

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, Section § 42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement:

AGENCY: Department of Environmental Management

DIVISION: Parks and Recreation

RULE IDENTIFIER: 250-RICR-100-00-7 and 250-RICR-100-00-8

RULE TITLE: PART 7 – GENERAL PROVISIONS FOR STATE PARKS AND CONSERVATION

MANAGEMENT AREAS and PART 8 – State Parks

REASON FOR RULEMAKING:

On June 18, 2024, Governor McKee signed into law House Bill 7713 as amended allowing the use of Class 1 electric bicycles (“e-bikes”) on state bike paths. The law also directs the Department of Environmental Management (DEM) to promulgate regulations allowing the use of electric bicycles at properties under the Department’s jurisdiction. Currently DEM regulations prohibit e-bikes on bike paths and on state parks, beaches, and campgrounds, and at state management areas unless the user has received written permission from DEM. To comply with state law, DEM proposed the following amendments to its regulations in Part 7;

- Allow Class 1 E-bikes on bicycle trails or paths under the jurisdiction of the DEM’s Division of Parks and Recreation.
- Prohibit Class 2 and Class 3 E-bikes on DEM properties, bicycle trails or paths, except on roadways under the jurisdiction of the DEM Division of Parks and Recreation.
- Require that all E-bike capable of operating as multiple classes of E-bike remain locked as a Class 1 when operating on bicycle trails or paths under the jurisdiction of DEM Division of Parks and Recreation
- Ensure that assistive mobility devices are permitted on DEM properties
- Ensure that all bicycles and operator propelled devices are operated consistent with state laws
- Cross referencing e-bike regulations in other parts of the regulation
- Defining e-bikes, roadways, motor vehicles and bike path
- Technical amendments to numbering

DEM also proposes the following amendments to its regulations in Part 8;

- Including E-bikes as an operator propelled vehicle

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE:

(if any)

TESTIMONY, COMMENTS AND OBJECTIONS: Please see separate Response to Comments document

CHANGE TO TEXT OF THE RULE:

REGULATORY ANALYSIS:

DATE THE FINAL RULE WAS SIGNED BY THE AGENCY HEAD: