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# HUB Cycling Positions on e-bikes

July 8, 2020

## Position 1: HUB Encourages the Use of Electric-Assist e-bikes

**HUB agrees with and supports the current state of the law that electric-assist e-bikes are allowed in bike lanes and need not obtain a licence or insurance to ride on the road.**

HUB Cycling's mission is to get more people cycling more often. Electric-assist e-bikes further this mission because they allow people with physical limits, those with longer commutes, and those facing hilly terrain to cycle more often. Therefore, HUB encourages the use of electric-assist e-bikes.

## Position 2: HUB Recommends Regulatory Changes to Distinguish Electric Motorcycles and Scooters from Electric-Assist e-bikes

**HUB Cycling recommends that the BC Government amend the Motor Assisted Cycle Regulation to match the regulations used elsewhere and endorsed by BC Parks which require power assistance to cease when pedaling ceases.**

**Electric bikes not meeting the Class 1 definition would then be classified as Limited Speed Motorcycles, and be required to meet the regulations for those devices. These devices would not be permitted in bicycle lanes. Consideration should be given to how to deal with transition issues related to currently owned machines.**

**HUB supports the current speed and power limits for electric-assist bikes (32 km/h and 500W respectively). Although these speeds and power limits are higher than required for standard electric-assist bikes, cargo bikes may require higher power.**

HUB Cycling's position is that the definition of an electric-assist bike in British Columbia's [Motor Assisted Cycle Regulation, B.C. Reg. 151/2002](#) improperly captures electric motorcycles and scooters where the motor does not simply function as an assist. The central characteristic of an electric-assist e-bike is that the electrical power assists the person riding. In other words, when the person riding stops pedalling, the power function ought to cease. Unlike electric-assist regulations applicable in Toronto, Europe, and BC

Parks, the B.C. Motor Assisted Cycle Regulation includes electric vehicles that are propelled without the operator utilizing the pedals. As a result, devices, including some wide and heavy scooter-style vehicles, are currently used on bike lanes, and without operator licenses and liability insurance that are required for low speed motorcycles and scooters. There is a safety risk with wider, heavier, and faster devices being treated like electric-assist bicycles: electric-assist e-bikes are typically regular width and only slightly heavier than a bike.

The BC Supreme Court has recently upheld a judgement relating to the definition of Motor Assisted Cycles (MACs), including electric assist e-bikes. An appeal was dismissed because, in the Court’s opinion, the intent of the legislation was for a MAC to supplement or assist the human power required to pedal the vehicle, and not to power the vehicle without the operator pedaling.<sup>1</sup>

BC Parks has implemented an e-bike policy based on an e-bike classification system already being used by industry and other government bodies.<sup>2</sup> This policy could form the basis of an updated and improved Motor Assisted Cycle Regulation, with similar classifications then applied to BC roads.

According to the BC Parks policy, people with Class 1 e-bikes can ride on any BC Parks trail where mountain bikes or other cycling is already allowed. People with Class 2 and 3 e-bikes can only ride on trails and/or roads designated for motorized vehicles, depending on the park.

| Class   | Max Continuous Motor Wattage | Max Speed Before Motor Cut-off | Motor Actuator Method                 |
|---------|------------------------------|--------------------------------|---------------------------------------|
| Class 1 | 500 W                        | 32 km/hr                       | Pedal-assist only (no throttle)       |
| Class 2 | 500 W                        | 32 km/hr                       | Pedal assist and/or throttle actuated |
| Class 3 | 500 W                        | 45 km/hr                       | Pedal assist and/or throttle actuated |

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Last updated July 2020

<sup>1</sup> *R. v. Ghadban*, 2020 BCSC 664, <https://www.bccourts.ca/jdb-txt/sc/20/06/2020BCSC0664.htm>

<sup>2</sup> <http://www.env.gov.bc.ca/bcparks/recreation/biking/>