

E-bike Regulations

Meeting #2



**MARIN MUNICIPAL
WATER DISTRICT**

October 7, 2019

Marin Municipal Water District

Land Use Regulations Chapter 9.04 Vehicle and Traffic Regulations

Section 9.04.01 – Motor Vehicles.

No person shall operate any motor vehicle, including, but not limited to, cars, trucks, motorcycles, **motor-driven cycle, motorized bicycle**, motorized scooter, self-balancing motorized personal transportation vehicle or **similar vehicles** on district lands except upon public roads or parking lots.

Our regulation signs currently have emblems clearly showing that all e-bike use is illegal on district lands except upon public roads or parking lots.

Marin County Parks and Open Space District

Effective 30 days from September 24, 2019, the **Marin County Parks and Open Space District** will permit Class 1 and Class 2 e-bikes on paved, multi-use pathways that have been signed specifically to allow such operation.

Marin County Parks (MCC Title 10): 10.05.030 - Bicycles

- a) No person shall operate any bicycle or similar vehicle within parks except upon paved roads, fire protection roads, designated bicycle and multi-use pathways, or public roads not signed against such use. Furthermore, no person shall operate or possess any bicycle or similar vehicle elsewhere within parks, including trails, unless signed specifically to permit such operation.
- b) No person shall operate any Class 1 or Class 2 electric bicycle within parks except upon paved roads, paved designated bicycle and multi-use pathways or public roads not signed against such use; furthermore, no person shall operate or possess any Class 1 or Class 2 electric bicycle elsewhere within parks, including fire roads and trails, unless signed specifically to permit such operation.**
- c) **No person shall operate any Class 3 electric bicycle within parks except upon public roads or parking lots or other areas signed specifically to permit such operation.**
- d) Any person operating a bicycle or electric bicycle on a designated multi-use pathway shall yield the right-of-way to pedestrians and horses.

Golden Gate National Recreation Area and National Park Service

In accordance with **Department of Interior (DOI) Secretarial Order 3376**, dated August 29, 2019, and **National Park Service (NPS) Policy Memorandum 19-01**, dated August 30, 2019, the NPS is proposing revisions to the park compendium to allow the use of electric bicycles (e-bikes) in certain park areas. A compendium is a written compilation of the designations, closures, permit requirements and other regulatory restrictions established under a superintendent's discretionary authority to protect park resources and values and to provide for a quality visitor experience

- The draft policy includes authorization to allow e-bikes on all routes open to traditional bicycles, including designated trails and paths in Marin, San Francisco, and San Mateo counties.
 - Like traditional bikes, operators of e-bikes may not ride off trail.
- The compendium defines an e-bike as a two- or three-wheeled cycle with fully operable pedals and an electric motor of fewer than 750 watts (1 hp) that provides propulsion assistance.
 - In areas closed to motor vehicles, the operator of an e-bike may only use the motor to assist pedal propulsion.
 - The motor may not be used to propel an e-bike without the rider also pedaling.
 - Motorbikes with a throttle are not e-bikes .
 - Operators of e-bikes must also comply with speed limits that apply to traditional bikes (15 mph in most places; 5 mph in high-congestion areas) and obey state traffic laws.

Mt. Tamalpais and Samuel P. Taylor State Parks

- **Mt. Tamalpais and Samuel P. Taylor State Park's** current ordinance outlaws any motor-powered vehicle or bicycle from accessing their fire roads and trails.
- While regular bicycles are permitted to access certain roads and trails, given the language of their current policy, e-bikes are not permitted to access any roads or trails that prohibit vehicle traffic.

China Camp State Park

China Camp State Park permits Type-1 and Type-2 e-bikes to access any roads or trails that regular bicycles are allowed to travel.

- A message from Martin Lowenstein, the Executive Director of Friends of China Camp, states:
 - “Since 2015, the State of California has classified e-bikes as bicycles. As such, e-bikes are legal in state parks...Friends of China Camp must abide by current state law and allow e-bikes wherever bicycles are allowed in China Camp State Park...If park visitors inquire about the e-bike policy, you are free to explain that the Department of Parks and Recreation is working on an e-bike policy, but until it has been made, e-bikes are allowed in China Camp.”

Santa Clara County Parks & San Jose Parks

Santa Clara County Parks and **San Jose Parks** both permit e-bikes to travel anywhere that ordinary bicycles are permitted to travel.

- Both jurisdictions concluded this to be the best policy for their respective areas based on California Law AB 1096, which states that Type-1 and Type-2 e-bikes are permitted on any paved surface that any regular bicycle is permitted to travel.
- Given that the majority of both jurisdictions are in an urban setting and have paved trails, they made the decision to categorize Type-1 and Type-2 e-bikes in the same manner as regular bicycles.

East Bay Regional Park District

East Bay Regional Park District (EBRPD) agreed to a 1-year Pilot Program (July 2017-June 2018) allowing Type-1 and Type-2 e-bikes on a few paved, regional trails.

- Three trail's were selected to participate in the Pilot Program:
 - Contra Costa Canal Regional Trail
 - Alameda Creek Regional Trail
 - Iron Horse Regional Trail
- These trails were selected based on their overall significance to the public's use of alternative transportation.
- A key part of the pilot program was collecting statistical data and analysis of the findings.
- After the pilot program began, the Park Operations Division adopted the policy allowing Type-1 and Type-2 e-bikes on these three trails only.

Sonoma County Regional Parks and Trione-Annadel State Park

Sonoma County Regional Parks and Trione-Annadel State Park permit pedal-assisted e-bikes on all paved trails.

- Both jurisdictions do not allow e-bikes on any unpaved trails.
- Sonoma County Regional Parks enacted this policy to be consistent with their State Park neighbors, Trione-Annadel State Park, which shares a border Spring Lake Park, one of their most popular and highly traveled bicycle destinations.
- Sonoma County State Parks is in the process of developing a more formal, clear, and concise policy.
- One issue they're grappling with is the difficulty of enforcing a stricter e-bike policy, as the electric components are getting smaller and more integrated into the frame of the bike.

Midpeninsula Regional Open Space District (MIDPEN)

MIDPEN has a specific ordinance prohibiting e-bikes on District lands, and e-bikes are not permitted even where ordinary bicycles may travel.

- The decision-makers have cited a need to protect resources and have a more “passive recreation” approach when it comes to their District lands.
- The Board is open to revisiting their current ordinance and policy, but as it currently stands, e-bikes are specifically outlawed.

East Bay Municipal Utility District

East Bay Municipal Utility District does not permit e-bike usage on any of their trails.

- EBMUD outlawed any bicycle recreation on their property until recently, when they designated two trails permissible for bicycle use in the East Bay Watershed:
 - Pinole Valley Multi-use Trail
 - Eagle's Nest Multi-use Trail
- EBMUD's Watershed Rules and Regulations define a bicycle as a device upon which any person may ride, designed to be propelled exclusively by human power through a belt, chain, or gears, having one or more wheels, and lacking a motor of any kind.

San Francisco Public Utilities Commission Peninsula Watershed

The **SFPUC Peninsula Watershed** does not permit e-bike use on their watershed trails under any circumstances.

- The 23,000 acres of the SFPUC Peninsula Watershed is mostly closed to recreational activity of any kind in an effort to preserve its 150-year history as a protected source of municipal drinking water.
- The public can still experience the watershed's old-growth forests, meadows, and ridgetop views by visiting their 10-mile Fifield-Cahill Ridge Trail, or the 17.5-mile Crystal Springs Regional Trail managed by the San Mateo County Parks Department. Regular bicycles are permitted on some of the paved portions of these trails, but e-bikes remain prohibited.