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|  <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Parks, Recreation and Historic Preservation</p> <p>Section: Operations</p> | <p>Policy Title: Policy Authorizing and Regulating the Operation of Class 1 and 2 Bicycles with Electric Assist in State Parks, Trails and Historic Sites</p> <p>Directive: OPR-POL-032</p> <p>Effective Date: 06/11/2020</p> |
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Summary

Before April 2020, “bicycles with electric assist” were prohibited on public roadways in New York State. In April 2020, the NYS Vehicle and Traffic Law (VTL) was amended to allow three (3) different classes of bicycles with electric assist, sometimes referred to herein as “electric bicycles”, to be operated on public roadways with a speed limit of 30 mph or less. In addition, the VTL amendments require a State agency like the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) to affirmatively authorize the operation of such devices on public lands under its jurisdiction. This policy orders and authorizes the operation of Class 1 and 2 bicycles with electric assist as defined in the VTL at OPRHP facilities under a pilot program.

In addition, this policy provides general guidance to the regions to determine their own site-specific time, place and manner restrictions on the operation of these bicycles. Under this pilot program, the OPRHP will assess the interim operation of such devices on OPRHP park roads, trails, paths, carriage roads, and boardwalks to better inform the options for their regulation.

Policy - Operation of Class 1 and 2 Electric Bicycles at State Parks Facilities as a Pilot Program

This policy authorizes the use of Class 1 and 2 electric bicycles as defined in the VTL on park roads, paved or improved trails and paths, carriage roads and boardwalks as described below at OPRHP facilities in accordance with the VTL and OPRHP’s regulatory authority to designate facility-specific or park-specific time, place and manner restrictions.

This policy prohibits Class 3 electric bicycles in all facilities under OPRHP’s jurisdiction, and prohibits Class 1, 2 and 3 electric bicycles on OPRHP parkways.

Park Roads with Speed Limit of 30 MPH or Less

Class 1 and 2 electric bicycles may be operated on park roads with a speed limit 30 mph or less unless specifically prohibited by sign or other directive issued by OPRHP.

Paved and Improved Trails and Paths and Boardwalks

Class 1 and 2 electric bicycles may be operated on (i) boardwalks and (ii) shared-use or multi-use trails and paths that are paved or improved with materials including but not limited to crushed stone or asphalt, including carriage roads, unless operation of such devices on (i) or (ii) above is specifically prohibited by sign or other directive issued by OPRHP. OPRHP regions and/or facilities have the discretion to set speed limits for Class 1 and 2 electric bicycles and other authorized moving devices including traditional bicycles on such boardwalks, paths, and trails, carriage roads, or portions thereof, by sign or other directive issued by the regional Office, facility, park or historic site.

Class 1 and 2 electric bicycles are prohibited on unimproved or natural surface trails and paths unless otherwise specified by sign or other directive issued by OPRHP.

Other Related Information

Article 8 of the VTL requires OPRHP to affirmatively authorize the operation of bicycles with electric assist on the public lands under its jurisdiction and further authorizes time, place and manner restrictions on the use of these bicycles. Section 102-c of the VTL defines “bicycles with electric assist” in 3 classes:

- Class 1: electric motor, no throttle, provides assistance when pedaling up to 20 MPH;
- Class 2: electric motor with throttle, no pedaling, provides assistance up to 20 MPH; and
- Class 3: solely within city of 1 million or more, electric motor with throttle, no pedaling, provides assistance up to 25 mph.

The VTL does not require the devices referenced above to be registered with the Department of Motor Vehicles. By June 1, 2022, however, the VTL requires all bicycles with electric assist to have a manufacturer’s label affixed thereto identifying the device as either Class 1, 2, or 3 in accordance with VTL standards.

History

06/11/2020 Policy created and effective immediately.