



# Legalizing Ebikes in New York

Discussion with the staff of  
New York State Senate Majority Leader  
Andrea Stewart-Cousins

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# Participants

- Edward Busk (Sleek Ebikes, Tarrytown)
- Daniel Convissor (Director, Bike Tarrytown)
- Stan Avedon (Hastings Velo, Hastings-on-Hudson)
- Dan Fucella (Endless Trail Bikeworx, Dobbs Ferry)
- Jon Orcutt (Communications Director, Bike New York)

# Types of Ebikes

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## *Industry Standards*

- Class 1
  - must pedal for motor to assist
  - 20 MPH max
- Class 2
  - can use throttle or pedal
  - 20 MPH max
- Class 3
  - must pedal for motor to assist
  - 28 MPH max

# Ebike Benefits

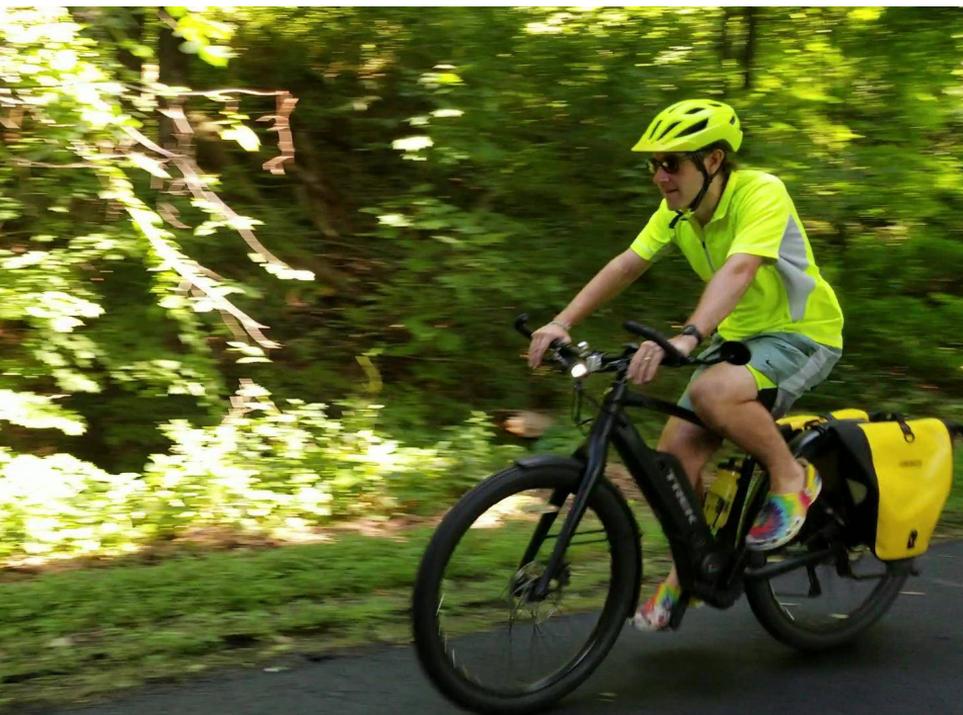
# Ebike Benefits



## *Ease Hilly Terrain*

- Important in Westchester and Upstate
- Gets non-athletes cycling
- Video: [vimeo.com/322673563](https://vimeo.com/322673563)

# Ebike Benefits



## *Defeat Distance*

- Longer commutes are doable
- Carrying things is easy
- Video: [vimeo.com/396864655](https://vimeo.com/396864655)

# Ebike Benefits



## *Reduce Reliance on Cars*

- Can get by with 1 car (or 0)
- Car costs \$9,300 per year<sup>1</sup>
- Increases social interaction
- Builds community cohesion
- Boosts local business<sup>2</sup>

(1: AAA, "Your Driving Costs," 2019)

(2: Clifton, et al, "Consumer Behavior and Travel Choices," TRB, 2013)

# Ebike Benefits



## *Public Health*

- Reduces pollution & carbon (53,000 premature deaths / year in US.<sup>1</sup> 45% of CO<sub>2</sub> in Hudson Valley.<sup>2</sup>)
- Boosts personal health (exercise built in to travel)
- Cuts car crashes (#1 cause kid injury deaths, #2 for adults<sup>3</sup>)

(1: FabioCaiazzo, et al, "Air pollution and early deaths in the United States in 2005", 2013)

(2: NYSEDA, "Mid-Hudson Regional Greenhouse Gas Emissions Inventory," 2012)

(3: CDC, National Center for Injury Prevention and Control, WISQARS, 2017)

# Governor's Proposal

FY 2021 New York State Executive Budget

Transportation, Economic Development  
and Environmental Conservation

Article VII, Part XX

(See page 376 of [PDF](#))

# Governor's Proposal



## *Banned from Most Roads*

- Only allowed on roads with speed limit of 30 MPH or less
- People ebiking could *not* use:
  - 93% State roads
  - 90% county roads
  - 56% town roads

([Bike Tarrytown calculations](#) of NYSDOT "Roadway Inventory Extract," 2020)

# Governor's Proposal



## *Crazy Quilt of Local Laws*

- Local governments can restrict use, require clothing & helmets
- Makes long trips impractical
- Look up laws for entire route
- It's why motor vehicle laws set at state and national level

# Governor's Proposal



## *Hills Become Dangers*

- Required to ride  $\leq 20$  MPH
- Requires braking whole way on big hills
- Forces large speed differential with cars

# Governor's Proposal



## *Hinders Families*

- Bans use under 16 years old
- Low power ebikes are available for tweens
- Ebikes opens mobility options for families in hilly places and/or far from destinations

# Governor's Proposal

## *Misses 3 & 4 Wheels*

- Bill specifies 2 wheels
- Tricycles offer access for older and disabled people
- Cargo bikes



# Governor's Proposal

## *Single File Only*

- Social cycling OK for bikes
- Sitting side by side OK in cars
- Banned for people on ebikes



# Governor's Proposal



## *No Sidewalks*

- Bars ebikes from sidewalks statewide
- Prohibits local laws allowing
- Yes, sidewalk cycling is suboptimal
- Some places sidewalks are safest option

# Governor's Proposal

## *Yielding Variation*

- Ebikers would have to always yield to people walking
- Drivers and cyclists must yield at intersections and crosswalks



# Governor's Proposal



Risk imposed  
on others



## *Disproportionate Sentences*

- Ebikers would get same DWI penalties as drivers (up to felony, 7 years prison)
- DWI in cars is significant cause of injury and death
- Bikes are *much* safer (lighter and slower)

# Governor's Proposal



## *Path Access is Ambiguous*

- May only be operated on:
  - public highways
  - private roads
  - bike / skate lanes
- Trails not mentioned
- Must have access to bridges

# Governor's Proposal



## *Non-Standard Class 3*

- Industry: 28 MPH max
- Governor: 25 MPH max
- Existing owners remain in violation of law
- Turns visitors into violators
- Complicates supply chain

# Governor's Proposal

## *Class 3 in NYC Only*

- State would miss out on:
  - Long distance commuters
  - Tourism



# Path Forward

# Path Forward



## *Best Option: Standard Specs*

- Class 1 & 2
  - same rights & responsibilities as bicycles
- Class 3
  - Helmets: required
  - Age: 16 year old minimum
  - Access to paths: 20 MPH limit if people present

# Path Forward



## *Bare Minimum Option*

- Apply “Best Option” to NYC
  - Ends harassment of delivery workers
- Allow access to bridge paths
- Leave rest of state alone
  - Class 1 OK via US law