



OTC Regulatory Recommendations to MTO for e-bikes in Ontario

The Ontario Traffic Conference (OTC) wishes to thank MTO for the opportunity to participate in today's stakeholder consultation on the Ministry's e-bikes pilot project.

By way of introduction, the OTC was formed in 1950 by a group of municipal officials, who saw the need for a coordinated effort to improve traffic management in Ontario, by drawing together the knowledge and expertise of those in the field of Enforcement, Engineering and Education.

The OTC mission statement is "*To Develop and Promote Expertise Regarding Traffic Matters Affecting Ontario in Keeping with Current and future Transportation, Social and Environmental Goals through Engineering, Enforcement and Education*".

Our Legislation & Enforcement committee has been reviewing the operational and licensing regulations for e-bikes for some time and we are pleased to provide the Ministry with some recommendations as it moves forward in its review of the pilot project.

Definition of Power-assisted bicycle

The OTC was pleased to see the definition of "power-assisted bicycles" added to the HTA through the recently passed Bill 126. We were pleased to see a restriction to persons over 16 years of age for operating power-assisted bicycles.

Weight of e-bike

The OTC is concerned that some manufacturers have taken advantage of the e-bike pilot project to introduce vehicles that were not intended to be included when the pilot project was initially developed. Manufacturers of scooters made larger bikes or smaller scooters with approved-size engines to fit the pilot and then many operators simply remove the pedals. We suggest that a maximum weight be assigned to qualify an e-bike to ensure that an e-bike is "propelled primarily by muscular power."

Licensing

The OTC believes that power-assisted bicycles should be treated the same as motor-assisted bicycles. The vehicle must be insured, registered and have a valid license plate. The OTC could support even a one-time license, such as those used for trailers to reduce the burden of an annual renewal.

Insurance

The OTC recommends that the Ministry investigate what options exist for insuring damage that can be caused by these vehicles. If there is a collision between an automobile and an e-bike, or a cyclist or pedestrian and an e-bike, how would these damages be covered? A collision between an e-bike at top-speed and a pedestrian or cyclist can present real liability. We would ask the Ministry to survey leading homeowner/tenant and motorcycle insurers to determine if there could be a policy category for e-bikes.

Suspended Drivers

We also call for defining power-assisted bicycles as motor vehicles, so that suspended drivers are not able to use a power-assisted bicycle to circumvent their license suspension. The OTC is very concerned that one of the primary marketing devices by e-bike retailers is that no licensing or insurance is needed, which may appeal to drivers who are prohibited from operating a motor vehicle.

Other Jurisdictions

The State of Pennsylvania seems to offer a regulatory and licensing regime closest to what the OTC is proposing in its recommendations. In Pennsylvania, “motorized pedalcycles” (e-bikes) are registered with the Bureau of Motor Vehicles.

The following information is required to register an e-bike:

- License Plate (\$9.00)
- Vehicle Identification Number
- Weight of vehicle information
- Proof of insurance (approximately \$60 per year in PA)
- Drivers License (M-class not needed)

The OTC would encourage MTO to review practices and experiences of the Pennsylvania Department of Transportation to determine if any of their practices would be feasible in Ontario.