POLICY TITLE: **E-BIKE POLICY**

EFFECTIVE DATE: **12/15/2023**

SUMMARY:

This policy provides guidance on the use of e-bikes in Montgomery County on County-owned roads and trails and at County-owned or -managed parks and historic sites. This policy applies to bicycles as well as other small mobility devices with electric assist such as scooters, tricycles, and other similar wheeled devices.

BACKGROUND:

E-bikes, a bicycle equipped with an electric motor that assists the rider when they are pedaling, have become popular in recent years and are frequently observed in the County. E-bike users and others have sought guidance from the County regarding their use on County roads and trails and at County parks and historic sites. This policy seeks to provide that guidance.

The development of an E-Bike Policy was identified as a task to complete in the Montgomery County Planning Commission's 2018 *Bike Montco: The Bicycle Plan for Montgomery County*. At the time, it was debated around the country whether e-bikes should be allowed on trails and in parks. Now e-bikes have become commonplace and provide the ability for more users to enjoy bicycling that might otherwise not be able to.

The Pennsylvania Department of Conservation and Natural Resources (PA DCNR) recently developed an e-bike policy that applies to all PA DCNR lands. This policy is entitled *Pedalcycle (Bike and E-Bike) Policy* (Document Number: 380100-2022-01) and became effective November 28, 2022. The Montgomery County policy is modeled from the PA DCNR policy in order to be in keeping and furthermore it is difficult for road, trail, and park users to know whether they are on PA DCNR or Montgomery County lands given these boundaries are not signed in all locations. Also, it is important to note that one of the County's largest parks, the Norristown Farm Park, is managed by the County but owned by PA DCNR. Subsequently, the PA DCNR policies are in effect at this park. The main difference between the PA DCNR policy and the County's policy is that the County has a suggested speed limit for bicycles on trails and in parks of 15 mph, which must be followed in this policy. The PA DCNR policy has a speed limit of 20 mph.

Pennsylvania Vehicle Code

Pennsylvania's Vehicle Code (75 Pa. C.S. § 102) defines the following:

> Pedalcycle ("bike") - A vehicle propelled solely by human-powered pedals ("bike" or "bicycle") or a pedalcycle with electric assist. The term does not mean a three-wheeled human-powered pedal-driven vehicle with a main driving wheel 20 inches in diameter or under and primarily designed for children six years of age or younger.

> Pedalcycle with electric assist ("e-bike") - A vehicle weighing not more than 100 pounds with two or three wheels more than 11 inches in diameter, manufactured or assembled with an electric motor system rated at not more than 750 watts and equipped with operable pedals and capable of a speed not more than 20 miles per hour on a level surface when powered by the motor source only. The term does not include a device specifically designed for use by persons with disabilities.

Pennsylvania's Vehicle Code (75 Pa. C.S. §§ 3501 et seq.) defines "pedalcycles" as vehicles and provides that every person riding a pedalcycle upon a roadway shall be granted all of the rights and responsibilities applicable to a driver of a vehicle, with certain exceptions.

POLICY:

The County generally permits e-bikes on County-owned or -managed sites already open to human-powered bike usage. E-bikes will be treated by County staff equally to human-powered bikes, provided the e-bikes:

- weigh no more than 100 pounds;
- do not exceed 15 mph using the motor functionality;
- are equipped with a motor no more than 750 watts; and
- are equipped with fully functional, operable pedals.

County-owned Parks, Trails, and Historic Sites

E-bikes, as described above, are permitted on County-owned or -managed trails where bikes are allowed. E-bikes are prohibited where bikes are prohibited. Operators shall use human power or pedal-assist power (electric assistance while pedaling) to operate e-bikes. Using the electric motor exclusively to move an e-bike without pedaling is strongly discouraged. All operators shall follow safe and responsible operating habits and shall always adhere to safe speeds and/or advised speed limits along trails. E-bike operators shall not use the electric assistance to exceed 15 mph.

The County reserves the authority to limit biking within parks and on trails if deemed necessary for public safety, resource management, or other operational considerations. County staff may determine if biking should be restricted on specific trails or internal county site roads or segments of trails or roads if determined that such use would significantly and adversely impact visitor and staff safety or hinder the County's ability to effectively manage the resource.

The County will continue to evaluate the impacts of e-biking on County lands and actively work to mitigate adverse effects, particularly in regards to public safety and resource protection.

Pedalcycles or other small electric assisted mobility devices that exceed the weight, wattage, or other specifications identified in this policy are prohibited on County lands.

County-owned Roads

All pedalcycles are generally permitted on County roads unless otherwise marked as prohibited. Operators shall abide by the Vehicle Code, local traffic laws, and County regulations. It is the responsibility of the operator/rider to know which roads permit pedalcycle use, as well as the rules and regulations that apply to the specific vehicle in use. All pedalcycle operators shall adhere to regulated speed limits. According to Pennsylvania's Vehicle Code (75 Pa. C.S. § 3514), no person under the age of 16 shall operate an e-bike on state and local highways per the Vehicle Code.

DISCLAIMER:

The policies and procedures herein are not an adjudication. There is no intent on the part of the County to give the language in these policies that level of weight or deference. This policy does not create a binding norm and cannot prescribe the County's actions. As such, it is within the County's discretion to depart from the guiding principles established in this policy.

APPENDICES – PA STATE MICROMOBILITY CHART & ETIQUETTE PRACTICES

pennsylvania DEPARTMENT OF TRANSPORTATION

PA MICROMOBILITY FACT SHEET

DESCRIPTION	MIN AGE	LICENSE	REGISTRATION	INSURANCE	HELMET	PASSENGER	LIGHTS	MAX CAPABLE SPEED	RIDE ON SIDEWALK	RIDE ON BIKE LANE	POSSIBLE DUI	PA VEHICLE CODE
ELECTRIC SCOOTER 	-	-	-	-	-	-	-	-	-	-	Yes	§ 102
Can operate only on private property. Electric scooters, like electric skateboards and electric unicycles, cannot be legally operated on public roadways.												
MOTORIZED PEDALCYCLE 	16	C	Yes	Yes	Yes, under 21	Yes	Yes	25	No	No	Yes	§ 102, § 3523(e), § 1714
Has operable pedals. Design speed of no more than 25 mph. Gas - motor rated 1.5 brake horsepower or less, has an automatic transmission. Electric - powered by an electric battery.												
MOTOR SCOOTER 	16	Class M/Class if >50 cc, Class C if <50cc	Yes	Yes	Yes, under 21	Yes	Yes	Up to 5 brake horsepower	No	No	Yes	§ 102, § 3525
Is a motor-driven cycle. Motor shall not exceed five brake horsepower.												
SEGWAY 	-	No	No	No	Yes, under 12	No	Yes	-	Yes	No	Yes	§ 102, § 3581-3583, § 3703 (c)
Is an electric personal assistive mobility device. An electric, self-balancing, two-nontandem-wheeled device. Lighting must be used when operating between sunset and sunrise. A Segway is allowed on sidewalks unless a municipality prohibits it.												
E-BIKE 	16	No	No	No	No	Yes	Yes	20	Yes, not in business district	Yes	Yes	§ 102, § 3514
Is a pedalcycle with electric assist. Weighs less than 100 pounds. Motor not more than 750 watts. Has operable pedals. Not capable going faster than 20 mph on a level surface when powered by the motor source only. Lighting must be used when operating between sunset and sunrise.												
BICYCLE 	-	No	No	No	Yes, under 12	Yes	Yes	-	Yes, not in business district	Yes	Yes	§ 102, § 3501 et seq., § 3802, § 1547
Is a pedalcycle. Is moved solely by human-powered pedals. Lighting must be used when operating between sunset and sunrise.												

For more information visit penndot.gov — May 2021

SAFETY AND ETIQUETTE RULES

Do your part to make sure everyone is safe and has a good trail experience. Bikers should be knowledgeable of basic trail etiquette, safety practices, and rules applicable to specific trails and lands, including:

- Know the type and specifications of the device you're riding and where you can ride it.
- Maintain safe speeds at all times, consider trail and weather conditions, and always be cognizant of other users along the trail.
- Stay to the right, pass on the left.
- Let other trail users know you are coming – give a friendly greeting.
- Limit distractions, don't impair your hearing (i.e., by wearing headphones or ear buds).
- Obey all trail and road signs.
- Slow down in congested areas.
- If you're on wheels, yield to pedestrians.
- Use special care when passing horses.
- Helmets are required by law for people under the age of 12 and are recommended for bicyclists of all ages.
- Maintain single file when passing or being passed.
- Be aware of battery storage capacity of your e-bike and available charging options. Users should not assume that trails open to e-bikes include e-bike charging stations.
- Stay on the trail. Do not go off the trail (even to pass), create new trails, or cut switchbacks.
- Don't block the trail. When taking a break, move to the side of the trail to allow others to pass safely.
- Expect the unexpected. Humans and animals can be unpredictable.