Data Submitted (UTC 11): 10/25/2020 6:29:05 PM
First name: Tyler
Last name: Forman
Organization:
Title:
Comments: Thank you for the opportunity to submit comments to your proposed new rules 7700 & 7710. As a mountain biker, hiker and trail maintenance volunteer I believe it's vital to adapt quickly to new technologies while being careful to protect the user experience of those already recreating on non-motorized USFS trails.

I'm extremely concerned about the current approach to classify e-bikes as motorized vehicles.

This solution will jeopardize funding sources to maintain traditionally non-motorized trails and, by not aligning with recent decisions made within the DOI agencies, will cause more confusion amongst all trail users on where e-bikes can and cannot be used. More importantly, this solution will pit mountain bikers against hikers and equestrians once a proposal is made to allow e-bikes on a previously non-motorized trail by changing it to a motorized designation. The current proposals are also cumbersome and require more resources within an already constrained Federal Agency.

I do not think that a Class 1 e-bike is significantly different than a regular mountain bike. It rides the same when descending and unless I am on a relatively flat trail, it rides about the same when ascending as well. On technical ascents (which many motorized-trails we can currently ride are) I would say that it actually requires more skill than a regular bike and it certainly doesn't make everything easier by default. When climbing moderate to steep trails and roads I have found that it is hard to exceed 10 mph and I can usually only maintain a constant pace of about 6 mph at best. It's only on flatter and/or smoother trails that I can really achieve greater speeds than I can on my regular bike. The biggest effect I feel is a reduction in the effort needed.

I am also concerned about the impact on trail maintenance. E-bikes have no greater impact on trails than a regular mountain bike but they can have a large impact on getting trail maintenance done. In talking and collaborating with the Backcountry Horsemen of Lewis County the last three years I have become very aware of how much work has predominantly been done by the horse community over the years in remote and hard to reach areas. They have also handled a lot of large projects because they have had the only means of packing in the needed equipment. The folks I worked with were very blunt about the fact that their workforce is shrinking, aging out and they are unable to do as much as they used to. We need all the people we can get to keep our trails maintained and the backlog of trail maintenance weighs heavily on their minds. Although they can't carry as much a horse or mule can, e-bikes enable mountain bikers to carry more/heavier equipment than they could on a regular bike. A person on a mountain bike can cover more ground and work on more trail than a hiker or someone on horseback in the same amount of time. An e-bike enhances that even farther by allowing more/heavier tools to be carried and enables mountain bikers to help with the "heavy lifting" jobs.

Class 1 e-bikes are really an evolution of the modern mountain bike. They simply aren't a motor vehicle in the sense/spirit of the commonly accepted definition that applies to motorcycles. They are so similar to regular bikes that they have the ability to replace them in the recreation landscape and have already done so for many people. My dad is 70, has ridden bikes for decades and a Class 1 e-bike enables him to keep riding without beating his body up in doing so. His enjoyment level has come back up immensely.

My personal opinion is that Class 1 e-bikes should be allowed anywhere a regular mountain bike is because they are so similar, serve the same basic users/use cases and have essentially the same trail impact. They should NOT be classified as a motor vehicle. If we look specifically at the merits of the device and its use I do not believe that there are any strong reasons to warrant a new analysis to allow them where regular bikes are allowed.

Class 2 and 3 e-bikes do not belong where regular bikes are allowed. The throttle on a Class 2 bike makes it a

totally different use type. The top speed of a Class 3 bike makes it inappropriate for use on trails.

That being said, I do understand that there are other procedural, cultural and social factors that come into play when looking at something like this. If what I personally want isn't possible then I recommend the following compromise based solutions as presented by Evergreen Mountain Bike Alliance:

Adopt Class 1 e-bikes as non-motorized transportation.
Adopt Class 2 and 3 e-bikes as motorized transportation.
Allow Class 1 on non-motorized trails upon completion of an environmental review and public comment process, driven by local forests and/or districts.
Prohibit Class 2 and 3 on non-motorized trails.
Encourage programmatic NEPA review of eMTB impact on non-motorized trails, at the District, Forest or Regional level, to ease the review burden on a trail by trail basis.
Approach eMTB access by using a "Closed Unless Signed Open" basis.

By allowing Class 1 on non-motorized trails on a case by case basis and upon completion of a review process, the USFS offers flexibility at the local level and preserves maintenance funding sources that can be pursued by hikers, equestrians, and mountain bikers to help maintain thousands of miles of trail throughout the United States. Class 1 e-bike technology is quickly becoming ubiquitous, so the above approach also makes enforcement easier and reduces consumer confusion.

It is my understanding that the above approach recommended by EMBA is also in line with the wishes of People for Bikes, the International Mountain Bicycling Association and multiple mountain bike manufacturers.

Thank you,

-Tyler Forman