

**Suggested Amendments to Proposed
Department of Conservation and Recreation Regulations**

302 CMR 11, 12, as proposed, appear in regular typeface
Additions to proposed 302 CMR 11, 12 marked in **bold and underlined**
Deletions to proposed 302 CMR 11,12 marked in ~~striketrough~~

302 CMR 11.00: PARKWAYS, TRAFFIC, AND PEDESTRIAN RULES

11.02: Definitions

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Electric Bicycle means a bicycle with an electric motor that has power output of not more than 750 watts, fully operable pedals for human propulsion, and meets the criteria for one of the following three classes: (a) a class 1 electric bicycle is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; (b) a class 2 electric bicycle is a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour; or (c) a class 3 electric bicycle is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and is equipped with a speedometer.

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Motorized Personal Vehicle means any two-wheeled conveyance powered by a motor, including, but not limited to, a self-balancing board; or electric scooter; ~~or electric bicycle.~~ **The term does not include an electric bicycle.**

11.03: Rules Relating to Vehicular Traffic

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(13) Bicycle Rules. All pedestrians, bicycle, **electric bicycle**, and other vehicle operators on DCR roadways and other DCR property shall abide by all Massachusetts laws and regulations regarding bicycles, including but not limited to, bicycle operation and equipment, in M.G.L. c. 85, §§ 11B, 11B 1/2, 11D. **An electric bicycle may be operated on paved surfaces to the same extent as a bicycle.**

302 CMR 12.00: PARKS AND RECREATION RULES

12.02: Definitions

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Electric Bicycle means a bicycle with an electric motor that has power output of not more than 750 watts, fully operable pedals for human propulsion, and meets the criteria for one of the following three classes: (a) a class 1 electric bicycle is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; (b) a class 2 electric bicycle is a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour; or (c) a class 3 electric bicycle is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and is equipped with a speedometer. A device that meets the definition of an electric bicycle is not a “power-assisted bicycle.”

12.12: Rules of Conduct on DCR Properties – Non-Motorized Vehicles; Trails

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(12) No person may operate any motor vehicle upon or over any designated nonmotorized trail, except to cross over a non-motorized trail where such crossing is designated by the Department or allowed by duly authorized DCR permit.

(13) The Department may designate trails as open to electric bicycles or a particular class of electric bicycles.

12.14: Rules of Conduct on DCR Properties – Recreational Vehicles

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(14) No person shall operate any moped, scooter or any power-assisted bicycle or other motorized wheeled vehicle, other than a wheelchair, on DCR property unless the operator holds a valid motor vehicle license and the vehicle is equipped for legal operation on Massachusetts public ways, or is otherwise permitted.

(15) An operator of electric bicycle is not required to hold a motor vehicle license or registration. When operating an electric bicycle on DCR property, a person must comply with the laws and policies that apply to the operator of a bicycle.