



Resolution 2013-01

E-Bikes

Approved at the 62nd Annual General Meeting June 2013

Preamble:

On October 3, 2006, the Province of Ontario began a pilot project to evaluate the use of power-assisted bicycles (also known as electric bikes or e-bikes) on roads and highways where conventional bicycles were allowed. The pilot was open to all Ontarians 16 years-of-age and older and ran for three years. During the pilot, electric bicycles were treated as bicycles and had to follow the same rules of the road as set out in the Highway Traffic Act that applied to cyclists, with two exceptions:

- Operators had to be 16 years of age or older, and
- All operators had to wear an approved bicycle helmet at all times.

In 2009, the government proceeded with legislative amendments to Bill 126, (the Safer Road Act) to entrench the pilot project's operating requirements in law.

The provincial legislative establishment of E-bikes as a bicycle conflicts with the federal legislative definition of a motor vehicle and electric bike's natural position in the Power Two Wheel (PTW) motor vehicle class with other two-wheeled conveyances. The conflict arises as a result of other two-wheeled conveyances, such as motorcycles, limited speed motorcycles and mopeds all fall under licensing, permit and insurance regulations.

WHEREAS there is a lack of regulatory continuity for Power Two Wheelers relating to E-Bikes, and

WHEREAS the current state of government regulations surrounding PTWs as they relate to E-Bikes is inconsistent, incongruent and inequitable, and

WHEREAS the Province of Ontario has a multi-tiered licence and permit requirements for PTWs, and

WHEREAS there is a need for harmonization of approach for PTWs by bringing E-Bikes under regulatory control and consistent treatment and comprehension by all road users of where E-Bikes fit into the regulatory spectrum by legislators, law enforcement and the public at large.

THEREFORE BE IT RESOLVED the Ontario Association of Chiefs of Police calls on the Government of Ontario to define E-Bikes a motor vehicle under the Highway Traffic Act and require a permit and insurance, and

BE IT FURTHER RESOLVED the Ontario Association of Chiefs of Police calls on the Government of Ontario to provide a lower tier of licencing requirement (similar to M1 written test requirements or the boating on-line test), which would establish a baseline of rudimentary knowledge for PTW operation. This would establish a permit requirement for a nominal or rebate-able fee and require minimal insurance coverage, and

BE IT FURTHER RESOLVED that the Ontario Association of Chiefs of Police calls on the Government of Ontario to consolidate the E-Bike and Moped definitions and performance/restrictions under existing Motor-Assisted Bicycle (Moped) regulatory standards and require (after an education and grace period) that operators and owners of E-Bikes comply with licencing and permit regulations for Mopeds, (this would allow E-Bikes to travel up to 50 km/h – the same as Mopeds).