I am not opposed to using electric bicycles on motorized trails since e-bikes are a motorized off-highway vehicle as defined in Exec. Orders 11644 and 11989.  I am unaware of any Congressional or Presidential grant or designation of authority to land managers allowing creation of a low power vehicle type exception in the EO addressing Travel Management.  Courts reviewing rulemaking under the EO have been very consistent in applying a very strict level of interpretation to the EO, and this simply cannot be overlooked. There is no legal basis to classify an e-bike as anything other than a motor vehicle.

Land managers should focus on common ground between all user groups and I believe this is the lack of high-quality trails in significant portions of the country. This is the cornerstone assumption of the E-bike proposal.  From the motorized perspective there are very few areas of the country providing high quality trail experiences on a large scale. I appreciate the use of old roads for motorized opportunities however, these are not trails which are significantly different and less enjoyable. In addition to significant demand for more dedicated trail opportunities, the Organizations would note that our users have access to the resources to partner with land managers to build and maintain new trails, unlike many other user groups.

I am opposed to the loss of any motorized trails in an attempt to create e-bike only trail networks in a manner similar to the Tahoe National Forest in California. The public process around e-bikes is weak and involved too many agencies and must be improved.

 I do not support the distinction provided around the use of off-highway vehicles proposed in Secretarial Order 3376 based on a Consumer Product Safety Commission decision regarding use of e-bikes on highways. Most traditional OHVs have never been identified as motor vehicles for purposes of on road usage but have never been excluded from the application of the travel management rules. I believe the basic definitions of motorized off-highway vehicles provided in the EO must be updated for many reasons and could possibly include a provision that excluded low power vehicles from the application of the EO moving forward.

Any regulation for the use of e-bikes must be simple and easy to use so the public understands the regulations and I think the current proposal is neither.   This is a significant concern for me since now any e-bike used outside regulations would be a “motor vehicle off trail” and create the appearance of a significant increase in traditional motorized vehicle improper use, and will immediately renew assertions for further restrictions. I find this situation is unacceptable to.