

**ALASKA STATE LEGISLATURE  
HOUSE STATE AFFAIRS STANDING COMMITTEE**

February 23, 2023

3:02 p.m.

**MEMBERS PRESENT**

Representative Laddie Shaw, Chair  
Representative Jamie Allard  
Representative Jennie Armstrong  
Representative Andi Story

**MEMBERS ABSENT**

Representative Stanley Wright, Vice Chair  
Representative Ben Carpenter  
Representative Craig Johnson

**COMMITTEE CALENDAR**

HOUSE BILL NO. 8

"An Act relating to electric-assisted bicycles."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 8

SHORT TITLE: ELECTRIC-ASSISTED BICYCLES

SPONSOR(S): REPRESENTATIVE(S) CARRICK

01/09/23	(H)	PREFILE RELEASED 1/9/23
01/19/23	(H)	READ THE FIRST TIME - REFERRALS
01/19/23	(H)	STA, L&C, TRA
02/23/23	(H)	STA AT 3:00 PM GRUENBERG 120

**WITNESS REGISTER**

REPRESENTATIVE ASHLEY CARRICK

Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Introduced HB 8, as the prime sponsor.

STUART RELAY, Staff  
Representative Ashley Carrick  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the sectional analysis for HB 8, on behalf of Representative Carrick, prime sponsor.

LEE HART  
Alaska Outdoor Alliance  
Haines, Alaska

**POSITION STATEMENT:** Provided invited testimony during the hearing on HB 8.

JACKSON FOX, Executive Director  
Fairbanks Area Surface Transportation Planning  
Fairbanks, Alaska

**POSITION STATEMENT:** Provided invited testimony during the hearing on HB 8.

DYANI CHAPMAN, State Director  
Alaska Environment  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 8.

KEN HILL, Owner  
Juneau Bike Doctor  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 8.

DOUGLAS BIGGERS  
Petersburg, Alaska

**POSITION STATEMENT:** Testified in support of HB 8.

MARC GROBER  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to HB 8.

DALE BANKS  
Homer, Alaska

**POSITION STATEMENT:** Testified in support of HB 8.

#### **ACTION NARRATIVE**

[3:02:34 PM](#)

**CHAIR LADDIE SHAW** called the House State Affairs Standing Committee meeting to order at 3:02 p.m. Representatives Allard, Armstrong, Story, and Shaw were present at the call to order.

#### **HB 8-ELECTRIC-ASSISTED BICYCLES**

[3:03:16 PM](#)

CHAIR SHAW announced that the only order of business would be HOUSE BILL NO. 8, "An Act relating to electric-assisted bicycles."

[3:04:09 PM](#)

REPRESENTATIVE ASHLEY CARRICK, Alaska State Legislature, prime sponsor, introduced HB 8. She provided introductory remarks on the bill, stating that the legislation would add a definition for electric-assisted bicycles ("e-bike") into Alaska Statute. She listed three broad goals of the proposed legislation: regulate e-bikes as bicycles; update the statute to reflect technological advances in the recreational and transportation biking community; and bring clarity to consumers and retailers on e-bike law. She highlighted the impact of bicycling in her district and the state as a whole for commuting, transportation, recreation, and racing. She outlined the three-class definition of "electric-assisted bicycle," as provided in the bill. She paraphrased the sponsor statement [included in the committee packet], which read as follows [original punctuation provided]:

Electric-assisted bicycles are an emerging and exciting source of exercise, transportation, and recreation for Alaskans. Currently Alaska does not have any laws pertaining to electric assisted bicycles, nor related references to operating licenses, safety requirements, local traffic laws, or related definitions. This is problematic since electric-assisted bicycles do not currently fit into existing definitions of any other type of vehicle. A new definition in statute is needed to address electric assisted bicycles that can resolve this confusion for electric-assisted bicycle owners and retailers.

Forty-six other states define electric bicycles and thirty-nine of those states classify e-bikes with a three-tiered industry standard definition. Here in Alaska, the Municipality of Anchorage defined low-speed electric bicycles in 2016. Adding this definition to statute will regulate electric-assisted bicycles as a bicycle, and that any current statute related to bicycles includes electric assisted-bicycles.

Additionally, e-bikes are not subject to the registration, licensing or insurance requirements that apply to motor vehicles, and they may be operated where regulations currently allow bicycles to be operated. Additionally, this legislation has passed the House in the two preceding legislatures. Please join me in supporting House Bill 8 to bring our statutes up to date so all Alaskans can enjoy and use electric-assisted bicycles.

REPRESENTATIVE CARRICK said the impetus for bringing HB 8 forward was to clear up any grey area and update state statutes to reflect the modern e-bike. She added that the legislation would neither limit nor expand the usage of e-bikes. She reiterated that the bill would simply add a definition of e-bike to statute and allow municipalities and local governments to further regulate their usage. She deferred to her staff, Mr. Riley, to provide the sectional analysis.

[3:09:15 PM](#)

STUART RELAY, Staff, Representative Ashley Carrick, Alaska State Legislature, on behalf of Representative Carrick, prime sponsor, presented a sectional analysis of HB 8 [included in the committee packet], which read as follows [original punctuation provided]:

Section 1. (Page 1) Amends AS 19.10.399(9) to state that the definition of motor vehicle excludes electric-assisted bicycles.

Section 2. (Page 1) Amends AS 19.10.399(16) to clarify that electric-assisted bicycles are to be regulated as bicycles in regard to operation on a way, path, or area.

Section 3. (Page 1-2) Amends AS 28.05.011(a) to state that electric-assisted bicycles should be regulated as bicycles in regards to the rules of the road. It also includes electric-assisted bicycles under an existing provision allowing municipal ordinances to separately regulate in this area.

Section 4. (Page 3) Amends AS 28.10.011 to state that an electric-assisted bicycle is not required to be registered as a vehicle.

Section 5. (Page 3-4) Amends AS 28.90.990(a)(12) to state that an electric-assisted bicycle does not fall under the definition of an "electric personal motor vehicle."

Section 6. (Page 4) Amends AS 28.90.990(a)(18) to state that an electric-assisted bicycle does not fall under the definition of "motor vehicle."

Section 7 (Page 4) Amends AS 28.90.990(a)(19) to state that an electric assisted bicycle does not fall under the definition of a "motorcycle."

Section 8 (Page 4) Amends AS 28.90.990(a)(20) to state that an electric-assisted bicycle does not fall under the definition of a "motor-driven cycle."

Section 9 (Page 4-5) Amends 28.90.990(a)(33-36) to state the term "bicycle" includes electric assisted bicycles in the three following classes

(34) Class 1: bicycles that assist only while the rider is pedaling and that stop providing assistance at the speed of 20 miles per hour.

(35) Class 2: bicycles that can propel whether or not the rider is pedaling and that stop providing assistance at the speed of 20 miles per hour

(36) Class 3: bicycles that only assist while the rider is pedaling and that stop providing assistance at the speed of 28 miles per hour.

Section 9 Cont. (Page 4-5) Amends AS 28.90.990(a)(37) to define electric assisted bicycles as a bicycle that is designed to travel with not more than three wheels in contact with the ground, has fully operative pedals for human propulsion, is equipped with an electric motor that has a power output of not more than 750 watts, and includes Class 1, Class 2, and Class 3 electric assisted bicycles.

Section 10 (Page 5) Amends AS 41.23.300 is amended by adding a new section that states "bicycling" includes the use of electric-assisted bicycles, and that "electric-assisted bicycles" have the meaning provided for in the previous section.

[3:14:16 PM](#)

CHAIR SHAW sought to confirm that segways were unregulated in Alaska. Additionally, he asked whether the differentiating factor between segways and e-bikes was the pedals or lack thereof.

REPRESENTATIVE CARRICK was unsure whether segways were regulated. Nonetheless, she acknowledged that segways were defined in statute and lacked pedals.

CHAIR SHAW asked whether the "pedal assistance" was the primary difference between segways and e-bikes.

REPRESENTATIVE CARRICK confirmed that the fully operative pedals were one difference. She reiterated that segways were defined separately in statute.

CHAIR SHAW referenced page 5, subparagraph (D), and asked whether a class 1 e-bike with a power output of 1,000 watts was regulated to stop assisting at 20 miles per hour (mph).

REPRESENTATIVE CARRICK conveyed that the bill language defining the three-class system was industry standard; however, she acknowledged that newer models of e-bikes could vary from those definitions. She said her intent was for e-bikes not to exceed the 20 mph assistance categories, but if the committee expressed an interest in increasing the wattage outlined in subsection (D), an amendment to that effect would be consider friendly, as long as the e-bike did not otherwise exceed the class definitions.

[3:16:55 PM](#)

The committee took a brief at-ease.

[3:17:37 PM](#)

CHAIR SHAW commenced invited testimony.

[3:17:54 PM](#)

LEE HART, Alaska Outdoor Alliance, paraphrased the following prepared remarks [original punctuation provided]:

The Alaska Outdoor Alliance offers our full support for House Bill 8 regarding electric-assisted bicycles.

The Alaska Outdoor Alliance is the voice of our state's \$2.2 billion outdoor recreation economic cluster. According to an article in Bicycle Retailer and Industry News, ebike sales have grown 300 percent in the past five years making them the fastest growing segment of the bicycle industry. More and more bike retailers are saying, "ebikes are our future."

On average, the need for bike infrastructure ranked among the top 5 needs public land managers say they have heard from the public. Local, state and federal land managers were surveyed on a host of topics during development of Alaska's new five-year Statewide Comprehensive Outdoor Recreation Plan 2023-2027.

As demand for bike-accessible trails and consumer interest grows, HB 8 will help this economic sector grow by defining electric-assisted bicycles ("ebike") in statute. It adds ebikes to the list of modes of transportation that do not have to be registered with the Department of Motor Vehicles. It also separates ebikes from an electric personal motor vehicle. Finally, it separates ebikes from a motor-driven cycle which includes motorcycle, motor scooter and motorized bicycle.

We also ask that the bill sponsor or committee consider adding language defining the three types of ebike categories, specifically:

- "Class 1 electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- "Class 2 electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.
- "Class 3 electric bicycle" means an electric-assisted bicycle equipped with a motor that provides

assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour. AOA recommends language in this bill be amended to prohibit Class 3 ebikes on non-motorized facilities.

This classification will help federal, state, and local land managers and transportation planners better plan trail systems and enable the cycling public to more easily understand where they can ride their e-bike.

3:23:30 PM

JACKSON FOX, Executive Director, Fairbanks Area Surface Transportation Planning, paraphrased the following prepared remarks [original punctuation provided]:

The Fairbanks Area Surface Transportation (FAST) Planning Bicycle and Pedestrian Advisory Committee (BPAC) offers our full support for House Bill 8 ELECTRIC-ASSISTED BICYCLES.

FAST Planning is the State-designated transportation planning organization for the Fairbanks and North Pole area and supports local and statewide policy, programmatic, and infrastructure improvements that improve safety for all users of the transportation network. FAST Planning BPAC provides a voice and advocacy for bicyclists and pedestrians related to local policies and projects in the Fairbanks North Star Borough.

FAST Planning BPAC supports House Bill 8 (HB 8) because it:

- adds a definition to the Alaska Administrative Code for an electric-assisted bicycle (e-bike)
- adds e-bikes to the list of modes of transportation that do not have to be registered with the Department of Motor Vehicles.
- separates e-bikes from an electric personal motor vehicle.
- separates e-bikes from a motor-driven cycle which includes motorcycles, motor scooters, and motorized bicycles.

We support defining three classes of e-bike types consistent with 37 states. As proposed, this bill is in line with the model legislation recommended by People for Bikes and the League of American Bicyclists, two non-profit organizations that work with federal, state and local officials to make biking safer and more accessible.

Using this 3-Class e-bike classification system will help our group work with federal, state, and local agencies to decide which types of e-bikes should be allowed on non-motorized public infrastructure in Fairbanks and around the State of Alaska. Thank you for your support of House Bill 8.

CHAIR SHAW inquired about the acronym FAST.

MR. FOX said FAST Planning stood for "Fairbanks Area Surface Transportation Planning," the state designated metropolitan planning organization for the communities of Fairbanks and North Pole.

[3:25:21 PM](#)

CHAIR SHAW opened public testimony on HB 8.

[3:25:33 PM](#)

The committee took a brief at-ease.

[3:26:33 PM](#)

DYANI CHAPMAN, State Director, Alaska Environment, expressed support for regulating e-bikes as bicycles. She highlighted the "booming" interest in e-bikes at present, as the electric assist allowed for covering longer ranges, eased the burden of hills, and increased the cargo load for activities like grocery shopping. She pointed out that increasing the use of bicycles would decrease air pollution and open up more energy efficient travel options.

[3:28:36 PM](#)

KEN HILL, Owner, Juneau Bike Doctor, stated his support for HB 8. He highlighted the exponential growth in e-bike usage, adding that a wide range of people were using them for a variety

of activities, such as full commutes, fitness, and general recreation.

[3:30:32 PM](#)

DOUGLAS BIGGERS conveyed his support for HB 8. He shared that he was visually impaired, explaining that an e-bike was the closest he would get to driving a motorized vehicle for safety concerns.

[3:31:48 PM](#)

MARC GROBER, informed the committee that he was an attorney in Anchorage and ran a Facebook Forum, titled "Anchorage Bicyclists," with 500 members. He expressed concern that so far, the discussion surrounding HB 8 had not referenced 15 U.S.C. 20.85 [Low-speed electric bicycles], which defined "low-speed electric bicycle" as "two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.0), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph." Subsection (d) of 15 U.S.C. 20.85 provided that federal law was preemptive. For that reason, he expressed concern about the classification system described in HB 8, characterizing it as "meaningless." He shared his belief that despite the three-class system proposed in the bill, the use of e-bikes would go unenforced. He opined that the bill would effectually allow electric motorcycles on multi-use trails, as the bike's speed-limiting software could easily be bypassed to reach upwards of 40 mph. He discussed the potential dangers of getting hit with an e-bike and expressed his frustration with the Department of Public Safety (DPS) for its refusal to update bicycle regulations since the traffic code was adopted. He urged legislators to fix the statutes regulating bicycle usage before allowing e-bikes on Alaska's trails.

[3:38:16 PM](#)

The committee took a brief at-ease.

[3:39:23 PM](#)

CHAIR SHAW invited Representative Carrick to respond to Mr. Grober's testimony.

REPRESENTATIVE CARRICK reiterated that the bill was maintaining a neutral stance on the usage of e-bikes. She stated that the intent of HB 8 was to simply update the state statutes to reflect the technological advances of e-bikes. She agreed that e-bike collisions were devastating; however, the legislation did not address those public safety challenges. She encouraged all e-bicyclists to obey the rules of the road or trail.

[3:41:08 PM](#)

REPRESENTATIVE ALLARD expressed her support for the bill. She shared her understanding that further regulation of e-bike usage would be up to local municipalities and asked whether that was correct.

REPRESENTATIVE CARRICK shared that the Municipality of Anchorage (MOA) had already adopted into its municipal code the definition of e-bike, as provided in HB 8. She added that with or without this legislation, the MOA had the ability to further limit the classification or usage of e-bikes.

REPRESENTATIVE ALLARD recalled the effort made by the Anchorage Assembly to make the city more bike friendly.

[3:43:23 PM](#)

DALE BANKS stated his support for HB 8 and shared his understanding that at present, e-bikes were not permitted on bike paths, as they were still considered motor-driven cycles. As e-bikes were growing in popularity, he emphasized the importance of implementing regulations to ensure that cyclists know where they are allowed to ride. He pointed out that if HB 8 were to pass, e-bike users would be responsible for yielding to pedestrians on trails, similar to bicycles. He added that the bill would encourage tourism and eliminate confusion, as regulations would remain consistent across states. He shared his understanding that if an individual were to tamper with the speed limiting technology on his/her bike, it would no longer meet the statutory definition of "electric-assisted bicycle" and would therefore be in violation of state law. He reiterated his support for the bill.

[3:46:20 PM](#)

CHAIR SHAW closed public testimony on HB 8. He announced that the bill would be held over.

3:47:11 PM

**ADJOURNMENT**

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at [3:47] p.m.