

Background/Current Status:

- Under the *Highway Traffic Act* (HTA), e-bikes are treated as bicycles. The current definition of e-bikes in the HTA captures both conventional bicycle style e-bikes and larger moped or motorcycle style e-bikes.
- On May 19, 2018, Transport Canada (TC) released proposed regulatory amendments to repeal the definition of power-assisted bicycle. This means that e-bikes would no longer be regulated by the federal government and Ontario can remove reference to the repealed federal definition.
- Enforcement has raised concerns regarding the safety of larger e-bikes mixing with pedestrians and other vulnerable road users.
- The Ministry held stakeholder consultations May 30 and 31, 2019 with municipalities, enforcement, industry, retailers and road safety stakeholders to present some preliminary options as to how to proceed with regulating e-bikes. The feedback received from stakeholders was positive.
- MTO is proposing legislative and regulatory amendments to the HTA to remove reference to the federal definition of e-bike and substitute it for a new definition developed by MTO. Moped and motorcycle style e-bikes would be treated as mopeds, and require licence, registration and insurance under this proposal. Bicycle-style e-bikes would continue to be treated as bicycles, and would not need to be registered, insurance, and operators would not require a licence.
- A new vehicle type has also emerged and is poised to enter the Ontario market - cargo e-bikes. These are bicycles designed to carry significant amounts of cargo and can be potentially useful for commercial delivery purposes. Due to their intended commercial use, these vehicles are heavier, longer and wider than other bicycles.
- MTO is considering a pilot project that will evaluate the safety of these cargo e-bikes and allow the ministry to monitor how they might be integrated with our current infrastructure and traffic patterns.

E-Bike Framework under consideration following the completion of an educational period:

- 1) Make legislative and regulatory amendments to the HTA to remove reference to the federal definition of e-bike and substitute it for a new definition developed through consultation with key stakeholders. That definition, pending feedback and approval, would include:
 - a. Vehicle Requirements:
 - i. Wheel diameter 350 mm or greater
 - ii. Maximum weight of 65 kg
 - iii. Maximum speed of 32 km/h
 - iv. Twist grip throttles permitted
 - v. No registration or insurance required
 - vi. Maximum engine power – 500 watts
 - vii. Provincial compliance label
 - b. Operator Requirements

- i. No drivers licence required (status quo)
- ii. Minimum operator age – 14
- iii. Helmets required for riders under the age of 18
- iv. Passengers are allowed if there is a seat available - no age restriction

As a result of these legislative and regulatory amendments additional, consequential, legislative and regulatory amendments are also needed to ensure that vehicles once considered e-bikes are now captured under existing vehicle classes. This will allow for their continued on-road use under the existing HTA framework. These additional regulatory amendments include:

- 1) Amend the definition of motor-assisted bicycle (moped) by increasing the allowable weight

This is being recommended as a means of capturing the “moped and motorcycle style” e-bikes that will no longer fit under the HTA definition of e-bike. People that currently own one of these vehicles or purchase one in future will be required to seek the appropriate M-class with (L) condition licence and would be subject to licence, registration and insurance requirements. Also, because we are recommending an allowable maximum weight of 65 kg for an e-bike this would eliminate overlap, and possible confusion, between e-bike weights and moped weights.

- 2) Amend the current definition of Limited-Speed Motorcycle to include reference to electric power.

This is being suggested as a way of aligning all of the rules for two-wheeled vehicle configurations under the HTA regardless of the means of power. Currently the limited speed motorcycle definition is silent about electric power and only makes reference to a displacement volume potentially suggesting only gas power is permitted. If now, or in future, there were an e- limited speed motorcycle being manufactured this may be seen as unnecessary red tape for consumers and business. This amendment is meant to anticipate the needs of business and the market in order to avoid potential confusion or unintended restrictions.

Cargo E-Bikes Pilot Program

The Ministry is proposing the development and implementation of a multi-year pilot program to permit the operation of cargo e-bikes within Ontario. This is being suggested to encourage innovation in response to requests from stakeholders. It will also benefit Ontario’s economic growth in a globally competitive marketplace.

Under consideration is the following:

Vehicle Requirements:

- Wheel diameter – 350mm or greater
- Max. width – 1.2m
- Max. length – 4 m
- No maximum weight
- No insurance/registration required

Operator/Passenger Requirements:

- No licence required
- Minimum operator age – 16
- Passengers allowed, if there is a seat available. No age restriction
- Helmets required for drivers under the age of 18