



From: Kasandra Griffin, Forth
Date: March 10, 2022
To: CO Senate Transportation & Energy Committee Chair and members
cc bill sponsors Rep. Pico & Sen. Hisey
Regarding: Opposing HB 1043 as written; supporting amendment proposed by Rep. Pico
Contact: 503-238-1799; KasandraG@forthmobility.org

Honorable Chair Winters and Members of Colorado's Senate Transportation and Energy Committee,

Forth is national nonprofit association supporting the shift to electric mobility. We enthusiastically support Colorado's ambitious goal of reducing greenhouse gas emissions by 90% from 2005 levels by 2050. In order to accomplish that goal, Colorado *urgently* needs to electrify the transportation sector.

We oppose the current version HB 1043 on account of unintended consequences. As written, the bill harms an American manufacturer of ultra-efficient vehicles that could help reduce emissions in Colorado and elsewhere. We would support the bill with an amendment to address that issue. We encourage you to pass the amendment, which we understand Representative Pico and Senator Hisey are bringing.

Colorado, like many states, defines certain three-wheeled vehicles as "autocycles," and excludes them from motorcycle helmet and endorsement requirements. The purpose of HB 1043 is to separate crash reporting for autocycles from that of true motorcycles, and we support that goal.

The unintended consequence of the bill as written is that it revises the definition of autocycles in a way that excludes some vehicles that currently fit within it, including those of an American vehicle manufacturer called Arcimoto. We are asking you to please amend 1043 so that Arcimoto's "Fun Utility Vehicle (FUV)," pictured below, will still be classified as an autocycle.

We believe that Arcimoto's FUVs should be classified as autocycles because:

- A. They are safe and stable and do not handle like a motorcycle or require any specialized skills
- B. They have a roll cage/roof meeting FMVSS 216a (the Federal Motor Vehicle Safety Standard for roof crush resistance for cars)
- C. They have a seat belt system meeting the federal standards referenced in CO statute
- D. They have front wheel drive, like most cars
- E. The Arcimoto's structural frame makes it significantly taller, wider and more visible than a motorcycle, so riders do not need the special safety training of motorcyclists





Forth encourages Colorado (and all other states) to use safety factors and vehicle stability to define the distinction between motorcycles and autocycles, not irrelevant technology such as the presence or absence of steering wheels. The Arcimoto FUV uses handlebars instead because that allowed the ultra-efficient, all-electric vehicles to have further range and more comfortable cabin design, both of which support consumer adoption. That should not determine whether they qualify as autocycles.

Thank you for the consideration, and I would be more than happy to answer any questions by phone, email, or any other format. We are working with Joel Sheltroun of Arcimoto on this issue and support his specific proposal for amendment language, which we think and hope Senator Hisey and Rep. Pico are bringing to today's hearing.

Sincerely,

A handwritten signature in black ink that reads "Kasandra Griffin".

Kasandra Griffin

Forth

Kasandrag@forthmobility.org

503-238-1799

About Forth

Forth advances clean and equitable transportation throughout the United States and internationally through transportation electrification innovation, advocacy, engagement, and demonstration projects. Forth has over 150 members from across the transportation electrification ecosystem. Our members include auto manufacturers (such as Ford, GM and BMW) and charging equipment providers (such as EVgo) as well as utilities, local governments, consulting firms, nonprofits, and environmental organizations. More information is available at forthmobility.org.