVE SNYDER objected.

[2:20:46 PM](#)

REPRESENTAIVE EASTMAN referred to Section 5 of HB 87, which would update the definition of "electric personal motor vehicle" to include Segways to operate on a sidewalk and up to 15 miles per hour. He stated that eliminating the words "nontandem" and "self-balancing" would clarify that an electric scooter such as a grocery shopping cart would not be included in the definition.

REPRESENTATIVE WOOL stated that electric personal motor vehicles is outside of the scope of HB 87 and such a shopping cart would not be defined under HB 87.

REPRESENTATIVE VANCE stated that, while electric personal motor vehicles may fall outside of the scope of the bill as drafted, she encouraged refining the statute to address concerns expressed by a constituent who uses a four-wheel electric scooter, and that Amendment 3 was a reasonable one.

REPRESENTATIVE SNYDER referred to 45.45.600 which pertains to assistive technology devices.

CHAIR CLAMAN added that scooters such as those at a grocery store were regulated under that statute based on previous testimony from Legislative Legal & Research Services. He stated that he did not support the adoption of Amendment 3 because it is addressed otherwise in existing statute.

REPRESENTATIVE EASTMAN stated that the definition of electric personal vehicle had been developed specifically to address Segway travel on sidewalks. He stated he was not aware of any electric vehicle use permitted in existing statute.

REPRESENTATIVE SNYDER maintained her objection.

[2:26:39 PM](#)

A roll call vote was taken. Representatives Eastman, Kurka, and Vance voted in favor of Amendment 3. Representatives Snyder, Kreiss-Tomkins, Drummond, and Claman voted against it. Therefore, Amendment 3 failed by a vote of 3-4.

[2:27:23 PM](#)

REPRESENTATIVE EASTMAN moved to adopt Amendment 4 labeled 32-LS0397\A.7, Dunmire, 5/5/21, which read as follows:

Page 4, line 12:  
Delete "an electric"  
Insert "a"

REPRESENTATIVE SNYDER objected.

REPRESENTATIVE EASTMAN explained that that the intent of the amendment would be that the bicycles considered under HB 87 would include other types of motors including electric.

REPRESENTATIVE WOOL stated that he did not support the amendment and that the intent of the bill was to be confined to e-bikes in production and high in use in Alaska. He noted that the engine size would be required to be amended from 750 watts to include other engine sizes, should Amendment 4 pass.

REPRESENTATIVE EASTMAN expressed his appreciation to the prime sponsor for the intent of the bill. He encouraged passage of the amendment.

REPRESENTATIVE SNYDER maintained her objection.

[2:31:29 PM](#)

A roll call vote was taken. Representatives Eastman, Kurka, and Vance voted in favor of Amendment 4. Representatives Snyder, Kreiss-Tompkins, Drummond, and Claman voted against it. Therefore, Amendment 4 failed by a vote of 3-4.

[2:32:18 PM](#)

REPRESENTATIVE EASTMAN moved to adopt Amendment 5, labeled 32-LS0397\A.8, Dunmire, 5/6/21, which read as follows:

Page 1, line 1, following "**bicycles**":

Insert "**and other electric-assisted cycles**"

Page 1, line 6:

Delete "**bicycle**"

Insert "**cycle**"

Page 1, line 14:

Delete "**has the meaning given in AS 28.90.990(a)**"

Insert "**includes an electric-assisted cycle**"

Page 2, line 9:

Delete "**bicycle**"

Insert "**cycle**"

Page 2, line 11:

Delete "**bicycles**"

Insert "**cycles**"

Page 2, line 13:

Delete "**bicycles**"

Insert "**cycles**"

REPRESENTATIVE SNYDER objected.

REPRESENTATIVE EASTMAN stated that Amendment 5 pertained to Section 8 of HB 87 and stated that his intent would be to include a device with a quantity of wheels other than two.

REPRESENTATIVE WOOL stated that his preference would be to retain the word bicycle as it was common parlance and predicted that there would not be confusion as a result.

REPRESENTATIVE VANCE stated that she has many constituents who use nonmotorized vehicles including three-wheeled vehicles. She asked whether three-wheeled bikes are regulated in the same manner as others.

REPRESENTATIVE WOOL stated that HB 87 specifies that an e-bike may have up to three wheels.

[2:38:22 PM](#)

REPRESENTATIVE KURKA stated his support of the proposed amendment and stated that he was unfamiliar with any cycle with one or three wheels referred to as a bicycle.

REPRESENTATIVE WOOL stated that a recumbent bike is an example of a bicycle that may have a quantity of three wheels.

REPRESENTATIVE SNYDER stated that she understood the underlying logic of the amendment but allowed that the term bicycle was used [in common parlance] to refer to a cycle which has a number different than two wheels.

REPRESENTATIVE KREISS-TOMKINS compared referring to a variety of cycles with wheels that number other than two as bicycles was akin to other lexicons such as referring to "Kleenex" when describing all facial tissues.

REPRESENTATIVE EASTMAN predicted that ambiguity could result when the proposed regulations are enforced.

REPRESENTATIVE SNYDER maintained her objection.

[2:43:58 PM](#)

A roll call vote was taken. Representatives Eastman, Kurka, and Vance voted in favor of Amendment 5. Representatives Snyder,

Kreiss-Tompkins, Drummond, and Claman voted against it. Therefore, Amendment 5 failed by a vote of 3-4.

[2:45:10 PM](#)

REPRESENTATIVE DRUMMOND stated her support for HB 87, as amended. She stated that electric assisted tricycles may have a motor larger than 750 watts.

REPRESENTATIVE VANCE thanked the prime sponsor and expressed her desire that HB 87 benefit the public.

REPRESENTATIVE EASTMAN recalled that an earlier proposed amendment would have removed the wattage requirement.

[2:46:48 PM](#)

REPRESENTATIVE SNYDER moved to report HB 87, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 87(JUD) was reported out of the House Judiciary Standing Committee.

[2:47:53 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:48 p.m.