RE: Proposed Rule at 36 CFR 4.30. Bicycles
"National Park Service" docket number or RIN (1024–AE97)
https://www.federalregister.gov/documents/2026/09/01/2026-17902/bicycle-use-in-park-areas

Introduction
These comments are submitted on behalf of Public Employees for Environmental Responsibility (PEER) concerning the proposal by National Park Service (NPS) to revise its existing regulations at 36 CFR 4.30. Bicycles.

The proposed revision would amend the current NPS bicycle regulations adopted on July 6, 2012 (77 Federal Register (FR) 39937). This latest revision would further weaken revision of 2012, which alreaady weakened in significant ways the NPS bicycle rules adopted on April 2, 1987 (52 FR 10683) during the Reagan Administration.

PEER supports the use of bicycles, including e-bikes, within developed park areas, on roads, paved and unpaved, as well as parking areas. Such use, where safe and viable, is a valid and beneficial use of park areas both for transportation and public recreational enjoyment. However, what NPS proposes goes far beyond these uses.

As detailed in the comments below, the latest NPS proposal has the potential to degrade protections for undeveloped areas of the national park system, with particular dangers to the status of recommended and proposed wilderness. In addition, the proposal has the potential of dramatically increasing visitor injuries and conflicts between bikers and other trail users. Further, the proposal relies upon enforcement of existing safeguards against misuse of bikes and e-bikes by a shrinking cadre of park law enforcement rangers, while also charging these officers with enforcing an array of new and emerging state rules governing use of e-bikes.

Notably, the NPS cites no research on the effects of its proposal or of user demand for these revisions. Finally, the proposed rule forecloses public involvement in decisions relating to these matters and instead relies upon internal park decision-making processes from which public involvement is precluded.

1. Undeveloped Areas Require More Protection
The proposed rule at 36 CFR 4.30(d)(2) reiterates that possession of a bicycle, including e-bikes, is prohibited in areas of the national park system designated as wilderness. Such uses are already prohibited by law under the Wilderness Act of 1964 (16 U.S.C. 1133(c)).

However, there are other types of lands in the undeveloped and roadless parts of the national park which deserve the same protection. Millions of acres of wildlands throughout the national park system remain legally unprotected by the Wilderness Act itself. All told, long-stalled wilderness proposals would increase park wilderness by more than half, putting at least an additional 26 million acres – an area the size of Tennessee.[1]

Within the national park system, 17 parks contain several million acres of land which past Administrations have recommended to Congress for designation as wilderness, but Congress has not acted on those recommendations. There are also 6 parks with undeveloped roadless areas which NPS has officially determined to be suitable or eligible for designation as wilderness. Lastly, there are 11 park system units that have done preliminary studies of eligibility of roadless, undeveloped areas and found eligible acres, with notice published in the *Federal Register*. These latter group of 11 have not yet been sent forward to the Secretary or to Congress.

[1] https://peer.org/areas-of-work/public-lands/orphaned-park-wilderness/

As a matter of NPS Management Policies (2006), the NPS manages all such areas so as not to diminish their wilderness quality or characteristics. However, these policies may be waived by high officials of this, or future administrations.

In order to protect these lands from losing their wilderness eligibility, PEER urges that the proposed rule section on wilderness be extended to preclude a park manager from designating as open to bicycle use under 36 CFR 1.5 any trail in a roadless and undeveloped area that have been recommended, proposed or found eligible for wilderness in a formal planning process.

2. Rising Public Safety Toll of E-Bikes Ignored

The proposal equates conventional bicycle use and use of e-bikes. The proposal does not acknowledge that due to their power and speed, e-bikes carry a much greater potential for injury.

A new report from researchers at University of California, San Diego, for example, found that e-bike injuries have increased "exponentially" in California, increasing from just two reported collisions in 2018 to more than 1,500 in 2024.[2] Researchers found that younger e-bike riders a incur more severe injuries and are more often at fault compared to traditional cyclists.

While the proposed rule retains the existing prohibition on using the electric motor to exclusively propel an e-bike for an extended period of time, except where use of motor vehicles is allowed, NPS offers no evidence as to whether this rule is enforced or effective.

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The proposed rule also retains the superintendent's authority given to establish bicycle or e-bike use limitations, restrictions, conditions, and closures "after consideration of public health and safety, resource protection, and other management activities and objectives." The proposed rule offers no guidance as to how individual superintendents are supposed to weigh or apply these factors. Further, nothing in the proposed rule ensures these factors are uniformly or consistently applied.

3. User Conflicts Unaddressed

The proposed rule does not address reports of growing conflict between traditional park users and e-bike riders. At Acadia National Park, for example, there are mounting complaints about e-bike impacts on hikers and horseback riders on carriage roads.[3]

As e-bike use expands there is every reason to expects these complaints from other park users to rise. By easing approval for expanded e-bike access to park trails, this proposal will have the effect of aggravating these conflicts. However, NPS does not provide a consistent process for documenting and mitigating these complaints.

4. Wildlife Impacts Not Studied

E-bikes allow visitors to move much faster through park backcountry catching animals ranging from bears to birds unaware or chasing wildlife on these motorized vehicles. To date, NPS has not conducted research on these impacts to any reported degree.

The sole NPS assessment released in 2023 is only 47 pages long and contains almost no empirical information about e-bike effects on backcountry trails.[4]

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[2] https://lamag.com/news/e-bike-injuries-increasing-exponentially-in-california-children-among-most-impacted-study-finds/

[3] https://barharborstory.com/2026/10/11/some-longtime-acadia-visitors-vent-about-speed-and-disruptive-impact-of-e-bikes-in-park/

[4] https://peer.org/feeble-nps-e-bike-assessment-sheds-little-light-on-impacts/

As with user conflicts, NPS has no apparent plans to monitor, let alone mitigate, negative impacts of expanded e-bike traffic on national park wildlife.

5. State Law Restrictions Not Fully Considered
The proposal states that "The rule would continue to apply state law to the use of bicycles and e-bikes except as provided in NPS regulations." However, the number of state laws and local ordinances grows by the month. Some states have age-limits on users, others require riders must wear helmets.[5]

The proposed rule thus places even greater enforcement burdens on short-staffed park ranger forces.

6. Public Involvement Reduced
Departmental policy set forth in 516 DM 1 (U.S. Department of the Interior Handbook of National Environmental Policy Act (NEPA). Under the proposed rule it is up to park officials to determine whether to involve the public, when to involve the public, and what kind of public involvement is most appropriate. Further, public comment periods of more than 30 days are strongly discouraged. In addition, the proposed rules encourage park officials to invoke categorical exclusions under NEPA.

In short, public involvement relating to bicycle and e-bike access on park trails will be severely limited under this proposed revision.

7. Loophole Should Be Closed
The proposed rule's standard for when promulgation of a park specific special rule for designating trails in locations of a park as open to bicycles is vulnerable to circumvention. By allowing the placement of "artificial or processed materials" on an existing or new trail, a park superintendent could evade a special rulemaking under the proposed rule.

To prevent this kind of abuse, the proposed rule should require that this exception for trails "improved by artificial or processed materials" applies only to such trails that were so improved prior to the effective date of this new regulation. This would effectively preclude this type of regulatory evasion.

8. No Consideration of Fire Risk
In the modern era of often tinder-dry forests and grasslands and numerous national park units have been burned in forest fires. At the same time, there have been numerous tragic cases of deaths associated with urban fires from improper battery charging.[6]

However, the proposed rule makes no provision for consideration of these dangers. Nor does it make any explicit allowance for park managers to restrict e-bike access on a seasonal basis so to minimize this fire risk.

9. Lack of National Rules Undermines Unitary Park System
The NPS proposal, in essence, leaves it up to each park superintendent to set rules for bicycle and e-bike use subject to few parameters. This would allow room for inconsistent treatment of the same activity from park to park, and within the same park with each change of superintendent.

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[5] https://electricbikeexplorer.com/state-by-state-ebike-laws/

[6] "E-bikes Are Going to Keep Exploding - We are stuck in battery purgatory." The Atlantic, July 5, 2023, online at: https://www.theatlantic.com/technology/archive/2023/07/e-bike-battery-lithium-ion-fire/674622, which notes: "New York City has been rattled by more than 100 battery fires so far in 2023, according to its fire commissioner, killing 13 people."

The national park system is supposed to be operated as one system, united by a single purpose. This proposed rule gives too much latitude to individual park superintendents and affords insufficient protection for park resources.