Trails & Open Space Task Force
October 25, 2018: Meeting Minutes

Task Force Members			*TD Staff*
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Guests: Karen Aaron			

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At this meeting the Trails & Open Space Task Force (TOSTF) took the following actions:

Christina Thayer led a discussion on electric-assist mountain bikes (eMTBs) based upon the information she gathered at the Land Manager Electric Mountain Bike Summit organized by People For Bikes at Northstar on October 10, 2018.

Background:

TD's existing rule bans eMTBs on the Association's trails, stating that:

> Snowmobiles, motor-powered bikes, all-terrain vehicles (ATV's), off-road motorcycles and off-road use of any motorized vehicle is prohibited on Common Areas, and other Association-owned properties, except that the Association may use such vehicles in the furtherance of its operations. (Covenants Rules, Section II, General Common Area Property and Amenity Rules)

Given the growth in the usage of eMTBs, and the increasing presence of eMTBs on TD's trails, the task force has been encouraged to revisit the existing rule for possible alteration.

Overview:

Judging from the summit, there appears to be a broad acceptance of eMTBs from land managers. This acceptance is not merely that eMTBs are coming, but that they are already here. Given the growing presence of eMTBs on trails, from a management perspective it is no longer reasonable to institute eMTB bans or to hope to enforce existing eMTB bans. Hence, the consensus question among land managers is not whether to allow or disallow eMTBs, but how to manage them.

EMTBs are present in TD currently, and anecdotal observation from the trails staff suggests their numbers are growing at a substantial rate. “The genie is already out of the bottle,” as one TOSTF member put it.

Locally, eMTBs are popular products at bike shops. Bikeworks reports significant interest in eMTBs, with over 150 requests for them during the 2018 season. [This number has not been verified.] Nationally, ebikes are the fastest growing category of bike sales, accounting for 7% of sales in 2017, and increasing by 96% year over year.

On federal lands, ebikes are currently classified as “motor vehicles” and allowed only on trails permitting motor vehicles. However, this prohibition is not enforced locally in the Tahoe National Forest. Regardless of any written eMTB policy, other land managers in the area have also adopted similar “don’t ask, don’t tell” attitudes. Changes in usage have outpaced existing policies, often rendering existing policies unenforceable.

California ebike law (which is considered model legislation by People For Bikes), defines ebikes as having fully operable pedals and an electric motor of less than 750 watts. It further divides ebikes into three classes:

> Class 1: Low speed pedal-assisted ebikes, equipped with motors that provide assistance only when the rider is pedaling and that stops providing assistance beyond 20 mph. Legal on all paved bikeways.
>
> Class 2: Low speed throttle-assisted ebikes, equipped with motors that can exclusively propel the bike, but that cannot provide assistance or propulsion beyond 20 mph. Legal on all paved bikeways.
>
> Class 3: High speed pedal-assisted ebikes, equipped with motors that provide assistance only when the rider is pedaling and that stops providing assistance beyond 28 mph. Operators must be 16 years or older. Legal on Class 2, 3, and 4 paved bikeways, but prohibited on Class 1 paved bikeways.

California law appears to be silent regarding the operation of ebikes on unpaved trails.

Consensus from experienced mountain bike riders on the task force is that, in actual operation, eMTBs are not meaningfully faster than ordinary mountain bikes. Indeed, going downhill the weight of eMTBs will make them slower. On climbs, however, eMTBs can achieve faster rates of travel than a typical rider of an ordinary MTB.

The primary benefit of electric assistance on a mountain bike is not speed but efficiency, permitting the rider to cover distances and maintain ordinary speeds at a lower rate of exertion. Ultimately, eMTBs can make all riders more efficient, but they do not make them more technically proficient. As with conventional MTBs, riding speeds are dictated by trail conditions, trail design, and rider ability.

EMTBs are increasingly indistinguishable from ordinary mountain bikes. They are quiet, and do not appear to change rider behavior (except in so far as they increase efficiency for distances and climbs). Studies suggest that, even when they are sharing trails with eMTBs, ordinary mountain bike riders do not detect the presence of eMTBs on the trails with them.

Demographically, most eMTB riders are currently between 40 and 70, but ridership among those 25 to 40 is growing. EMTBs help older riders maintain the level of activity that they enjoy. They also allow less fit riders to keep up with fitter riding peers and partners, and permit parents (and grandparents) to keep up with their children (and grandchildren). EMTBs are also helping couples of different fitness levels enjoy the trails together. In short, eMTBs help level the playing field between riders of different fitness levels and ages (especially on climbs), allowing them to more easily ride together as a group or family.

Although eMTBs certainly help open the trails to a wider range of physical abilities, for ADA purposes it is currently unclear whether eMTBs would qualify as Other Power Driven Mobility Devices (OPDMD).

Because eMTBs are already common on TD's trails, we have effectively already conducted something of a trial for eMTBs on our trails. Our Trails Manager has not received a single complaint about ebikes. If anything the pressure is in the opposite direction: people are asking her if they can use their ebikes on TD's trails.

Regionally, some land managers appear to be hoping that TD will be a leader in adopting policies to permit eMTBs, which would serve both as a regional test case and as a regional model for other land managers to follow.

Historical comparisons:

Comparisons include the opening of downhill ski areas to snowboards, the opening of cross-country ski areas to skate skiing, and the opening of hiker and equestrian trails to ordinary mountain bikes. Though conflicts still undoubtedly arise from time to time, today these groups largely accept sharing the trails and slopes. These historical comparisons occasioned greater and more visible changes and disruptions than are expected with opening trails to eMTBs.

Common Misconceptions:

1. EMTBs cause more damage to the trails. Available evidence suggests this is false and that their impact is similar to ordinary mountain bikes.
2. EMTBs go too fast. Maximum power output of a Class 1 ebike does not exceed the maximum power output of human capability. Though at a particular physical output level riders may be incrementally faster on an eMTB, most riders will not be sufficiently fit or proficient enough to access the full electric assist potential of an eMTB. Even with an eMTB, significant speed will still require significant energy output via the pedals. We already have many mountain bikers on TD's trails capable of going much faster than the 20 MPH assisted speed of an eMTB. Again, eMTBs are no faster downhill than a

conventional MTB. Hence, speed is not an issue particular to eMTBs, and to the extent that it is a concern for bikes *in general*, it can be dealt with through courtesy/education and trail design. Other land managers dealing with speed issues have imposed speed limits on their trails.

3. EMTB crashes are more severe. Studies cited at the summit suggest there is no significant difference in crash severity between MTBs and eMTBs.
4. EMTB riders are reckless. Ebike riders exhibit similar safety behavior to conventional bike riders. Indeed, rider behavior in general on eMTBs is not readily distinguishable from rider behavior on MTBs.
5. Ebikes create conflicts. Studies suggest that conventional bike riders tend not to notice the presence of ebikes on shared trails.

Fears and Unknowns:

1. By lowering barriers of entry to using bikes on the trails, eMTBs will bring more people onto the trails. This increased usage will increase wear and tear. This argument effectively suggests that we should ban eMTBs because they might prove popular. The same exact argument could be made for banning conventional MTBs. While there may be legitimate reasons to prohibit eMTBs on trails, a fear that eMTBs might be popular is not among them.
2. This is a slippery slope. We do not know what technology will come next. By permitting eMTBs would we pave the way toward allowing other and perhaps currently unknown motorized trail conveyances in the future? (It was noted, for instance, that off-road electric skateboards already exist.)

Hypotheses:

1. The increased efficiency of eMTBs may spread bikers more widely across the trail system, reducing user density and thus reducing conflict by virtue of decreased interaction. However, with increased usage, user density could also increase in the immediate vicinity of trailheads.
2. Banning eMTBs would increase, not decrease conflict by establishing new (possibly unenforceable) rules: “If you want user conflict, start creating too many rules.”

Miscellaneous:

1. Should Bikeworks revenue kick back to the trails?
2. Some land managers permit eMTBs only on double-track roads. The effectiveness of this approach is mixed, and may lead to user conflict (arguments over what bikes are allowed where).
3. Some areas are now building eMTB specific trails, including uphill flow trails.

Implications and Costs:

1. EMTBs handle and react differently than ordinary MTBs. For instance, there is currently a slight delay both for the commencement of the electric assist motor, and for its cessation. Especially for inexperienced riders, this may lead to hazards when the bike does not slow as quickly as a rider might expect (for instance, when entering a turn).
2. With increased efficiency, riders will be able to travel further, meaning that facilities and support (bathrooms, emergency response) may be warranted farther out.
3. May increase warrant/demand for single-use trails as opposed to multi-use trails, and for uni-directional trails instead of bi-directional trails.
4. Higher speed in certain circumstances, which may warrant additional brushing of trails to increase visibility.
5. Additional/different signage will be necessary.
6. Possible inconsistency/conflict with adjacent and proximate trail systems. (Some adjacent land managers appear to be waiting for Tahoe Donner to lead on eMTB policy.)
7. May increase the number of bike users capable of passing slower riders on uphill climbs. Currently, uphill passing ability is associated with fitter, more experienced riders who understand the proper courtesies. EMTBs may open this ability to less experienced riders.
8. As some grants are strictly for non-motorized trail building, might permitting eMTBs hinder our ability to qualify for trail building grants? Possibly, but the variety of trail building grants evolves and can be expected to support trail building for trails that allow eMTBs if eMTBs continue to grow in popularity. Further, grants may also be available for eMTB specific trails. Generally, grants will follow developing usage patterns.
9. Incrementally higher usage, both in terms of user numbers and in terms of distances travelled, will lead to incrementally higher trail maintenance costs.

Mitigation and Education:

1. Some eMTB manufactures (and Bosch) may be interested in equipping associations like TD with an eMTB rental fleet, both to introduce and promote eMTBs, but also critically to facilitate training and education for new eMTB riders.
2. Question asked but not fully answered: What can be done to ease the transition, and make people who may have reservations more comfortable sharing the trails with eMTBs?

General Concerns:

1. Relatively few negatives or substantial concerns have been presented, either to the conference or to the task force. This may be because those concerns do not objectively exist. In that case, the task force's job is merely to confirm that there are no objective negatives known at this time.
2. The principal source of information on eMTB is People For Bikes, which is an industry advocate group funded largely by the Bicycle Product Suppliers Association. At the conference People For Bikes disclosed this background. However, although People For Bikes is an industry advocate organization, independent land managers consider them a credible and authoritative source for reliable information about eMTBs.

3. As eMTBs remain a relatively new development, there may be financial impacts and practical objections that are simply not known at this time. However, as it cannot know what is unknown, the TOSTF must make its recommendations based upon the best information currently available.

Downhill Ski Area:

The TOSTF considered whether the Downhill Ski Area should be turned into a downhill mountain biking area during the summer. Downhill mountain biking trails are specialty trails with features designed to create challenging and exciting descents for riders. Compared to other summer ventures like zip-lines, with downhill mountain biking, resorts appear to be getting more consistent repeat customers. "Nobody tries to get better at zip-lines," but people do try to get better at downhill mountain biking. Ski areas that offer downhill mountain biking are offering discounts to ebike riders because they can ascend via uphill flow trails instead of using chairlifts. While doubts about consistent snowpack mount, we can expect that the ski hill will be snow free and dry an increasing number of days each year. If we installed a downhill mountain bike operation at the ski hill, downhill mountain biking might be the dominant use of the facility measured in operational days per year. Though further research is necessary, downhill mountain biking may be a credible way to create year-round revenue at the ski hill, an insurance policy against diminishing snowpack, and a means to monetize the facility when it is otherwise idle. It would also be consistent with the evolution the TOSTF expects for TD as the Association becomes more and more of a trails and mountain biking community.

Initial Conclusions:

Predominant opinion among the assembled was that, like other land managers, the question TD confronts today is less whether to continue to ban eMTBs and more how to manage eMTBs. The existing rule should be reconsidered for possible alteration in this light. However, this opinion was not entirely unanimous, and no specific rule change recommendations were defined.

Administrative Note:

In cooperation with the Covenants Committee, the TOSTF will continue consideration of a rule change. At an upcoming meeting, the TOSTF will discuss specific language for various rule change options. In writing, refining, and recommending a possible rule change, the TOSTF will need to engage with the Association membership for discussion and education, and it will need to test any consensus and recommendation against new information and concerns as they may arise. However, if this new rule is to be adopted before the summer of 2019, the TOSTF should avoid subjecting this process to unmerited delays.

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Upcoming TOSTF Meetings

TOSTF Regular Meeting: November 29, 2018, 3:00 – 4:30 PM at The Northwoods Clubhouse.