



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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A resolution calling for the Nashville Department of Transportation and Multimodal Infrastructure, the Greenways and Open Space Commission, and the Metro Legal Department to solicit community input and gather data from other cities regarding the authorization of electric bicycles on Metro greenways and to request a moratorium on any Council legislation related to electric bicycles on greenways until the community input and data can be collected.

WHEREAS, the Greenways Commission was established in 1994 under Mayor Phil Bredesen with a goal of learning from other cities with successful greenway systems about how Nashville could expand our Parks System with linear parks connecting open spaces even as development was beginning to accelerate, and in 1995 the first greenway was built along the Harpeth River, followed by greenways at Shelby Bottoms, along the Stones River, and now Nashville has nearly 100 miles of greenways including two bridges used exclusively by pedestrians and cyclists over the Cumberland River; and

WHEREAS, Greenways are tremendously popular with Nashvillians and visitors of diverse backgrounds, ages, and athletic abilities, and were a major source of recreation, solace, and exercise during the past year of the restrictions due to the pandemic, and have been used by thousands of people every year since their creations; and

WHEREAS, Greenways offer mobility options for both recreation and commuting for both pedestrians and cyclists, which is an important piece of Nashville's multi-modal transportation plan; and

WHEREAS, Metro Park rules currently prohibit the use of motorized vehicles on Nashville Greenways and restrict speed of bicycles to 15 miles per hour, which is important for the safety and enjoyment of pedestrians on the Greenways; and

WHEREAS, there has been an increase in the number of electric assist bicycles (e-bikes) in Nashville including on Nashville Greenways, and there are different classes of e-bikes that distinguish between whether the bikes have pedals and what maximum speed they are capable of attaining with electric assist; and

WHEREAS, state law contains specific provisions making clear that electric bicycles and any person operating an electric bicycle are not subject to any requirements or laws applicable to motor vehicles in Tennessee, and state law also contains provisions that apply to e-bikes on paths and trails where bicycles are authorized to travel. The Metropolitan Department of Law has advised that the current Metro Parks rules prohibiting motorized vehicles do not effectively prohibit e-bikes on greenways in Nashville; and

WHEREAS, it is the desire of Metro Parks, the Greenways Commission, and the Metro Council along with community partners to ensure that all users of the Greenways have a safe experience on the Greenways and to take into consideration that there is an existing e-bike community in Nashville that has been riding on the Greenways; and

WHEREAS, the Framework for Considering Motorized Use on Nonmotorized Trails and Pedestrian Walkways under 23 U.S.C Section 217 spells out a process for decision making that includes community engagement, safety considerations, planning requirements, environmental considerations, initial trial periods, and monitoring; and

WHEREAS, with the understanding that e-bikes are being ridden on Greenways now and that more e-bikes will be in Nashville in the future including shared use fleets of e-bikes, it would be beneficial to follow a similar framework as Nashville adapts to the emergence of new technologies like e-bikes, and time is needed to implement the steps and make thoughtful, informed decisions about how best to use our Greenways and about whether it is appropriate to limit the use of e-bikes in Metro Parks as permitted under existing state law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan Council hereby goes on record as requesting the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), the Greenways and Open Space Commission of the Metropolitan Board of Parks and Recreation, and the Metro Legal Department to solicit input from the community regarding the use of electric assist bicycles (e-bikes) on greenways of the Metropolitan Government. Further, the Council requests that NDOT, the Greenways and Open Space Commission, and the Metro Legal Department gather and review data from peer cities related to e-bikes on greenways to determine whether it would be appropriate to consider regulations more restrictive than current state law. NDOT, the Greenways and Open Space Commission, and the Metro Legal Department should further work with organizations including Walk Bike Nashville and Greenways for Nashville when soliciting community input and gathering peer city data and other information relevant to this process. This community engagement and information gathering process should be completed by January 1, 2022.

Section 2. That the Metropolitan Council further goes on record as requesting a moratorium on consideration of any legislation related to e-bikes on Metro greenways until the community engagement and peer city review conducted by NDOT and the Greenways and Open Space Commission is completed. The Council will refrain from filing any legislation to impose regulations on e-bikes that is more restrictive than current state law until this work is completed.

Section 3. This Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.