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Comments: There are large differences between the EU regulations for ebikes and those found in the US. The EU regulations were intended to allow low powered ebikes to fit seamlessly into their existing bicycle culture, to add simple assistance to a riders effort and to reduce the need for cars. They intentionally set 250w continuous as the power level that most mimicked a fit bike rider and 25kph as a speed limit able to propel a bike at speeds suitable for bike infrastructure. Manufacturers have to meet and certify strict compliance to the regulations with substantial fines for being out of compliance.

The Class 1-3 regulations were written by the bike industry with the sole goal to sell more ebikes, which resulted in a vague mashup of what was already in place here and abroad. There was no foresight into the future ramifications of how difficult it is for these regulations to be implemented and enforced.

It is evident with the state and local regulations, that unlike the EU, there is no guidance as to how to define motor wattage. Nominal? Continuous? Peak? Or who defines it. The motor manufacturer? The bike manufacturer? The rider? It's unspecified and is necessary. How is it certified? Is that required at all?

A primer on motor power:

<https://www.youtube.com/watch?v=ACcMP2fTYAM&app=desktop>

Unlike the EU, there isn't any testing or certification of ebikes or their components, which allows manufacturers, retailers and riders to define ebikes as they please. Manufacturers have been for years understating power levels, and including lower "legal" power settings in ebikes that are far more powerful than is legal. Riders simply switch among available settings as they choose. This has led to a situation where a single ebike can be within any of the Class 1-4 parameters depending on how the rider chooses to operate it. The visual differences between Class 1-3 are almost imperceptible to any but the most expert observer, and can't be tested in the field. There's no way to regulate a piece of equipment if those charged with enforcing the regulations can't tell what it is.

I feel that the intentions of the EU were correct and support the use of Pedelcs as a form of recreation and mode of travel. They are a lower powered subset of what is allowed as a Class 1, and would be appropriate on some non-motorized single track. I think that as written, Class 1 is too vague and allows the use of higher powered ebikes that could cause damage and increased social conflicts on the trails. Compounding this, I recognise that there won't be any effective enforcement of the regulations, so if Class 1 is allowed on singletrack, effectively anything self defined as an ebike will be found on singletrack.

Attached is an image showing multiple ebikes currently sold in the US, demonstrating how impossible it is to identify just what Class they are.

Not to mention that for those who wish to mis-identify what their ebike is, it's dead simple to buy a sticker of your choice.

[https://www.ebay.com/sch/i.html?\\_from=R40&\\_trksid=p2380057.m570.l1313&\\_nkw=ebike+sticker&p\\_sacat=0](https://www.ebay.com/sch/i.html?_from=R40&_trksid=p2380057.m570.l1313&_nkw=ebike+sticker&p_sacat=0)