Opplysningskontoret for Terrengsykling

Consultation:
NOU 2024:10 Ny motorferdsellov

Ministry of Climate and Environment
Section for Nature and Outdoor
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How will the proposed motor vehicle law affect cycling in Norway?

Summary
The Information Office for Mountain Biking (OFT) strongly opposes the Motor Vehicle Law Committee's proposal for a national ban on e-bikes outside of gravel roads and surfaced multi-use paths in wilderness areas. This proposal would have significant negative effects on cycling as a mode of transport, public health, and Norwegian tourism. E-bikes are crucial for achieving national goals for increased cycling and contribute to a greener transition. Furthermore, there is no evidence to suggest that e-bikes cause more wear on trails than traditional bikes. The ban would especially impact the elderly, beginners, and those with disabilities. We recommend a knowledge-based approach to trail management instead of a general ban on one specific user group.

Background
On May 21, 2024, the Norwegian Motor Vehicle Law Committee presented a proposal for a new motor vehicle law at the request of the government. This law regulates the use of motorized vehicles in nature, with the main rule being that motorized traffic in wilderness areas is prohibited. However, the Road Traffic Act classifies e-bikes that comply with the European NS-EN 15194 standard (250W/25 km/h) as bicycles. E-bikes have thus been exempt from the general ban on motorized traffic in wilderness areas since 2017, and in Oslo since 2019. Municipalities have had the authority to restrict or prohibit the use of e-bikes where this has caused problems. The proposal for a new motor vehicle law includes a national ban on e-bikes outside of gravel roads and surfaced multi-use paths. As a consequence, ebikes will not be allowed on purpose built mountain bike trails.

Current Situation
The Motor Vehicle Law Committee has concluded that the level of conflict related to e-bikes in Norwegian nature is very limited: *"Since the exemption was introduced in 2017, no Norwegian municipalities have imposed restrictions by regulation on e-bikes, so the problem today and the potential conflict highlighted by the committee is very limited"* (NOU 2024:10, p. 282). This is despite the significant market growth for e-bikes and the fact that e-bikes have been legal on trails since 2017.

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The low level of conflict can partly be explained by the fact that e-bike users mainly use the bikes in central areas and local neighborhoods. Norway has set a goal that 8% of all future mobility should be by bike, and 20% in cities (Regjeringen.no). To achieve this goal, e-bikes have been a key factor, as they remove barriers related to physical fitness and make it possible for more people to choose the bicycle as a greener and healthier transport alternative. The share of e-bikes in Norwegian bicycle sales has increased from 1% in 2013 to 23% in 2022, and e-bikes are now becoming the definition of a "regular bike" in Norway (Norwegian Sports Industry Association, 2013-2022).

The demand for e-mountain bikes is particularly high. According to industry players, at least 30-37% of the e-bikes sold are mountain bikes, and if you include the proportion of electric hybrid bikes (40-45%) with all-terrain tires and suspension forks, mountain bikes make up a clear majority of the e-bikes sold. This reflects Norwegians' desire for a wide range of uses for their bikes, such as taking a shortcut through the forest to football practice or cycling into nature on weekends to pick mushrooms.

It's also worth noting that 24% of buyers of e-mountain bikes in Europe have been cycling for less than two years, making this category the one that recruits the most new cyclists (Sporting Insights, 2023). This trend is supported by the Norwegian cycling industry, which sees the strongest recruitment among beginners, while enthusiasts still prefer analog bikes. This insight is crucial to understanding why the level of conflict related to e-bikes in nature is so low; most e-cyclists use their bikes on roads and trails in their local area and neither have the skills nor the intention to cycle in remote and vulnerable natural areas.

At the same time, Norway has seen a very positive development in terms of purpose built mountain bike trails and mountain biking facilities, which have good durability and channel cyclists in a way that makes the cycling experience both dynamic and fun. Mountain biking has thus become an important part of Norwegian tourism, and the most popular facilities, such as Trysil Bike Arena, attract nearly a hundred thousand visitors from home and abroad each year, contributing billions to local value creation. Beginners are among the most important target groups for these facilities, where e-bikes are often the dominant type of bike, and here too, the level of conflict is absent.

Tourism is one of the five priority export initiatives in the government's export reform "Hele Norge eksporterer" (All of Norway Exports), and cycling tourism is an important part of Norway's tourism product in the summer season. The European mountain bike market includes about 30 million potential guests, and Norway has never received more attention in this market than now. In a recent survey of 16,000 European mountain bikers, Norway was ranked fourth among destinations they wanted to visit—ahead of popular cycling countries like Italy, Spain, and Croatia (Mountain Bike Tourism Forum, 2022). This position is due not only to Norway's outstanding nature but also to well-functioning legislation that makes European mountain bikers perceive Norway as a mountain bike-friendly country.

Documentation Related to Wear, Conflicts, and Attitudes

There is no documentation showing that e-bikes wear more on nature than traditional bikes. In a study conducted by the International Mountain Bicycling Association (IMBA), the wear and tear from analog mountain bikes, e-bikes, and electric motorcycles were compared on a purpose built trail section. The results showed a clear difference in wear between electric motorcycles and analog mountain bikes, while e-bikes and analog bikes had almost identical wear (IMBA, 2015).

The Norwegian Institute for Nature Research (NINA) in its report "Wear and Suitability for Trails Used for Cycling" (2020) found evidence that cyclists on e-bikes ride longer than those on analog bikes. The report also supports the assumption that e-cyclists generally have a lower skill level than mountain bikers on analog bikes. The report does not indicate that e-bikes move further into untouched terrain (NINA, 2020).

A report from the United Kingdom, "The Future Directions and Trends for Off-Road e-MTB Use and Impact in Great Britain" (Campbell, 2022), shows that sensitive terrain and unknown trails are the least important trails for current and potential e-mountain bikers. This is not surprising, as mountain biking in challenging and remote terrain requires higher technical cycling skills, navigation, and trip planning, including considering battery life. The European Mountain Bike Survey from 2022 (Mountain Bike Tourism Forum, 2022) shows that e-cyclists travel about 18.6% longer distances and 15.2% more altitude meters than traditional cyclists. The majority of cyclists in the British survey (63%) reported that they cycle several laps on the same trail when using an e-mountain bike. Considering that e-bike rides often start from home, there is little indication that e-bikes lead to increased traffic in untouched and vulnerable terrain.

Another important aspect is mountain bikers' attitudes and sense of responsibility in nature. The Motor Vehicle Law Committee's proposal to exclude e-bikes from nature may be based on a stereotypical view of mountain bikers as reckless and negligent. However, a study of 3,780 European cyclists found that mountain bikers are largely driven by an emotional appreciation of nature. The majority have also taken direct measures to protect nature and changed behavior to reduce their environmental impact (Campbell et al., 2021).

Likely Consequences of the Ban

In the rest of Europe, there is no distinction between analog bikes and e-bikes. An e-bike that meets the NS-EN 15194 standard is, by definition, a bicycle, whether it is used in the city or in nature. If Norway introduces a ban on e-bikes on trails, we will have the most restrictive e-bike policy in Europe.

Such a policy will have far-reaching consequences:

- **Reduced Attractiveness for E-Bikes:** The ban will make e-bikes less attractive as a means of transport, as many trails and paths will become illegal to use, thereby limiting their usage. Cyclists will also need more knowledge about where it is legal to cycle, which can be perceived as a barrier to the use of e-bikes.
- **Unfair Impact on Vulnerable Groups:** The ban will particularly affect the elderly, beginners, and people with disabilities. In the British study (Campbell, 2022), there was a higher proportion of older e-MTB riders (especially in the 45-74 age group) compared to general MTB statistics. Furthermore, 15% of respondents reported living with a disability or a long-term health condition, which is proportional to the general population in the UK. It is likely that a ban on e-bikes on trails will make mountain biking less accessible for these groups.
- **Negative Impact on Tourism:** Tourism is an important part of Norway's economy, and cycling tourism plays a central role, especially in the summer season. Norway has seen increasing interest from European mountain bikers in recent years, and in a survey of 16,000 European mountain bikers, Norway was ranked fourth among destinations they were interested in visiting, ahead of countries like Italy, Spain, and Croatia (Mountain Bike

Tourism Forum, 2022). The introduction of a ban on e-bikes in nature will make Norway less attractive as a destination for cycling tourists, which will have significant economic consequences for both local communities and the national economy.

- **Increased Complexity in Legislation:** It must also be assumed that many municipalities will take the opportunity to make local adjustments to the law, resulting in extensive and resource-intensive processes in the municipalities. Once the local regulations are in place, we risk Norway appearing as a patchwork of different e-bike regulations, which will be extremely resource-intensive to develop and comply with, and which will make it more difficult for cyclists to navigate. This runs counter to the intention of simplifying current legislation.

Recommendations for Managing Wear and Conflicts

Mountain biking contributes significantly to the Norwegian economy and public health, while all outdoor activities result in some degree of wear. Based on the available insights, this wear will be roughly the same whether one walks or cycles, with or without electric assistance.

In Norway, we have had a relatively minimalist approach to trail management, especially compared to, for example, the Alpine countries. Traditionally, trail networks have developed through passage over time, and many of these trails are characterized by being the quickest route from A to B. Low-lying areas, which are often perceived as easier to travel in, are also where water collects, contributing to many trails becoming wet and vulnerable. With the growth of modern outdoor activities, especially hiking to access mountain peaks, there have also been more steep trails that go straight up the fall line, accelerating erosion.

Much of the wear we see today, as a result of a growing Norwegian outdoor life, could have been managed more sustainably with better knowledge and a broader toolkit in management. For many years, boardwalks have been the only tool used, but in recent years, the theory and knowledge of sustainable trail facilitation have become more widespread. The mountain bike industry has in many ways been a pioneer in this field: Already in the 1990s, the International Mountain Bicycling Association (IMBA) founded the principles of sustainable trail facilitation, which today are also included in the Merkehandboka (2019).

Norwegian mountain bike facilities have contributed significantly to implementing and spreading these principles through the construction and maintenance of trails and facilities. As a direct consequence of the growth in the Norwegian mountain bike industry, we have today established a national trail-building industry with several companies working across the country. Trail-building schools are organized for local volunteer groups, and Norway leads European prestige projects for education and certification of trail builders in Europe (DIRTT.eu). In 2022, the Viken Higher Vocational College also piloted Europe's first trail-building education.

We believe that the solution for sustainable management of Norwegian trails in the future is not a national ban on e-bikes, mountain bikes, or hiking. The solution is rather active and knowledge-based management, with a broad and quality-assured toolkit and good funding schemes. Furthermore, education and awareness-raising efforts directed at new cyclists will be an effective means of ensuring that cyclists' behavior aligns as much as possible with the intention of preserving and protecting nature.

Conclusion
It seems unnecessary to change the exception in the legislation introduced in 2017, which allows e-bikes within the European NS-EN 15194 standard (250W/25 km/h) to use trails. This legislation is in line with regulations in the rest of Europe. To date, there is no documentation that e-bikes cause more wear on terrain than analog mountain bikes. There are also no known conflicts related to e-bike use in wilderness areas, and no municipalities have found it necessary to use their right to prohibit e-bikes in wilderness areas by regulation. If challenges arise in specific areas, the individual municipality has the authority to introduce restrictions by regulation. This has been a system that has worked well and appropriately since 2017. The general ban that the Motor Vehicle Law Committee is now proposing is based on undocumented assumptions and partly biased against e-bikes. Such a ban will have far-reaching negative consequences for public health, tourism, and the green transition in Norway. It is, therefore, a very poor alternative.

This consultation was translated from Norwegian using ChatGPT.

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About the Information Office for Mountain Biking

The Information Office for Mountain Biking (Opplysningskontoret for Terrengsykling/OFT) is a Norwegian interest organization that works to promote mountain biking as an important part of outdoor life in Norway. We represent Norway's largest and foremost mountain biking destinations and facilities and work to ensure sustainable management of trails and cycling facilities. Our goal is to contribute to increased cycling, improved public health, and to make Norway a leading mountain biking destination, both for local and international guests.

OFT has developed several guides and joint guidelines for the mountain biking industry, courses, and certification of bike guides, and has participated in the European trail-building competence-building project "Developing Intereuropean Resources for Trailbuilder Training" since 2019 (More info on DIRTT.eu).

More information about OFT can be found at Stibygg.no.

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