



**METROPOLITAN
TRANSPORTATION
COMMISSION**

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Memorandum

TO: Commission

DATE: March 19, 2014

FR: Legislation Committee

W. I.: 1131

RE: Committee Recommendations

The Legislation Committee met on March 14, 2014 and referred five items to the Commission:

- **AB 1811 (Buchanan)/AB 2090 (Fong) — Access to Express Lanes/Performance Requirements.** AB 1811 would revise provisions related to express lanes administered by Alameda County Transportation Commission with respect to access to the lanes by high-occupancy vehicles (HOV). AB 2090 would revise provisions in the Santa Clara Valley Transportation Authority (VTA) high-occupancy toll (HOT) lane statute clarifying requirements related to access of HOV lanes and replacing Level of Service requirements with measures that ensure optimal use of the HOT lanes by HOV without adversely affecting other traffic on the state highway system.

Committee Recommendation: Support AB 1811 (Buchanan)/AB 2090 (Fong) — Access to Express Lanes/Performance Requirements and seek amendment to ensure the language in both bills remains consistent.

- **AB 2197 (Mullin) — Temporary License Plate Program.** AB 2197 would require the Department of Motor Vehicles (DMV), in collaboration with qualified industry partners, to develop a temporary license plate system to enable vehicle dealers and lessor-retailers to print temporary license plates on weatherproof paper or other media selected by the DMV and that the system be in operation on or before July 1, 2015.

Committee Recommendation: Support AB 2197 (Mullin) — Temporary License Plate Program.

- **AB 2013 (Muratsuchi) — Expansion of Access to HOV Lanes by Specified Low-Emission Vehicles.** AB 2013 would increase the number of decals the DMV is currently authorized to issue under federal law from 40,000 to an unspecified amount.

Committee Recommendation: Oppose AB 2013 (Muratsuchi) — Expansion of Access to HOV Lanes by Specified Low-Emission Vehicles.

- **AB 2173 (Bradford) — Low-Speed Electric Bicycle.** AB 2173 would expand the definition of a motorized bicycle to create a new classification, i.e. low-speed electric bicycle, and grant them access to Class I bicycle paths, consistent with MTC's 2014 Advocacy Program.

Committee Recommendation: Support AB 2173 (Bradford) — Low-Speed Electric Bicycle.



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Memorandum

TO: Legislation Committee

DATE: March 7, 2014

FR: Executive Director

W. I. 1131

RE: AB 2173 (Bradford): Low Speed Electric Bicycle

Background

Assembly Bill 2173 (Bradford) expands the definition of a motorized bicycle to create a new classification — a “low-speed electric bicycle”— which would be granted new access to Class I bicycle paths, consistent with MTC’s 2014 Advocacy Program (see Goal #6). A low-speed electric bicycle is distinguished from a motorized bicycle by the following characteristics:

- It has fully operable pedals capable of propelling the bicycle without a motor
- It weighs no more than 80 lbs
- It has a lower maximum power output 750 watts (vs. 1000)
- It has a maximum speed of 20 miles/hour when traveling on a paved level surface when powered solely by the motor by a person weighing 170 lbs.

Recommendation: Support and Seek Amendment

Discussion:

AB 2173 would grant riders of electric-assist and other electric bicycles access to a network of bicycle paths they are currently prohibited from using unless a local jurisdiction adopts an ordinance explicitly allowing them. A number of jurisdictions in Northern California have allowed electric bicycles on paths for many years, including Petaluma, Sebastopol, UC Berkeley and UC Davis. The definition proposed in the bill is consistent with the federal Consumer Product Safety Commission classification (16 C.F.R. 1512.1, et seq.). While this definition is considered somewhat outdated in the growing electric bicycle industry, it is a reasonable basis for broadening access, while at the same time maintaining restrictions against use of Class I paths by higher-speed electric bicycles which could cause significant injury to pedestrians or other users. To continue current law’s policy of allowing local jurisdictions ultimate control over trail access, we recommend an amendment to clarify that local jurisdictions may still exclude low-speed electric bicycles from Class I paths as long as they post signs at trail access points.

Support: California Electric Bicycle Association

Oppose: None on file



Steve Heminger

RL: SH

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