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State Representative, 27th District

Sponsor Testimony for House Bill 250

Chairman Green, Vice Chair Greenspan, Ranking Member Sheehy, and members of the Transportation and Public Safety committee, thank you for the opportunity to provide sponsor testimony in support of House Bill 250.

This bill is an effort to boost small businesses and reduce consumer confusion; update our laws in accordance with evolving bicycle technology and in line with other state and federal regulations; and allow more cyclists to use e-bikes, especially those whose abilities are limited due to age, disability, or physical capacity.

Specifically, this legislation would update Section 4511.01 of the Ohio Revised Code to define and regulate low speed electric bicycles more similarly to regular bicycles.

Electric bicycles, or e-bikes, have the potential to expand bike riding to new segments of our population, and keep people riding bikes for more of their lives. However, e-bikes are an emerging technology, and they need clear laws to regulate their use and create stability in the marketplace. Ohio currently has no statutes governing the use of e-bikes, making it very confusing for retailers and customers to determine how they are regulated within our traffic code. House Bill 250 will provide needed clarity in this area by defining what an electric bicycle is and providing rules for its operation.

Electric bicycles have been regulated at the federal level since 2002. Under federal law, e-bikes are considered consumer products regulated by the Consumer Product Safety Commission. As such, they are subject to the same equipment requirements as bicycles, and are not governed by the laws applicable to motor vehicles. However, the federal law did not address how e-bikes can be used on streets or paths, which was left to the states.

Since the federal law was enacted, nearly 30 states have passed legislation to regulate electric bicycles and treat them like human-powered bicycles under their traffic laws. As this process unfolded, many of these states used different standards to define e-bikes, and regulate critical issues like their speed, wattage, and operational rules.

Ohio is currently one of the approximately 20 states that lacks rules governing the use of e-bikes. The absence of any provisions aimed at e-bikes makes it particularly confusing for manufacturers, retailers, customers, and law enforcement to determine how they are regulated within our traffic laws or what type of vehicle they are regulated as.

Recognizing the need to create comprehensive and consistent rules in the U.S., industry leaders worked to develop a model policy for electric bicycles. That model policy, and the accompanying three classifications of e-bikes, is the foundation of House Bill 250. House Bill 250 will therefore provide Ohio with the most up-to-date laws for electric bicycles, and bring it into alignment with other states that are taking the lead on this issue. The changes proposed in this bill have already been enacted into law in Tennessee, California, Colorado, Arkansas, and Utah. Similar bills are pending or being developed in Illinois, Michigan, Wisconsin, Connecticut, and New York. All interested parties from the bicycle industry support this legislation and the bill has support from the Ohio to Erie Trail Board.

The three classes of e-bikes defined in House Bill 250 will align our traffic laws with the three main forms of product that are currently on the marketplace. Generally speaking, the bill will ensure that any e-bike that meets one of these three classifications is subject to the same traffic laws as a regular bicycle. The ability of local governments to control e-bike access to off-street facilities is prioritized in the bill, and local officials will retain the ability to regulate e-bikes, or certain classes of e-bikes, on bicycle paths. The law also contains a uniform labeling standard for all e-bikes to help law enforcement and land managers identify electric bicycles in the event of any enforcement issues.

Finally, additional restrictions for higher speed class 3 bicycles will ensure that they are used in a manner that is safe and at speeds that are appropriate for the infrastructure on which they are traveling. These include a restriction on access to bicycle paths, a minimum age requirement, and a helmet requirement for riders of Class 3 e-bikes.

E-bikes provide new opportunities to increase alternative transportation, boost local tourism, and keep our population active and healthy. They also support small businesses, as good e-bike policies and e-bike adoption increase business to local bicycle shops, rental fleet companies, and bicycle manufacturers from both new and existing cyclists.

Thank you for your consideration of this legislation. I am happy to answer any questions.