

Public Guidance for the Use of Electric Bikes (E-Bikes) on Reclamation Lands

Secretarial Order (S.O.) 3376, *Increasing Recreational Opportunities through the use of Electric Bikes*, was signed on August 29, 2019, for the purpose of increasing recreation opportunities for all Americans, especially those with physical limitations, and to encourage the enjoyment of lands and waters managed by the Department of the Interior (Interior). S.O. 3376 simplifies and unifies regulation of electric bicycles (e-bikes) on Federal lands managed by Interior and decreases regulatory burden.

The Bureau of Reclamation is currently in the process of reviewing Title 43 of the United States Code of Federal Regulations (CFR) Part 420, Off Road Vehicle Use, for potential revisions that would enable use of e-bikes at Reclamation's recreation areas. In addition, Reclamation Manual Policy, *Recreation Program Management*, [LND P04](#), has been revised to implement the requirements of S.O. 3376.

In addition to the above guidance, please see the following Frequently Asked Questions regarding the use of e-bikes on Reclamation lands.

Secretarial Order 3376, *Increasing Recreation Opportunities through the use of Electric Bikes (E-Bikes)*, Frequently Asked Questions

Does this Secretarial Order address other devices with electric motors, such as electric scooters, electric mopeds, and electric motorcycles?

No. The Secretarial Order and subsequent Reclamation Manual (RM) Policy, *Recreation Program Management*, LND P04 (Policy) revision only applies to e-bikes. E-bikes are defined as two- or three-wheeled cycles with fully operable pedals and an electric motor of less than 750 watts (1 h.p.) that provides propulsion assistance.

Does the Secretarial Order and the subsequent Policy revision address all types of e-bikes, including electric mountain bikes (e-mtbs)?

Yes; the Policy includes all types of e-bikes and does not distinguish between an e-bike and an e-mtb.

Many states have adopted laws and policies that group e-bikes into one of three classes; Class 1 e-bikes have a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the e-bike reaches 20 mph; Class 2 e-bikes have a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the e-bike reaches 20 mph; Class 3 e-bikes have a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the e-bike reaches 28 mph. The Policy does not distinguish among these classes of e-bikes.

Does this memorandum restrict how e-bikes may be used?

Yes. The intent of Secretarial Order 3376 and the subsequent Policy is to allow visitors to use e-bikes for transportation and recreation in a similar manner to traditional bicycles.

Are e-bikes allowed where traditional bicycles are prohibited?

No. e-bikes are allowed only where traditional bicycles are allowed. If Reclamation allows traditional bicycles in a location, then e-bikes may also be used there upon designation of a recreation area as open to e-bikes.

May Reclamation's Regional Directors restrict the use of e-bikes or close areas to e-bikes under certain circumstances?

Yes. Regional Directors may restrict or impose conditions upon the use of e-bikes, or close locations to the use of e-bikes after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives consistent with laws that apply to those issues.

Will there be an opportunity for the public to comment on whether to allow e-bikes at Reclamation’s recreation areas?

Yes. Secretarial Order 3376 provided 30 days to begin implementing these management actions, and Regional Directors and Managing Partners are encouraged to engage with stakeholders and visitors so that they understand where e-bikes will be allowed. There will also be a 60-day public comment period during Reclamation’s process to revise 43 CFR Part 420, Off Road Vehicle Use to clarify e-bike use, if the revision is approved.

Do e-bikes raise safety issues that are not present with traditional bikes?

E-bikes are a new and emerging technology that have gained wider adoption over the past several years. Research on the safety of e-bikes is limited at this time. There is recognition that more research is required to gain a clearer understanding of the differences, if any, between the use of e-bikes and traditional bicycles. While land managers will be considering educational and outreach strategies regarding e-bike use and safety, visitors using e-bikes should familiarize themselves with the safe use of e-bikes.

Are there tools available to identify and assess risks to Reclamation lands associated with e-bike use?

Under the new Secretarial Order and 43 CFR 420.21(c), the Regional Director will inspect designated areas and trails periodically to determine conditions resulting from off-road vehicle use, including e-bikes. If he/she determines that the use of off-road vehicles will cause or is causing considerable adverse effects on the soil, vegetation, wildlife, wildlife habitat, or cultural or historic resources of particular areas or trails of the public lands, under 43 CFR 420.21(c), the Regional Director will close such areas or trails to the type of off-road vehicle causing such effects. No area or trail will be reopened until the Regional Director determines that adverse effects have been eliminated and that measures have been implemented to prevent future recurrence. The public will be notified of restrictions or closure in accordance with Section 420.23.

Are there safety messages that recreation areas can use to educate visitors on e-bike safety?

Recreation Area managers are encouraged to raise awareness on e-bike safety through educational and outreach strategies. Safety tips for consideration are:

- Wear a helmet while riding.
- Check your state laws. Some states have age-specific laws that require wearing a bike helmet.
- Pay attention to traffic. Drivers may not be aware that an e-bike rider is traveling close to their speed.
- Obey speed limits. Some e-bikes may exceed speed limits (typically 25 mph) with the motor engaged.
- Make yourself visible. Wear bright colored and reflective clothes.
- Follow bicycle safety laws. This message can be customized based on common violations within the park (e.g., ride with traffic, not against it).

- Mount and dismount the bike carefully. The added weight of the battery and motor assist technology can add 20 or more pounds to the weight of the bike.
- Slow down at intersections.
- Make eye contact with other drivers before crossing the intersection.

Why aren't e-bikes considered to be traditional bikes and already allowed on Reclamation lands?

In accordance with 43 CFR 420.5(a), e-bikes are currently considered as Off-Road Vehicles as follows:

- (a) *Off-road vehicle* means any motorized vehicle (including the standard automobile) designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or natural terrain. The term excludes: (1) Nonamphibious registered motorboats; (2) military, fire, emergency, or law enforcement vehicles when used for emergency purpose; (3) self-propelled lawnmowers, snowblowers, garden or lawn tractors, and golf carts while being used for their designed purpose; (4) agricultural, timbering, construction, exploratory, and development equipment and vehicles while being used exclusively as authorized by permit, lease, license, agreement, or contract with the Bureau; (5) any combat or combat support vehicle when used in times of national defense emergencies; and (6) "official use" vehicles.

Off road vehicles are subject to closures in accordance with section 420.2, as follows:

General closure. Reclamation lands are closed to off-road vehicle use, except for an area or trail specifically opened to use of off- road vehicles in accordance with Section 420.21.

The Bureau of Reclamation is in the process of reviewing 43 CFR Part 420 for possible revisions in order to implement S.O. 3376. In addition, Reclamation Manual, Policy, *Recreation Program Management*, LND P04, has been revised to implement the requirements of S.O. 3376 as follows:

LND P04, Paragraph 6. Opportunities for Electric Bikes (E-Bikes) at Recreation Areas. In accordance with S.O. 3376, Reclamation will open recreation areas to e-bikes as defined by Section 4 of S.O. 3376 and in compliance with 43 CFR Part 420, Off Road Vehicle Use.

As such, Reclamation's Regional Directors may designate recreation areas as open to e-bike use where traditional bikes are allowed pursuant to 43 CFR Part 420.

What type of information should Reclamation's recreation staff gather about the use of e-bikes at their recreation areas?

Reclamation's recreation staff should gather and maintain information about the use of e-bikes within the recreation area, including information about impacts to public safety, resources, values, and visitor use patterns. Park Managers should collect information about improvements to the visitor experience resulting from the use of e-bikes, including increased visitation and new opportunities for recreation and access.

Is there contact information at Reclamation's recreation areas where specific information concerning e-bikes can be obtained?

Answer: Please visit the home page of the specific recreation area you are inquiring about for contact information. The home pages for many of Reclamation's recreation areas can be found by accessing recreation.gov. <https://www.recreation.gov/>

Does Reclamation's e-bike policy apply to Reclamation lands that have been transferred to other Federal agencies such as other Interior bureaus or U.S. Forest Service lands surrounding Reclamation reservoirs?

No. Reclamation areas that were jurisdictionally transferred to Federal agencies or bureaus will continue to be managed pursuant to their rules and regulations. Reclamation lands transferred to Department of the Interior bureaus are subject to the Secretarial Order and those bureaus policies and regulations.

Where can I find information on trails in my area?

Please contact the nearest office to where you would like to ride your bicycle or e-bike. They can help you identify areas where you can ride. [List of offices](#).