

| | | |
|---|--|---|
| Title: Pedalcycle (Bike and E-Bike) Policy | | |
| Issued by: Policy Office | Effective Date: 11/28/2022 Scheduled Review: 11/27/2025 | Document Number: 380100-2022-01 |
| Reviewed: 11/28/2022 | | Revised: n/a |
| Approved By: Secretary's Office | | Program Area: Agency-wide |

AUTHORITY

Article 1, Section 27 (PA Constitution)

The implementation of this policy shall be in accordance with Article I, Section 27 of the Pennsylvania Constitution: *"The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people."*

The Department of Conservation and Natural Resources ("DCNR" or "Department") is a trustee of the Commonwealth's public natural resources; State parks and forests are part of the public natural resource trust. As a trustee, the Commonwealth is obligated to conserve and maintain the corpus of the trust for current and future generations. DCNR is mandated to prevent and remedy any degradation, diminution, or depletion of the natural resources.

Conservation and Natural Resources Act

Pursuant to Section 301 of the Conservation and Natural Resources Act ("CNRA"), Act of June 28, 1995, P.L. 89, No. 18, 71 P.S. §§ 1340.101-1340.1103, the Secretary, as head of the Department of Conservation and Natural Resources ("DCNR" or "Department"), is responsible for oversight and management of DCNR lands.

Pennsylvania Vehicle Code

Pennsylvania's Vehicle Code ([75 Pa. C.S. § 102](#)) defines the following:

Pedalcycle ("bike") - A vehicle propelled solely by human-powered pedals ("bike" or "bicycle") or a pedalcycle with electric assist. The term does not mean a three-wheeled human-powered pedal-driven vehicle with a main driving wheel 20 inches in diameter or under and primarily designed for children six years of age or younger.

Pedalcycle with electric assist ("e-bike") - A vehicle weighing not more than 100 pounds with two or three wheels more than 11 inches in diameter, manufactured or assembled with an electric motor system rated at not more than 750 watts and equipped with operable pedals and capable of a speed not more than 20 miles per hour on a level surface when powered by the motor source only. The term does not include a device specifically designed for use by persons with disabilities. (see [DCNR Policy on Use of Powered Mobility Devices by Persons with Disabilities on State Park and Forest Lands](#)).

Pennsylvania's Vehicle Code ([75 Pa. C.S. §§ 3501 et seq.](#)) defines "pedalcycles" as vehicles and provides that every person riding a pedalcycle upon a roadway shall be granted all of the rights and responsibilities applicable to a driver of a vehicle, with certain exceptions.

GUIDING POLICY PRINCIPLES

Diversity Equity and Inclusion Policy Statement

To conserve and maintain Pennsylvania's public natural resources for the benefit of all people, including generations yet to come, we will take intentional action to ensure DCNR lands are accessible to all, provide inclusive and equitable programs and services, and recruit and retain a diverse workforce.

Climate Change Policy Statement

Climate change is real and is impacting the commonwealth's ecological and recreational resources. As the state's leading conservation agency, DCNR will use the best available science to develop and implement climate change adaptation and mitigation strategies within each of its bureaus to minimize these impacts and serve as a role model for the citizens of Pennsylvania.

SCOPE

This guidance applies to all bureaus, divisions, and programs within the DCNR.

PURPOSE

This policy outlines specific guidance regarding the use of bikes and e-bikes ("pedalcycles with electric assist" as defined by the Pennsylvania Vehicle Code) on DCNR managed lands. This policy is also intended to advance recommendations identified in DCNR's planning documents (including the [Pennsylvania Statewide Comprehensive Outdoor Recreation Plan entitled *Recreation for All*](#) and the Bureau of State Parks' [Penn's Parks for All – A Plan for Pennsylvania's State Parks of Tomorrow](#)) related to improving and expanding access to healthful outdoor recreation opportunities for all.

POLICY

The Department generally permits e-bikes on DCNR managed trails already open to human-powered bike usage. E-bikes will be treated by department staff equally to human-powered bikes, provided the e-bikes:

- weigh no more than 100 pounds;
- do not exceed 20 mph using the motor functionality;
- are equipped with a motor no more than 750 watts; and
- are equipped with fully functional, operable pedals.

State Park and Forest Trails

E-bikes, as described above, are permitted on DCNR-managed trails where bikes are allowed. E-bikes are prohibited where bikes are prohibited. On trails designated for non-motorized use, operators shall only use human power or pedal-assist power (electric assistance while pedaling) to operate e-bikes. Using the electric motor exclusively to move an e-bike without pedaling is prohibited on non-motorized trails. All operators shall always adhere to safe speeds and/or advised speed limits along trails and e-bike operators shall never use the electric assistance to exceed 20 miles per hour.

The Department reserves the authority to limit biking within state parks and forests if deemed necessary for public safety, resource management, or other operational considerations. State Park and Forestry bureau directors, in consultation with regional staff, may determine if biking should be restricted on specific trails or roads or segments of trails or roads if determined that such use would significantly and adversely impact visitor and staff safety or hinder the bureau's ability to effectively manage the resource.

Just as it does with human-powered bikes, the Department will evaluate the impacts of e-biking on forest and park lands and actively work to mitigate adverse effects, particularly in regards to public safety and resource protection.

Pedalcycles or vehicles that exceed the weight, wattage, or other specifications identified in this policy are prohibited on DCNR trails.

Public-Use Roads

All pedalcycles are generally permitted on public-use roads within state park and forests, unless otherwise marked as prohibited. Operators shall abide by the Vehicle Code, local traffic laws, and DCNR regulations. It is the responsibility of the operator/rider to know which roads permit pedalcycle use, as well as the rules and regulations that apply to the specific vehicle in use. All pedalcycle operators shall adhere to regulated speed limits. According to Pennsylvania's Vehicle Code ([75 Pa. C.S. § 3514](#)), no person under the age of 16 shall operate an e-bike on state and local highways per the Vehicle Code.

Enforcement and Education

DCNR rangers will enforce all laws and regulations that are applicable to e-bikes in the same manner as they enforce all laws and regulations that are applicable to bikes. DCNR rangers have the authority to cite operators who are creating unsafe trail conditions or causing unwarranted damage to the resource.

DCNR staff will educate and inform visitors regarding the implementation of this policy, safety protocols, and proper trail etiquette through its traditional channels (e.g., website, signage, printed materials, etc.).

The following resources were referenced in the development of this policy:

- [State Electric Bicycle Laws: A Legislative Primer](#)

DISCLAIMER

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of DCNR to give the language in these policies that level of weight or deference. This policy does not create a binding norm and cannot prescribe the Department's actions. This policy simply underscores DCNR's mission "to conserve and sustain Pennsylvania's natural resources for present and future generations use and enjoyment" and providing greater opportunity for permissible recreational use. As such, it is within the Department's discretion to depart from the guiding principles established in this policy.

PAGE LENGTH

3 pages

EFFECTIVE DATE

This policy is intended to be implemented immediately.

EXPIRATION

This policy is to be reviewed and updated every three years.



Cindy Adams Dunn, Secretary

11/28/2022

Date

BACKGROUND

E-bikes have been growing increasingly popular over the past several years, worldwide and here in the United States, as technology and functionality improves and prices decrease. E-bikes may offer people opportunities to expand their outdoor recreational access and even replace mass transit or cars for those interested in a healthier, more environmentally-friendly mode of transportation. E-bikes also serve to expand mobility and opportunities for increased outdoor recreation for those who are aging and/or experience physical limitations.

E-bikes were once treated as mopeds under the PA Vehicle Code, but Act 154 of 2014 amended the definition for pedalcycles so that pedalcycles with electric assist are no longer considered a moped and instead are treated as a bicycle. Act 154 of 2014 established a legal definition for pedalcycles with electric assist in Pennsylvania and authorized their use on Pennsylvania roadways.

The Vehicle Code also defines Motorized Pedalcycle (“Moped”) as a motor-driven cycle equipped with operable pedals, a motor rated no more than 1.5 brake horsepower, a cylinder capacity not exceeding 50 cubic centimeters, an automatic transmission, and a maximum design speed of no more than 25 miles per hour or an electric motor-driven cycle equipped with operable pedals and an automatic transmission powered by an electric battery or battery pack-powered electric motor with a maximum design speed of no more than 25 miles per hour. Mopeds are not considered pedalcycles or pedalcycles with electric assist and therefore are not permitted on DCNR trails. Additional information is available through PennDOT. See the PennDOT’s [PA Micromobility Fact Sheet](#).

[23 U.S. Code § 217](#) defines an electric bicycle as a “bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts.” The federal code also includes definitions for the three classifications of e-bikes.

United States Code ([23 U.S.C. 217](#)) prohibits motorized vehicles on nonmotorized trails and pedestrian walkways that are constructed with Federal-aid highway funds, with exceptions for motorized wheelchairs, snowmobiles where snow conditions permit, and e-bikes under 100 pounds and motor-assisted speed under 20 mph.

Pennsylvania's Vehicle Code ([75 Pa. C.S. § 102](#)), in its definition of pedalcycle with electric assist, does not include a device specifically designed for use by persons with disabilities. Per [DCNR’s Policy on Use of Powered Mobility Devices by Persons with Disabilities on State Park and State Forest Property](#), DCNR permits persons with mobility disabilities to use powered mobility devices for purposes of accessing State park and forest land. In some instances, these areas are not otherwise open for motorized access by the general public. Visitors with mobility disabilities may request permission to use a powered mobility device on State forest and park lands. [Permit application forms](#) are available below and in park and district forest offices.

The goal of this policy is to increase and improve accessibility of Pennsylvania’s state parks and forests through healthful active transportation while ensuring the safety of our visitors and the protection of our resources. DCNR will review this policy every three years to keep track of emerging technologies within the e-bike industry that may pose challenges to public safety and resource protection.