

Public Comments: The proposed rules opened for public comment on February 28, 2025, following recommendations from the Rule Advisory Committee and staff workgroups. Public input was accepted through April 1, 2025, with comments posted weekly on the agency rulemaking website. Two virtual public meetings were held, drawing significant testimony from equestrians concerned about potential safety risks and user conflicts. In total, 165 comments were received, with 123 expressing concerns primarily about speed differences and safety hazards on narrow trails. Many advocated for segregated access based on recreation type, while 38 comments supported the proposed language, emphasizing increased accessibility and minimal trail impact compared to traditional bicycles. See Appendix E.

In addition to public comments, a statewide survey conducted last summer gathered over 3,800 responses, reflecting moderate support for expanded e-assisted bike access while also mirroring concerns about safety and user conflicts. The proposed rules expand to allow e-assisted bikes where traditional bicycles are currently permitted, with restrictions based on terrain, congestion, and other factors. It does not expand to trails that do not allow bicycles such as hiking only or equestrian only trails. Park and district managers retain discretion to prohibit e-assisted bikes in areas with high potential for conflict, such as narrow trails with drop-offs or tight turns. This adaptive approach ensures site-specific management while maintaining overall accessibility.

Staff Recommendation: Based on comments, staff recommendation is to adopt rules as written and work with specific user groups during implementation. For example, a collaborative solution proposed by an equestrian stakeholder suggests working with park officials to evaluate multi-use trail options before the rule takes effect in July. If implemented, the most significant impact on equestrians would occur at Elijah Bristow, Silver Falls, and Stub Stewart state parks, where user conflicts are already common. The agency welcomes this opportunity for collaboration. See Appendix D.

Overall, public feedback highlights key concerns around safety, maintaining quiet natural recreation spaces, and preventing potential environmental harm, while support centers on improved accessibility, consistent regulations, and the belief that e-assisted bikes, when operated responsibly, function similarly to traditional bicycles.

Prior Action by Commission: The Commission approved opening rulemaking of Division 10 and Division 21 rules OAR 736-010-0015, 736-010-0026, 736-010-0028, 736-021-0030, 736-021-0060, 736-021-0065, 736-021-0066 in February 2025.

Action Requested: Staff request adoption of amendments to OAR 736-010-0015, 736-010-0026, 736-010-0028, 736-021-0030, 736-021-0060, 736-021-0065, 736-021-0066 to update e-assisted bicycle rules and requirements for safe operation in state parks and on the ocean shore.

Attachments:

Attachment A marked copy of Division 10 rules
Attachment B marked copy of Division 21 rules
Attachment C clean copy of both divisions
Attachment D example public comment regarding equestrian concerns
Attachment E public comment analysis

Prepared by: Jo Niehaus



Submit a public comment on a rule

Oregon Parks and Recreation Department

Commenter name (if provided):

Kim McCarrel

Date comment received:

March 18, 2025 02:19 PM

Commenter email (if provided):

kim.mccarrel@gmail.com

Location (if provided): Bend, OR

Public comment:

We have two additional thoughts about the proposed rule permitting e-bikes on all trails where mountain bikes are allowed.

RECKLESS BEHAVIOR

We are concerned that a rule prohibiting reckless behavior while riding an e-bike doesn't go far enough to protect equestrians and hikers, for three reasons.

1. Park staff are highly unlikely to be on a given trail at the right time to observe reckless behavior, so this rule is essentially unenforceable.
2. The reckless behavior rule is cold comfort if you're a hiker who is injured trying to get off the trail to avoid a speeding e-bike or a rider who is thrown when an e-bike spooks her horse. OPRD's prohibition of reckless behavior notwithstanding, the injured person is still in the hospital.
3. Behavior doesn't have to be reckless to put another trail user in jeopardy. Not calling out to another trail user until you are close to them is poor etiquette, but it can't be construed as reckless. And yet it can cause the other trail user to get injured.

To protect equestrians and hikers, e-bikes should be limited to trails 8 feet or wider, the beach, and trails specifically designed for bikes.

WHERE ARE THE GREATEST RISKS TO EQUESTRIAN USERS?

We conducted a park-by-park analysis to see which trail users each park permits. We divided the parks that allow horses into 3 categories: those that separate horse and bike users, those where the proposed e-bike rules won't make a difference to equestrians, and those where all of the park's horse trails are shared with bikes.

- Of Oregon's 257 state parks, natural areas, heritage areas, recreation areas, 21 allow horses.
- Ten parks separate horses and bikes on the trails. These include Bob Straub, Bullards Beach, Cape Blanco, Emigrant Springs, Hat Rock, Milo McIver, Nehalem Bay, South Beach, Tryon Creek, and Willamette Mission. Location matters, of course, if the nearest state park that separates horses

and bikes is 80 miles from your home.

- In six parks, the proposed e-bike rules won't make a significant difference to equestrians, either because their trails are wide so they already allow e-bikes or because horses and bikes share the beach but no other trails. These include the Banks-Vernonia Trail, Del Rey Beach, Deschutes River Trail, Fort Stevens, OC&E Woods Line Trail, and Smith Rock. We included Smith Rock in this category because the horse trails are quite short, the trails are very crowded, and trailer parking is virtually non-existent. Equestrians have already been completely displaced from this park. Allowing e-bikes at Smith Rock won't affect equestrians because they're not there.
- Five parks allow bikes on all the trails where horses are allowed. These include Cottonwood Canyon, Elijah Bristow, Stub Stewart, La Pine, and Silver Falls. Bike use in Cottonwood Canyon and La Pine doesn't pose big risks to equestrians because their terrain is flat, sight lines are good, and usage is light. The other three parks, though, represent significant risks for equestrians. Elijah Bristow, Stub Stewart, and Silver Falls are near major metro areas, so they are likely to see a big influx of e-bike riders. And Stub Stewart and Silver Falls feature trails with significant elevation changes, adding speed to the risks posed by frequent wheeled/non-wheeled encounters.

If OPRD decides to approve the proposed e-bike rules despite our concerns, we would appreciate the opportunity – before the rules go into effect – to work with park officials to identify specific trails at Elijah Bristow, Silver Falls, and Stub Stewart where e-bike use should not be allowed. Once e-bike users are allowed on a multi-use trail, there will be no going back, so it's important that these decisions get made before the rules go into effect.

SUMMARY

The equestrian community would like to modify the proposed rules to allow e-bikes on trails eight feet or wider, on the beach, and on purpose-built mountain bike trails. They should not be allowed on single-track multi-user trails.

If OPRD decides to proceed with the proposed rules, we would like to work with park officials to identify specific trails, especially those at Silver Falls, Stub Stewart, and Elijah Bristow, where e-bike use should be prohibited for the safety and enjoyment of other trail users. Any trail-specific decisions should, of course, be made before the proposed rules are implemented.

Thank you very much for considering our views, and thank you for giving us the opportunity to comment.

E-assisted bicycle rulemaking public comment analysis

Feb 28, 2025 – Apr 1, 2025

In total, 165 comments.

General approval of proposed language: 38

Expressed concerns of proposed language: 126

Unclear: 4

Opposition typically revolves around safety (especially around horses), the desire to preserve quiet, slow-paced natural recreation, and concerns that adding motor-assist capability will lead to more hazards, conflicts, or environmental harm.

Support usually cites accessibility for older and disabled riders, minimal trail damage compared to traditional bicycles, and the desire to keep rules straightforward. They emphasize that many Class 1 e-assisted bikes behave much like analog bikes and provide real health and mobility benefits to broader user groups.

50 comments in total specifically mention Horse or Equestrian riders.

Expressed concerns:

- Speed differences & User Conflicts: 105 mentions
- Preference for limited or segregated access: 70 mentions
- Environment or wildlife concerns: 45 mentions
- Slippery slope/ Enforcement: 35 mentions
- Preserving natural experience: 40 mentions
- Equestrians: 50 mentions

General approvals:

- Accessibility: 35 mentions
- E-assisted bikes same as bikes: 20 mentions
- Encouraging outdoor recreation: 25 mentions
- Harmonizing rules and simplifying enforcement: 10 mentions
- Economic/tourism benefit: 8 mentions
- Similar speed and Impact: 15 mentions

Why People Oppose Allowing E-assisted bikes on All Bike-Legal Trails

1. Concerns for Equestrians

- A large subset of opponents are horseback riders (or advocates) who fear that fast, often-quiet e-assisted bikes will startle horses.
- Horses are “prey animals,” easily spooked by sudden appearances; a horse reacting badly can endanger both the rider and any cyclist nearby.

2. Speed Differences & User Conflicts

- Many opponents emphasize safety for hikers, children, dog walkers, and slower users on narrow trails.

- E-assisted bikes can climb uphill faster than traditional bicycles, so conflicts can happen in both directions (downhill and uphill).
- Some object that “reckless” biking already exists with standard mountain bikes; adding e-assist only intensifies that speed conflict.

3. Preference for Limited or Segregated Access

- Opponents sometimes say they support *some* e-assisted bike use—but only on wide trails (e.g., 8 feet or wider) or designated bike-specific routes.
- Others want strictly Class 1 e-assisted bikes allowed, but not Class 2 or 3 (throttle-capable or faster).
- Many want no e-assisted bikes near horse trails, so that equestrians retain some safer areas.

4. Environmental & Wildlife Concerns

- Some argue e-assisted bikes constitute “motorized vehicles,” which should remain prohibited from certain natural/sensitive areas (including beaches with wildlife).
- Fear that higher speeds, heavier bikes, or broader trail use will worsen erosion and disturb wildlife.

5. Slippery Slope / Enforcement

- Worries about how to enforce speed/class limits.
- Some fear that admitting e-assisted bikes will encourage illegal use of higher-powered electric motorcycles on the same trails.

6. Desire to Preserve “Natural Experience”

- A faction views e-assisted bikes (and sometimes all bikes) as eroding the sense of “peace and quiet” in nature.
- They dislike seeing “tech and motors” in what they consider a refuge from modern noise.

Why People Support Allowing E-assisted bikes Where Regular Bikes Are Allowed

1. Accessibility & Inclusivity

- By far the most common pro-e-assisted bike theme is **mobility for older adults, people with health issues, or disabilities** who can’t use a standard bicycle.
- They see e-assist as an “equalizer” that keeps them active and outdoors.

2. E-assisted bikes as Bikes, Not Motorcycles

- Many argue that Class 1 pedal-assist e-assisted bikes function almost the same as normal bikes (only helping uphill or at lower speeds).
- They believe e-assisted bikes do not cause more environmental damage, pointing to studies showing little difference in trail impact compared to non-assisted bicycles.

3. Encouraging Outdoor Recreation

- E-assisted bikes get more people enjoying trails and nature, boosting park use and potential funding.
- Some see this as an overall benefit to public health and to fostering a deeper appreciation of state lands.

4. Harmonizing Rules & Simplifying Enforcement

- Supporters often say that forbidding e-assisted bikes on trails already open to conventional bikes is confusing or arbitrary.
- They see a consistent “treat e-assisted bikes like regular bikes” rule as simpler for riders, land managers, and law enforcement.

5. Economic/Tourism Benefit

- A handful note that e-assisted bike tourism is growing; letting e-assisted bikers ride in scenic areas can boost local economies.

6. Studies Show Similar Speeds & Impacts

A few cited actual research from other states or agencies indicating no significant adverse impact on speed differentials, safety, or trail wear.