



ON FEBRUARY 8, 2018, BMA MADE THE FOLLOWING STATEMENT:

“The Boulder Mountainbike Alliance (BMA) position on E-bikes on recreational trails might read as a bit of a disappointment: We are neither for nor against E-bikes on recreational trails at this time. Please read on to understand BMA’s thinking.

In summary...

E-bike use on transportation paths provides an obvious community benefit and should be embraced. E-bike use on recreational trails provides some clear benefits to people with less-than-complete physical abilities, but poses unknown threats to mountain bike trail access and could, in theory, cause user conflict, resource damage, and trail damage. More research is needed before an across-the-board ban.

In detail...

Boulder Mountainbike Alliance has focused on being a responsible steward of Boulder County’s public lands since 1991. The City of Boulder arbitrarily banned these newfangled contraptions called “mountain bikes” in 1983 and 1987, in an atmosphere of fear and uncertainty that seems very similar to the issues surrounding E-bikes today. BMA subsequently succeeded in convincing both the City and County of Boulder to allow mountain biking on some, but not all recreational trails.

If BMA felt that the introduction of E-bikes to City or County trails would lead to renewed advocacy against mountain bike access to our public lands, we would oppose E-bikes. However, it is not clear to us that E-bikes represent the threat that many mountain bikers fear. We are not convinced that we will be forced to repeat the access battles of the last 25+ years.

Furthermore, as an organization that was formed in the aftermath of an arbitrary and extreme ban on the mode of recreation that we love, we are naturally suspicious of an across-the-board ban on E-bikes. We face a modern day newfangled contraption – the E-bike.

Instead of an across-the-board ban in 1983, the City could have conducted studies to answer questions like: How can potential conflict be managed? Will mountain bikes lead to damage to our environment or to the trail itself? Or better yet, city leaders in 1983 could have asked: How can we capture the enthusiasm of these newcomers to our open space lands? Can we provide the unique experience that mountain bikers are looking for in a way that makes them enthusiastic supporters of our open space program? Can we find ways to educate other trail users to smooth the transition from a world without mountain bikes on trails to a world of shared use of a public asset? We recommend that these questions now be applied to E-bikes.

BMA is aware of a number of individuals with less-than-complete physical abilities who have discovered E-bikes as a way to visit natural places that they could never access before. Some of these people have real, impairing medical conditions that we believe would fall short of the technical definition of a “mobility disability.” So they would unlikely qualify for the legal medical exemption that would allow them to use E-bikes on some trails. We also know older people who want to continue to enjoy the outdoors as their strength and vitality are

sapped by the inevitable tax of time. Do any downsides of E-bikes outweigh the benefits that E-bikes represent to these populations?

BMA feels that the County's proposed regulatory changes are leading to a public controversy that would have been better to avoid. Has anybody complained yet about a use conflict with an E-bike? Are E-bikes leading to resource damage or user conflict? Is there a real problem? The County has presented no information suggesting that E-bikes represent a hazard to other trail users, to the environment, or to the trails themselves. Finally, could the County even enforce this proposed ban on E-bikes? As battery technology improves and miniaturizes, distinguishing an E-bike from a regular mountain bike will become increasingly difficult.

The County claims that the proposed regulatory changes are simply codifying what has always been county policy because bicycles are defined as "human-powered wheeled vehicles." But this is inaccurate. E-bikes are clearly a new creature that was not even under consideration when this original language was developed. The County's Parks and Open Space regulations (resolution no. 2016-25) state: "Unless otherwise stated the definition of bicycle shall include: all human powered wheeled vehicles. Strollers and wheelchairs are exempted from this definition." So apparently a skateboard is a bicycle. With Type I E-bikes, power is only supplied to the drivetrain if a human is pushing the pedals. So is that a "human powered wheeled vehicle?"

The regulations also state "No person shall operate a motor vehicle, including a car, truck, motorcycle, mini-bike, snowmobile, four-wheel drive or other recreational vehicle, within any County Parks and Open Space area, unless...specifically designated..." The reality is that Boulder County faces a new kind of recreation – something considerably short of a motor vehicle and something that is only partly human powered.

BMA believes that more research is needed before the county implements an across-the-board ban on E-bikes on recreational trails. We do not believe that Boulder County Parks and Open Space, the board of directors of BMA, or the mountain biking public has yet done its due diligence to arrive at definitive answers to the questions we posed above. We commend the county for holding open houses and E-bike demos as a better approach to this issue than has been implemented to date. But we note that these demos are not being held at recreational trail destinations, so they are not likely to yield useful feedback on the specific issue of E-bike compatibility on our recreational trail systems.

BMA will continue to pay attention to the issue of E-bikes on recreational trails as more information becomes available. If our position evolves based on new information and experience, we will revise our E-bike position.