



*Building a Bicycle Friendly America for everyone*

February 25, 2025

Hon. J. Gary Pretlow  
Chair Committee on Ways and Means New York Assembly

Hon. Liz Krueger  
Chair Finance Committee New York Senate

Dear Chair Pretlow and Chair Krueger,

We write to express our grave concern with two aspects of the FY 2026 budget bill for Transportation, Economic Development and Environmental Conservation (Parts G and H).

**The League of American Bicyclists opposes Part H**, which would authorize New York City to establish speed limits for devices operating in bicycle lanes. We believe that setting a speed limit for the bike lane that is different from the speed limit on the road will be both difficult to enforce, and may not meet your goal of improving safety for vulnerable road users.

**The League of American Bicyclists opposes Part G**, which would reclassify certain class 3 e-bikes as mopeds. We believe that New York would be better served by aligning its definition of a class 3 e-bike with federal law and the practices of other states which do not allow speeds over 20 mph exclusively with electric power.

### **About the League of American Bicyclists**

Since 1880, the League of American Bicyclists (the BikeLeague) has been people-powered, with a goal to make bicycling safer and easier as a means of transportation and recreation. Today, the League continues to improve lives and strengthen communities through bicycling. We are more than 200,000 members and supporters strong with more than 1,000 state and local advocacy groups and bike clubs as well as thousands of businesses, universities, and communities together leading the movement to create a Bicycle Friendly America for everyone.

The BikeLeague is at the forefront of promoting bicycling safety, through our education programs for bicyclists and drivers, and in our policy advocacy. We understand that the recent increase in electric bikes has changed the environment for city streets, and would be happy to work with you and our New York partners to help craft a policy environment that promotes safe streets.

## **Opposition to Part H**

The problems we have with a 15 mile per hour bike lane speed limit including the following:

*Inconsistency with state law.* New York state law defines electric bikes in three classes, all three of which can go faster than 15 miles per hour. Manufacturers have adapted to these standards, and now cap e-bikes at these speed thresholds with technology built into the motor controllers of the bikes themselves.

Imposing a 15 mph speed limit on a road with a higher speed limit for car traffic will likely encourage faster cyclists and people riding e-bikes to ride in the travel lane and not in the bike lane, which can cause additional safety and traffic concerns.

*Enforcement Concerns.* There is also evidence that enforcement efforts targeting bicyclists, even in the name of safety, have led to discriminatory enforcement against people of color.

- After bike helmets were made mandatory in Austin, Texas, 92 percent of tickets were issued to African-American and Latino children.
- In 2016, the US Department of Justice found Tampa Police unfairly stopped and ticketed black bicyclists as part of its bike stop program.
- A 2023 study in Chicago found that tickets for biking on the sidewalk were disproportionately issued in black communities.
- In New York City, more than nine in ten tickets for bicycling on a sidewalk issued in 2022 were given to New Yorkers of color.

## **Opposition to Part G**

New York currently has unique laws defining class 3 e-bikes for cities with over a million people in the state of New York. Functionally, this law means class 3 e-bikes in New York City are distinct from class 3 e-bikes in all other states and distinct from e-bikes as regulated by the federal Consumer Product Safety Commission. The proposed weight limit would further create distinct types of e-bikes that are only recognized as e-bikes in New York City.

We believe that New York would be better served by adopting e-bike policies aligned with those of other states and the federal government. Aligning with the practices of other states and the federal government would mean:

- Class 3 pedal-assisted electric bicycles, as currently sold in other states, would become legal in New York.
- Certain “e-bikes” that can travel more than 20 miles per hour on motor power alone would become Class B limited use motorcycles, not electric bicycles, and therefore subject to registration.
- As redefined, Class 3 “bicycles with electric assist” would become subject to CPSC bicycle safety standards, including future battery safety standards.

The BikeLeague believes that the trade association PeopleForBikes has suggested full language that would accomplish the above in a separate letter. Their letter also suggests that

there should be a transition period to accommodate existing class 3 e-bikes in New York City and their riders. The BikeLeague believes that delivery workers who rely on e-bikes in New York City should be a part of crafting how a transition period can work to mitigate burdens while ensuring safety.

The BikeLeague promotes safe infrastructure and policy as the best way to improve safety on our streets. We would be happy to work with you and our New York partners to help craft a policy environment that promotes safe streets. Please contact me at [ken@bikeleague.org](mailto:ken@bikeleague.org) if you have any questions.

Sincerely,

Ken McLeod

Policy Director  
The League of American Bicyclists