

Greenway Technical Committee (GTC)
10 AM - Tuesday, November 19, 2019
Icon Sports Center, 1060 47th Ave South, Blue Line Club Meeting room
Grand Forks, ND

Agenda

- I. **Introductions**
- II. **Old Business**
 - A. **Wildlife management in Greenway**
 - i. **Follow-up from September meeting**
- III. **New Business**
 - A. **National Parks policy on ebikes**
 - B. **2019 Year-end report**
 - i. **Four river crests**
 - ii. **Campground statistics**
 - iii. **Summer & winter overview**
 - iv. **Other?**
 - C. **Winter preparations**
 - i. **Possible revisions to GF ski trails to avoid standing water**
- IV. **Bicycle, Pedestrian & Greenway, Advisory Group Update**
- V. **Other**
- VI. **Agency updates**
 - A. **City of EGF:**
 - B. **GF Park District:**
 - C. **City of GF:**
 - D. **Minnesota DNR:**
 - E. **Other agencies:**
- VII. **Next meeting date:** Greenway Technical Committee staff, 10AM Tuesday, January 21, 2019, Icon Sport Center, 1060 47th Ave South, Blue Line Club meeting room.
- VIII. **Adjournment**
- IX. **Upcoming events & meetings**
 - **Bicycle, Pedestrian & Greenway Advisory Group mtg:** Wednesday, December 11, 2019, at 6 PM, at the 701 CoWorking space, 33 South 3rd Street, GF.

Supporting documents:

National Parks Department ebike policy
2019 Draft Year-end report



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, DC 20240

IN REPLY REFER TO:

AUG 30 2019

Policy Memorandum 19-01

To: Regional Directors
Associate and Assistant Directors
Superintendents
Chief, United States Park Police

From: Deputy Director
Exercising the Authority of the Director

Subject: Electric Bicycles

Purpose

Electric bicycles (e-bikes) are appearing in national parks with greater frequency. This Policy Memorandum (Memorandum) addresses this emerging form of recreation so that the National Park Service (NPS) can exercise clear management authority over the use of e-bikes within the National Park System.

This Memorandum defines “e-bikes” consistent with Federal law and a majority of State laws and provides for their use and regulation on the same basis as bicycles without power assist capabilities (“traditional bicycles”).

Background

Definition of E-bikes

An e-bike is a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.) that provides propulsion assistance.

A Federal definition of “low speed electric bicycle” is included in the Consumer Product Safety Act.¹ Many States have adopted policies for regulating e-bikes consistent with this Federal definition, including in some cases a labeling requirement identifying an e-bike’s compliance with the following classifications:

¹ [15 U.S.C. 2085](#) states: “For purposes of this section, the term ‘low-speed electric bicycle’ means a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.), 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.”

“Class 1 electric bicycle” shall mean an electric 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 bicycle” shall mean an electric 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” shall mean an electric 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.

Devices with electric motors of 750 watts (1 h.p.) or more of power and not included as Class 1, Class 2 or Class 3 in the classification system above should be managed as motor vehicles under [36 CFR part 4](#). Under [36 CFR 4.10](#), motor vehicles are allowed on park roads and on routes and areas designated for off-road motor vehicle use.

Benefits of E-bikes

E-bikes advance *Healthy Parks Healthy People* goals to promote parks as a health resource by supporting a healthy park experience that is accessible, desirable, and relatable to people of all abilities, and by minimizing human impact through the expansion of active transportation options in parks. Specifically, e-bikes can:

- *Increase bicycle access to and within parks.* E-bikes make bicycle travel easier and more efficient, because they allow bicyclists to travel farther with less effort.
- *Expand the option of bicycling to more people.* E-bikes provide a new option for people who want to ride a bicycle but might not otherwise do so because of physical fitness, age, or convenience, especially at high altitude or in hilly or strenuous terrain.
- *Mitigate environmental impacts.* When used as an alternative to gasoline- or diesel-powered modes of transportation, e-bikes can reduce greenhouse gas emissions and fossil fuel consumption, improve air quality, and support active modes of transportation for park staff and visitors. Similar to traditional bicycles, e-bikes can decrease traffic congestion, reduce the demand for vehicle parking spaces, and increase the number and visibility of cyclists on the road.

Policy

E-bikes are allowed where traditional bicycles are allowed. E-bikes are not allowed where traditional bicycles are prohibited, including wilderness areas. Except on park roads² and other

² Park road means the main-traveled surface of a roadway open to motor vehicles that is owned, controlled or otherwise administered by the NPS. 36 CFR 1.4. Roads include bicycle infrastructure that is part of a road such as bike lanes and shoulders.

locations where use of motor vehicles by the public is allowed, operators may only use the power provided by the electric motor to assist pedal propulsion of an e-bike. The intent of this policy is to allow e-bikes to be used for transportation and recreation in a similar manner to traditional bicycles.

Regulations for traditional bicycles in paragraphs (f), (g), and (h) of [36 CFR 4.30](#) relate to closures and other use restrictions, other requirements, and prohibited acts.

- Paragraph (f) allows superintendents to limit or restrict or impose conditions on bicycle use or close any park road, trail, or portion thereof to bicycle use after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives.
- Paragraph (g) states that bicycle use is subject to (1) certain NPS regulations that apply to motor vehicles;³ and (2) State laws regarding bicycles that are not otherwise addressed by NPS regulations.⁴
- Paragraph (h) prohibits possessing a bicycle in wilderness and contains NPS safety regulations for the use of bicycles.⁵

This Memorandum requires that these provisions also govern the use of e-bikes so that the use of e-bikes and traditional bicycles are generally regulated in the same manner. Superintendents may limit or restrict or impose conditions on bicycle use, including specific limitations on e-bike use, or may close any park road, parking area, administrative road, trail, or portion thereof to such bicycle use and/or e-bike use, or terminate such condition, closure, limit or restriction after:

(1) Taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives; and

(2) Notifying the public through one or more methods listed in 36 CFR 1.7.

Any such bicycle or e-bike closures and restrictions should be included in the park compendium. Superintendents should understand State and local rules addressing e-bikes so that the use of e-bikes within a park area is not restricted more than in adjacent jurisdictions, to the extent possible.

NPS staff should gather and maintain information about the use of e-bikes within the park area, including information about impacts and visitor use patterns. This information may inform future decision making about the use of e-bikes within the National Park System.

³ Specifically, sections 4.12 (Traffic control devices), 4.13 (Obstructing traffic), 4.20 (Right of way), 4.21 (Speed limits), 4.22 (Unsafe operation), 4.23 (Operating under the influence of alcohol or drugs), and 4.30(f) (Closures and other use restrictions).

⁴ State laws concerning the definition, safety operation, and licensing of e-bikes vary from State to State. A growing number of States use the three-class system to differentiate between the models and speeds of e-bikes.

⁵ Specifically, paragraphs (h)(2)-(5) (relating to designated wilderness and operation during periods of low visibility, abreast of another bicycle, and with an open container of alcohol).

Required Actions

Superintendents are directed to manage e-bikes consistent with this Memorandum under the authority in [36 CFR 1.5\(a\)\(2\)](#). This authority allows superintendents to designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity.

Superintendents must take the following actions as soon as possible, but no later than 30 days after the issuance of this Memorandum or the introduction of e-bikes in the park area, whichever is later:

1. Insert the following language in the park compendium:

The term “e-bike” means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.).

E-bikes are allowed in [insert name of park] where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5).

Except as specified in this Compendium, the use of an e-bike within [insert name of park] is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

2. Comply with the requirements in [36 CFR 1.5](#), including the requirement to provide adequate public notice in accordance with [36 CFR 1.7](#).
3. Comply with all applicable laws implicated by the compendium action, including the National Environmental Policy Act of 1969 (NEPA). The compendium action will ordinarily fall within the categorical exclusion specified in section 3.3.D.3 of the [National Park Service NEPA Handbook](#) for which documentation is required.⁶

No Third Party Enforceability

This Memorandum is intended only to improve internal management of the NPS, and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

-----*End of Policy Memorandum*-----

⁶ “Minor changes in programs and regulations pertaining to visitor activities.” National Park Service NEPA Handbook (2015), section 3.3.D.3 (p. 36).

Greenway GGF Annual Report 2019

