



peopleforbikes

P.O. BOX 2359 BOULDER, CO 80306
PeopleForBikes.org | 303.449.4893

Commissioner Ydanis Rodriguez
New York City Department of Transportation
55 Water Street
New York, NY 10041

July 9th, 2025

Re: Proposed Rulemaking to Amend Sections 4-01 and 4-06 of Chapter 4 of Title 34 of the Rules of the City of New York

Dear Commissioner Rodriguez,

PeopleForBikes appreciates the opportunity to provide comments on the New York City Department of Transportation's proposed rule ([DOT-90](#)), which would amend Sections 4-01 and 4-06 of Chapter 4 of Title 34 of the Rules of the City of New York to impose new speed restrictions on bicycles with electric assist ("e-bikes"), electric scooters, and pedal-assist commercial bicycles operating on City streets.

We write in strong opposition to this proposed rule. If adopted, it would significantly undermine New York City's progress toward cleaner, safer, and more accessible transportation options by imposing arbitrary and unnecessary speed limits on a critical category of low-emission vehicles. As the national trade association representing more than 300 U.S. bicycle businesses, including manufacturers, suppliers, and distributors of electric bicycles, PeopleForBikes urges DOT to withdraw this proposal and pursue evidence-based strategies for improving transportation safety and equity.

About PeopleForBikes

PeopleForBikes is a national bicycle organization and the U.S. bicycle industry's trade association representing more than 340 bicycle industry supplier members and nearly 1.4 million individual supporters, including more than 13,000 NYC residents.. Through our three areas of influence — infrastructure, policy, and participation — we accelerate the construction of safe, fun, and connected places to bike; advance pro-bike and pro-bike-business legislation; and reduce barriers to welcome more people to the joys of riding a bike.

Our Concerns with the Proposed Rule

1. No Clear Safety Rationale or Supporting Data

The proposed rule offers no evidence, such as crash data, injury statistics, or operational studies, to justify reducing the speed limit for e-bikes and pedal-assist commercial bicycles from 25 mph to 15 mph. Without a factual basis for the rule, its potential to improve safety is purely speculative.

In fact, research shows that the greatest threats to micromobility users stem from interactions with motor vehicles, not excessive rider speed. Lowering speed limits for e-bikes on streets shared with faster-moving cars may lead to more dangerous overtaking conditions, increase sidewalk riding, and reduce safety by creating greater speed differentials between different modes.

2. Conflict With State Law

The proposed rule is not merely inconsistent with state law, it is prohibited. Under New York Vehicle and [Traffic Law \(VTL\) § 1600](#), local authorities, including New York City, are explicitly barred from enacting any ordinance, rule, or regulation that is “contrary to or inconsistent with the provisions of this chapter” unless expressly authorized to do so.

While the proposed rule references [VTL § 1282](#), which sets a 15 mph speed limit for electric scooters, that statute applies only to scooters and was adopted by the New York State Legislature, not a local agency. There is neither a comparable legislative speed limit for electric bicycles in state law nor the authority granted to NYC DOT to adopt one on its own.

Speed limits are simply not a matter of local discretion. The Legislature has directly regulated micromobility speeds where it has seen fit, and has not delegated that power to cities. Attempting to fill that gap through administrative rulemaking exceeds the City's authority and conflicts with the state's comprehensive traffic code. Moreover, relying on administrative classifications or definitions under City rules cannot substitute for legislative authorization. NYC DOT's regulatory powers under [Section 2903\(a\)](#) of the City Charter do not extend to matters expressly governed by state law, and DOT cannot enact rules that contradict or supplement statewide vehicle operation standards.

This rule will invite legal challenges and is likely to be struck down on the basis that it unlawfully intrudes into a field reserved to state law.

3. Arbitrary Treatment of E-Bikes vs. Human-Powered Bicycles

The proposed rule preserves the 25 mph speed limit for “human-powered devices” while reducing the limit for e-bikes and commercial pedal-assist bicycles to 15 mph, despite the fact that New York City’s permitted e-bike classes are already speed-limited by design. Class 1 e-bikes are pedal-assist only and limited to 20 mph. Class 2 e-bikes may operate using a throttle and are also limited to 20 mph. Class 3 e-bikes are permitted to operate at speeds up to 25 mph using throttle alone.

This distinction assumes - without a factual basis - that heavier e-devices are inherently less safe, but fails to account for braking capabilities, user behavior, infrastructure design, or traffic context. The rule effectively punishes users of some forms of cleaner, more efficient technology while leaving conventional bikes, which can easily exceed 15 mph, untouched. It also creates an inequitable standard for legal vehicles using the same public streets by allowing higher speeds for cars and pedal-only bicycles while restricting low-speed, space-efficient micromobility users to arbitrary limits that are unsupported by evidence or fairness.

4. Bad Policy Precedent and Industry Harm

New York City would be the first major U.S. city to set a uniform, street-level speed limit for e-bikes that differs from general traffic laws. While vehicle-specific speed limits occasionally appear on recreational multi-use paths, they are not the norm on public roads. Creating an e-bike-specific street speed limit sends a signal that electric bicycles are inherently dangerous or incompatible with urban mobility. That message is at odds with the City’s own [goals](#) to promote mode shift, reduce emissions, and build a connected micromobility network. Worse, it opens the door to future restrictions on conventional bikes, which often travel at speeds greater than 15 mph in traffic-separated lanes and have every right to do so..

A Better Approach

Rather than impose a blanket speed limit that lacks justification and undermines micromobility adoption, we urge DOT to:

- Ask the Legislature to amend New York’s E-bike laws to reflect the nationally recognized [three-class definition](#)
- Focus on speed management for *motor vehicles*, which are the leading cause of roadway injuries and deaths
- Invest in expanded protected bike infrastructure and physical traffic calming measures
- Support education and public awareness campaigns on safe riding and proper device use

- Leverage existing enforcement tools against reckless or unsafe riding behavior on a case-by-case basis

PeopleForBikes stands ready to support DOT in these efforts, and we welcome the opportunity to work together to ensure New York City remains a national leader in transportation innovation and sustainability.

Thank you for your consideration of our comments.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Noah Miterko". The signature is fluid and cursive, with the first name "Noah" being more prominent than the last name "Miterko".

Noah Miterko

Senior Manager of State and Local Policy | PeopleForBikes

noah@peopleforbikes.org