

Town bans URB-Es from bike racks

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PROVINCETOWN — People trying to park in the town hall’s public parking spots were surprised, angry and laughing out loud Tuesday afternoon when they found two of them occupied by tiny two-wheeled foldable machines called URB-Es.

The select board voted unanimously Monday night to define the throttle-operated URB-E device as a “scooter” rather than an electric bicycle. The new regulations mean that the machines may not be ridden against traffic on Commercial Street, may not park at bicycle racks and must park in public parking spaces. The same rules do not apply to bicycles with “pedal assist” or “pedal helper” electric motors; those are defined as motorized bicycles and may park in bike racks.

The morning after the meeting, the owners of Coast Provincetown, which offers URB-Es to the public for rent, stood guarding the two machines parked legally in car parking spaces by town hall. They assailed the select board’s action.

“We are going to file a lawsuit, absolutely,” said Erica Apicella, co-owner of Coast Provincetown. “This is harassment and discrimination. They are treating us differently because of the way our bikes look. We [have] spent \$70,000, we have a million-dollar insurance policy, we have a business attorney and we are licensed as a corporation. We have done everything we are supposed to do. We have no choice now.”

The decision of the select board on Monday night followed two hours of confusing discussion.

“What I’m most concerned about is the speed of this scooter, aka electric bike, going down Commercial Street,” select board member Lise King said. “There is a real distinction between pedal assist and this URB-E machine. I appreciate it’s a

green technology, but in my opinion it fits more in line with a scooter. An electric scooter, moped-style, fast-moving, throttle-induced rideable e-bike. I think it should follow the traffic rules and be considered a throttle-induced motorized vehicle rather than a bicycle.”

According to the URB-E website, its speed ranges from 14 to 18 mph and it has enough power to travel 20 miles. Most models weigh around 35 lbs. They are manufactured in Pasadena, Calif. and are relatively silent.

“Last night’s meeting was more confusing than clarifying,” said Heather Baker. She and Apicella started their business in February and launched operations in May. “I appreciate everyone trying to do their job, but it doesn’t seem fair that everyone else’s electric bikes are fine, except us. When making laws aren’t you careful not to discriminate against people?”

Apicella said that Baker rides her URB-E to work every day at the AIDS Support Group in Provincetown, folds it up, locks it and leaves it at a bike rack without problems. But under the new regulations that can no longer happen.

“Heather parked her URB-E in a parking space, paid her fee and went to work Tuesday morning per the regulations enforced the previous night,” Apicella said. “When I came back later, her URB-E was gone and a Mercedes was in her spot.” She said the URB-E was moved by a Provincetown police officer after receiving several complaints from drivers and was propped against a sidewalk bench.

Provincetown Police Chief Jim Golden said on Tuesday that he had not had time to brief every single officer on the decision made by the select board Monday night.

“In this instance, once it was determined that the parking fee was paid, the URB-E remained,” Golden said by email. “As the URB-E has no license plate, parking them in a paid town parking spots has inherent risks. In the event of overtime parking (the time either runs out on the meter or kiosk) without a license plate the parking team would have no way to give the URB-E a standard parking violation.”

Parking Administrator Domenic Rosati said Tuesday he could not comment on the new parking regulations because he had just seen these devices for first time.

All the selectmen agreed that parking URB-Es in public spaces could be an issue and agreed to revisit it at a future traffic hearing.

“We shall see where all this goes,” said select board Chair Louise Venden. “I have concerns about the parking issue. I don’t think this adequately addresses what we need to do with these URB-E vehicles. I hope we begin to keep track of the type of traffic we have and start to think of what is possible for enforcement to enforce. There has to be some reasonable way for these motorized vehicles to park safely in town.”

Baker and Apicella are standing their ground.

“The good news is we are still in business,” Baker said. “We have many supporters who believe we have a good service to offer and we are absolutely going to continue.”