



DEPARTMENT OF
HEALTH AND HUMAN SERVICES

Promoting and protecting health, well-being, self-sufficiency, and safety of all in Marin County.



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U.S. Consumer Product Safety Commission
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Re: Electric Bicycles; Advance Notice of Proposed Rulemaking; Request for Comments and Information

Dear Commissioners,

This letter is to provide comments from the perspective of a Public Health Officer on the Advance Notice of Proposed Rulemaking, related to electric bicycles (Docket No. CPSC–2024–0008). Following up on my participation in your hearing on the Commission’s agenda and priorities for fiscal years 2025 and 2026, I am writing again to urge you to proceed with a proposed rulemaking which will provide for stronger consumer protection regulations regarding e-bike safety.

From 2019 to 2022, Marin County saw an alarming 110% increase in 911 calls related to bicycle accidents for youth 10 to 19 years old. Most concerning to our local emergency room and trauma center physicians, injuries from many of these accidents are not what medical professionals might typically see from conventional bicycles. Local physicians have reported treating youth with serious trauma injuries from e-bikes more akin to motor vehicle accidents – such as internal bleeding, pelvic fractures, damage to vital organs, and brain trauma.

This prompted our Department to begin tracking data on all bicycle injuries, and distinguishing between conventional bikes and e-bikes. My greatest concern relates to the evidence of high e-bike accidents and injury rates among children of middle school age. Since October 2023, youth age 10-15 have an accident rate of 53 per 100,000 – compared with the next highest age group 60+ which is 9 per 100,000. **The e-bike accident rate for youth is about six times higher than for any other age group.** The most current data can be viewed at www.marinhhs.org/bicycle-safety.

Our data has informed our health and safety policy and guidance to local families. However, addressing this as a local issue is not effective for keeping the broader public safe. At the federal level, regulators need to step in to both collect this data on e-bike accidents across the Country, and institute sensible safety measures to prevent serious injuries in young riders.

E-bikes have brought numerous benefits to our communities – and from the public health perspective, we are excited to see riders of all ages opting for bicycle transportation on their way to work and school. The exercise and mental health benefits are numerous. The question at hand is safety for younger riders, and precedent is clear for age-specific regulation of vehicles.

Current law prohibits youth under 16 from operating an electric motorcycle because of the accident and injury risk for children and adolescents. Additionally, a license to operate a vehicle at age 16 requires a test providing that an individual understands the rules of the road and how to operate their vehicle in it. Sensible, age-appropriate rules should be applied to handlebar throttle-powered electric bicycles, which accelerate quickly and can be ridden at moderate and high speeds on the road with cars. It is time for federal law to catch up with the technology that has reached our communities.

We hope the commission will recognize that in the absence of stronger federal regulations, communities like ours across the nation will take local action, acting out a sense of urgency and natural need to respond for both gathering data and regulating e bike use in some form. This could lead to potentially a wide patchwork of regulations that vary in confusing ways as Americans cross city, county or state lines.

An example of where the CPSC's national authority could greatly improve safety is in requiring appropriate product labeling. In California, manufacturers are already required to label e-bikes with Class 1, 2, or 3. This should also be a federal requirement. Warning labels conveying the known injury risks to parents should also be required, as well as age-limits supported by solid data.

Finally, we also see a practical need for the federal government to maintain better data on e-bike-related injuries— as Public Health leaders generally look to the CDC and other trusted sources to report findings from robust national data systems. E-bike products hit the market before there were standardized systems to measure and report impact. Our local data offers an important glimpse, but the numbers are low and the system is not standardized across counties.

While my work is limited to Marin County, California – my concern over the need for e-bike safety regulations is not. All riders, especially youth, should be protected and safe riding electric bicycles in any state.

Sincerely,



Dr. Matthew Willis
Marin County Public Health Officer