

**ANCHORAGE, ALASKA  
AO No. 2024-51**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE**  
2 **MUNICIPAL CODE SECTIONS 09.04.010, 9.38.020, AND 25.10.010 TO REFINE**  
3 **THE DEFINITION OF THE “ELECTRIC BICYCLE” AND INCREASE EQUITABLE**  
4 **ACCESS AND IMPROVE USER SAFETY ON TWO-WAY MIXED-USE TRAILS**  
5 **AND SIDEWALKS.**  
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7  
8 **WHEREAS**, the Anchorage Assembly passed AO No. 2023-65(S-1), As Amended,  
9 defining the term “vulnerable road user” and has worked to increase safety for  
10 vulnerable road users on streets and roadways; and

11  
12 **WHEREAS**, in the MOA, vulnerable road users share sidewalks and the two-way  
13 mixed-use trail system; and

14  
15 **WHEREAS**, electric bicycles represent an exciting and emerging alternative mode  
16 of transportation with the potential to increase access to Anchorage’s extensive trail  
17 system; and

18  
19 **WHEREAS**, electric bicycles also have the potential to bring increased mass and  
20 velocity to the trails, and with them increased risk to other vulnerable road users and  
21 trail users, particularly in areas that previously posed no similar risk; and

22  
23 **WHEREAS**, as with any new and potentially disruptive technology, electric bicycles  
24 have yet to become a uniformly defined and regulated mode of transportation; and

25  
26 **WHEREAS**, the Anchorage Assembly bears the responsibility to both increase  
27 equitable access for vulnerable road users to mixed-use trails and sidewalks but to  
28 ensure the safety of all its users by establishing nominal power guidelines and speed  
29 limitations for bicycles and devices with low-speed electric motors; and

30  
31 **WHEREAS**, the entire nation of Canada has limited the maximum output of electric  
32 bicycles sold and used within its jurisdiction to no more than 500 watts; and

33  
34 **WHEREAS**, a nominal limit of 500 watts complies with Federal statute, 15 USC  
35 2085, which prohibits low-speed electric bicycles from producing 750 watts or more;  
36 now, therefore,

37  
38 **THE ANCHORAGE ASSEMBLY ORDAINS:**

39  
40 **Section 1.** Anchorage Municipal Code section 09.04.010 is hereby amended to  
41 read as follows (*the remainder of the section is not affected and therefore not set*  
42 *out*):

43  
44 **09.04.010 Definitions.**

1  
2 *Bicycle* means an [A LOW-SPEED] electric bicycle and any device propelled  
3 solely by human power upon which any person may ride, having at least two  
4 tandem wheels either of which is more than 14 inches in diameter. (CAC  
5 9.04.070; AO No. 78-72; AO No. 2011-113(S), § 1, 11-22-11, eff. 12-22-11)

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8  
9 *Electric bicycle* means a bicycle equipped with fully operable pedals, a saddle  
10 or seat for the rider, and an electric motor of no more than 500 watts; that  
11 can safely share a bicycle transportation facility with other users of such  
12 facility; and meets the requirements of one of the following classifications:

13  
14 \*\*\*      \*\*\*      \*\*\*

15 [HIGH-SPEED ELECTRIC BICYCLE MEANS ANY BICYCLE OR TRICYCLE  
16 WITH FULLY OPERABLE PEDALS, AN ELECTRIC MOTOR OF MORE  
17 THAN 750 WATTS (1 H.P.), AND A MAXIMUM SPEED ON A PAVED LEVEL  
18 SURFACE, WHEN POWERED SOLELY BY SUCH A MOTOR AND WHEN  
19 CARRYING ONE PERSON WEIGHING 170 POUNDS, OF MORE THAN 20  
20 MILES PER HOUR. FOR PURPOSES OF THIS TITLE, HIGH-  
21 SPEED ELECTRIC BICYCLES ARE MOTOR-DRIVEN CYCLES. ( AO NO.  
22 2016-67, § 1, 6-21-16 )]

23  
24 \*\*\*      \*\*\*      \*\*\*

25  
26 *Motor-driven cycle* means any motorcycle, motor scooter, moped or bicycle  
27 with a 50cc or smaller engine displacement motor attached or producing less  
28 than five brake horsepower, or any [HIGH-SPEED ELECTRIC] bicycle  
29 equipped with an electric motor greater than 500 watts. (CAC 9.04.280; AO  
30 No. 78-72; AO No. 89-52; AO No. 2011-113(S), § 1, 12-22-11; AO No. 2016-  
31 67, § 1, 6-21-16 )

32  
33 \*\*\*      \*\*\*      \*\*\*

34  
35 [LOW-SPEED ELECTRIC BICYCLE MEANS ANY BICYCLE OR TRICYCLE  
36 WITH FULLY OPERABLE PEDALS, AN ELECTRIC MOTOR OF NO MORE  
37 THAN 750 WATTS (1 H.P.), AND A MAXIMUM SPEED ON A PAVED LEVEL  
38 SURFACE, WHEN POWERED SOLELY BY SUCH A MOTOR AND WHEN  
39 CARRYING ONE PERSON WEIGHING 170 POUNDS, OF NO MORE THAN  
40 20 MILES PER HOUR. FOR PURPOSES OF THIS TITLE, LOW-SPEED  
41 ELECTRIC BICYCLES ARE NOT MOTOR VEHICLES OR MOTOR-DRIVEN  
42 CYCLES.]

43  
44 \*\*\*      \*\*\*      \*\*\*

45  
46 (AO No. 2011-113(S), § 1, 12-22-11; AO No. 2016-67, § 1, 6-21-16 )

47  
48 **Section 2.** Anchorage Municipal Code section 09.38.020 is hereby amended to  
49 read as follows:

50  
51 **9.38.020      Applicability of traffic laws to riders.**

1  
2 A. Every person operating a bicycle shall be granted all of the rights and  
3 shall be subject to all of the duties applicable to a person operating a  
4 vehicle by this title, except as to special regulations in this chapter,  
5 and except as to those provisions of this title which by their nature  
6 have no application.

7  
8 B. A person shall not operate a bicycle so as to suddenly leave a curb or  
9 other place of safety and move into the path of any other vehicle so  
10 close as to constitute an immediate hazard.

11  
12 C. A person operating a bicycle, electric bicycle, or a device moved solely  
13 by any combination of human muscular power, wind or gravity, upon  
14 and along a sidewalk, trail or pathway shall have all the rights and  
15 duties applicable to a pedestrian under the same circumstances as  
16 follows:

17 \*\*\* \*\*

18 (CAC 9.38.020; AO No. 78-72; AO No. 2005-77, § 2, 11-22-05; AO No. 2011-  
19 113(S), § 107, 11-22-11, eff. 12-22-11; AO No. 2016-67, § 3, 6-21-16 )

20  
21 **Section 3.** Anchorage Municipal Code section 25.10.010 is hereby amended to  
22 read as follows:

23  
24 **25.10.010 Definitions.**

25  
26 The following words, terms and phrases, when used in this title, shall have  
27 the meanings ascribed to them in this section, except where the context  
28 clearly indicates a different meaning:

29  
30 *Agency* means any department, office or subdivision of the municipality.

31  
32 *Contract* means an agreement of any kind, including an option, regardless of  
33 what it may be called.

34  
35 *Motor vehicle* means any vehicle propelled by a force other than electric  
36 current, human muscular power, gravity or wind, including, without limitation,  
37 automobiles, jet skis, hydroplanes, boats, all-terrain vehicles, three-wheelers,  
38 motorcycles, motor-driven cycle[HIGH-SPEED ELECTRIC BICYCLES],  
39 snowmachines and model cars and boats, and airplanes. For purposes of  
40 this title, [low-speed] electric bicycles as defined in section 9.04.010 are not  
41 motor vehicles[, AND THE DEFINITIONS OF HIGH- AND LOW-SPEED  
42 ELECTRIC BICYCLES ARE AS PROVIDED IN SECTION 9.04.010].

43  
44 *Municipal land* means any real property owned by the municipality, including  
45 real property to which the school district has been granted management  
46 authority pursuant to section 25.10.050.

47  
48 *Real property* means any interest in real property under the law of the state,  
49 including but not limited to a fee, easement or leasehold interest, but  
50 excluding a revocable license or permit to use real property.  
51

(AO No. 79-170; AO No. 86-102; AO No. 2016-67, § 5, 6-21-16 )

**Section 4.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk

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# MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 438-2024

Meeting Date: May 7, 2024

1 **From: Assembly Member Martinez**

2  
3 **Subject: AO 2024-51 – AN ORDINANCE OF THE ANCHORAGE ASSEMBLY**  
4 **AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS**  
5 **09.04.010, 9.38.020, AND 25.10.010 TO REFINE THE DEFINITION**  
6 **OF THE “ELECTRIC BICYCLE” AND INCREASE EQUITABLE**  
7 **ACCESS AND IMPROVE USER SAFETY ON TWO-WAY MIXED-**  
8 **USE TRAILS AND SIDEWALKS.**  
9

10 The proposed ordinance seeks to both simplify the current language in code and  
11 account for the unique nature and growing prevalence of electric bicycles. This  
12 technology has the potential to greatly increase access to Anchorage’s vast and  
13 beautiful network of trails, particularly for populations that may have previously been  
14 unable to access these areas. However, these devices represent a largely  
15 unregulated sector of the transportation industry, with models ranging from the  
16 pedestrian to the remarkably powerful.  
17

18 Currently our code classifies e-bikes as either “low-speed” or “high-speed”. This  
19 ordinance proposes to do away with this subclassification and instead set a  
20 reasonable benchmark of 500W for determining how an e-bike should be regulated.  
21 The new standard would treat e-bikes of 500W or less as bicycles, while anything  
22 more powerful than 500W would be considered a motor-driven cycle for the  
23 purposes of code.  
24

25 **I request your support for the ordinance.**

26  
27 Prepared by: Assembly Counsel’s Office

28  
29 Respectfully submitted: George Martinez, Assembly Member  
30 District 5 – East Anchorage