

# OC Parks E-Bike Usage

Thursday, July 11, 2024

12:20 PM

Agenda summary: Mitch Baxter provided a statement summarizing the health benefits of allowing Class 1 e-bikes on offroad trails for older and orthopedically challenged citizens

## Statement:

- I am a 62 year old active adult with numerous orthopedic issues, including titanium hardware in my right shoulder, right hip and back/hip (SI) joint
- Prior to my last surgery, a full hip replacement, I was able to ride a "muscle" bike in a limited way around parks like Aliso and Woods Canyon, Whiting Ranch, and O'Neill Regional Park
- Post hip surgery, I began riding a pedal-assist, Class 1 mountain bike on these same trails, and I'm able to spend almost double the time on my bike weekly, and my orthopedic health has improved
- At the same time, I have noticed a marked uptick in the number of fellow riders with Class 1 e-bikes, and there are no noticeable differences in trail behavior, including both uphill and downhill trails

Thanks for the consideration,

Mitch

Mitch Baxter

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## Statement of Chris Murphy to OC Parks Trails Sub-committee July 11, 2024

- Good evening. My name is Chris Murphy. My family and I have been residents of Irvine and Orange County since 1979. I graduated from University High School and UCI and my children recently graduated from University High School as well.
- I have been an avid outdoor hiker, biker, and nature advocate all my life.
- I am extremely grateful for the open space and natural habitats that have been preserved for my and future generations to enjoy in Orange County and appreciate the work that the Supervisors and the Trails Sub-committee are doing to make these wonderful natural resources available for the public while preserving the habitat.
- I'm speaking tonight as an avid conservationist and mountain biker. When I was younger, I could ride a mountain bike anywhere. Unfortunately, due to time, some of those opportunities have become harder. Fortunately, due to recent advances in technology, there are opportunities for people like me to still enjoy the open spaces on a mountain bike, with the help of pedal augmentation, specifically, a Class 1 (pedal assist or augmentation) electric mountain bike. These bikes are the same as normal mountain bikes, just a little help to go uphill.
- I have done some preliminary research and found that the regulatory framework for Class 1 electric mountain bikes in Orange County lumps all electric bikes, even those that are self-propelled, or with a throttle (Class 2 and 3), in with bikes that

require pedaling and work just like a normal mountain bike (Class 1).

- I'm here to see how I can engage with and support the Trails Sub-committee, other stakeholders, landowners, and others interested in this issue, to investigate possible refinements or variances that would treat Class 1 electric mountain bikes the same as normal pedal bikes and not lump them in with self-propelled motorized electric bikes, that are on the roads today.
- I have a model code that has been used around the country that I would like to share with the Sub-committee and I would request that it be put in the record of this meeting.
- I would also like to ask whether it would be possible to arrange to have a process in this Sub-committee to investigate and study potential solutions for this issue, so that people like me can continue to enjoy our wonderful open spaces while respecting the needs of the landowners, other users of the resources, and, more importantly, preserving the habitat for future generations to enjoy.
- I look forward to hearing your comments, meeting the members of the Sub-committee, staff, and other interested stakeholders.
- Thank you for the opportunity to present tonight and I wish you all the best for your work.

# MODEL ELECTRIC BICYCLE LEGISLATION FOR STATE NATURAL RESOURCE AGENCIES

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF *[INSERT STATE]*:

Subdivision 1: Definitions.

(A) "Bicycle" has the meaning set forth in *[Cite to existing definition in state law]*.

(B) "Electric bicycle" shall mean a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts that meets the requirements of one of the following three classes:

(i) "Class 1 electric bicycle" shall mean an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

(ii) "Class 2 electric bicycle" shall mean an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

(iii) "Class 3 electric bicycle" shall mean an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

(C) "Natural surface trail" shall mean a trail that is specifically designated as non-motorized, primarily composed of a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials.

Subd. 2: Notwithstanding any other law and except as provided by Subdivision (7), a person may operate a Class 1 electric bicycle in any area of a state park in which the operation of a bicycle is permitted, including but not limited to, bicycle paths, multi use trails, and natural surface singletrack trails.

Subd. 3: Notwithstanding any other law and except as provided by Subdivision (7), a person may operate a Class 2 electric bicycle in areas of a state park in which the operation of a bicycle is permitted, except natural surface singletrack trails.

Subd. 4: A political subdivision, municipality, local authority or state agency having jurisdiction over public land or a recreational area may allow the operation of any or all classes of electric bicycles on paths or trails under its jurisdiction.

Subd. 5: Notwithstanding any other law and except as provided by Subd. 7, a person may operate a Class 3 electric bicycle only on paved roads and surfaces within a state park.

Subd. 6: Electric bicycles will not be given special access beyond what traditional or non-electric bicycles are allowed or in areas where traditional, non-electric bicycle travel is prohibited.

Subd. 7: The *[responsible authority]* may prohibit the operation of electric bicycles, or one or more of the classes thereof, in any area of a state park if the *[responsible authority]* determines, after notice and a public hearing, that such prohibition is necessary to protect:

(A) public safety;

(B) state park infrastructure; or

(C) state fish or wildlife resources or habitat.

Subd. 8: This Act takes effect on *[insert desired effective date]*.

## **Proposal for Allowing Class 1 Pedal Assist Bikes on OC Parks Mountain Bike Trails**

### **Introduction**

The use of ebikes is growing rapidly, with a significant number of riders already using them daily on our trails. This increasing popularity necessitates the need to support the use of Class 1 ebikes while effectively differentiating them from other classes of ebikes, which have been causing numerous difficulties on road systems. Studies and firsthand experiences indicate that Class 1 ebikes do not have a significantly different impact on our trails or habitats compared to traditional mountain bikes. They do not increase downhill speeds, do not operate with assistance over 20 mph, and importantly, they open access to our beautiful local park systems to aging, disabled and younger population.

### **Objective**

The objective of this proposal is to permit Class 1 ebikes to operate on mountain bike trails under the same rules and conditions as traditional mountain bikes.

### **Registration Process**

- **Introduction of Unique Stickers:** Introduce unique registration stickers for inspected Class 1 ebikes.
- **Fee Structure:** Implement a one-time registration fee per bike, not per person. This fee will be waived for senior citizens.

### **Inspection Protocol**

- **Inspection by Officials:** Park rangers, designated officials and agencies will conduct inspections.
- **Verification Process:** Verification will ensure the ebike is a Class 1, and the following details will be captured:
  - Image of the bike
  - Name of the current owner
  - Serial number of the bike

### **Differentiation and Etiquette**

- **Operating Rules:** Allow Class 1 ebikes to operate under the same conditions as traditional bikes.
- **Class Distinction:** Maintain easy differentiation between Class 1 ebikes and Class 2/3 ebikes.
- **Promotion of Etiquette:** Promote better bike etiquette among all trail users to ensure a harmonious shared space.

## **Revenue Utilization**

- **Trail Maintenance:** Use the revenue from registration fees to support and maintain local trail systems.

## **Community and Law Enforcement Support**

- **Law Enforcement Cooperation:** Encourage other local law enforcement agencies to honor the registration system.
- **Stewardship Demonstration:** Showcase mountain bikers' commitment to being good stewards of the trails through this organized system.

## **Frequently Asked Questions (FAQs)**

Q: Will allowing Class 1 ebikes increase trail congestion?

- **A:** While it might seem that more bikes could lead to congestion, the registration system allows for better monitoring and management of trail usage. Additionally, Class 1 ebikes can help distribute traffic more evenly across trails by enabling users to cover more distance, thereby reducing congestion in popular areas. eMTBs will increasingly replace regular analog MTBs as the cyclists preferred bike, rather than significantly increasing the number of bikes on the trails, a process similar to downhill skiers shifting to snowboards.

Q: Are there safety concerns with allowing Class 1 ebikes on the trails?

- **A:** Safety is a top priority. Class 1 ebikes, which assist up to 20 mph, have shown no significant difference in safety compared to traditional mountain bikes. Educating ebike riders on trail etiquette and implementing clear signage can further mitigate safety concerns. The inspection process ensures that only compliant ebikes are allowed on the trails.

Q: Will the presence of ebikes alter the traditional trail experience for non-motorized users?

- **A:** Class 1 ebikes are designed to complement traditional biking rather than replace it. They do not significantly alter the trail environment, habitat or experience. Moreover, they enable more users to appreciate the trails, fostering a greater appreciation for natural preservation.

Q: How will the registration and inspection system be enforced?

- **A:** Park rangers and designated officials will conduct inspections and enforce the system. Visible registration stickers make it easy to identify compliant ebikes. Regular patrols and community reporting mechanisms will help maintain compliance and address any issues swiftly.

Q: How will the impact on other user groups, such as horse riders and hikers, be managed?

- A: Clear guidelines and mutual respect among all trail users will foster a harmonious environment. The overall impact on other user groups is minimal when managed correctly.

## **Conclusion**

Embracing Class 1 ebikes as part of our trail systems is essential and inevitable for the future. They are here now and growing fast. By proactively implementing proper regulations, education, and management, we can integrate them into our trail systems in a way that promotes accessibility, generates revenue for maintenance, and supports a diverse range of outdoor activities. This approach will ensure the safe and enjoyable use of Class 1 ebikes, maintain the integrity and sustainability of our trails and habitats, and demonstrate our commitment to being good stewards of these valuable natural resources.