PROPOSED OFF-ROAD VEHICLE RULE CHANGES: E-BIKE REGULATION AND OTHER NOTED CHANGES BOARD OF DIRECTORS MEETING, JUNE 25, 2021





PURPOSE

- Presentation to board of directors on proposed changes to the Off-Road Vehicle Rule.
- Seeking board approval to publish 45-day notice to members and comment period.



ACTION

By Motion:

The board of directors approves for publication the proposed changes to the Off-Road Vehicle rule for 45-day member notification and member comment period. Publication of the 45-day notice will be delivered to the members by a special general delivery mailer.

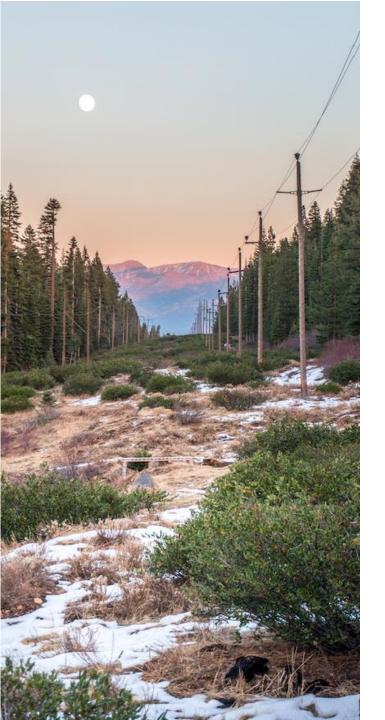


GOALS

Project Goal

- Develop a rule change recommendation through a transparent process that includes regular member outreach. Any recommendation will be expected to be widely accepted, sensible and sustainable rule change built on an informed foundation.
 - Widely Accepted = Wide acceptance by all major user groups (i.e. hikers, bikers, equestrian)
 - **Sensible** = A rule change and policies that effectively address the issues
 - **Sustainable** = Includes both sustainable environmentally and as a long-term rule/policy
 - **Informed** = Based on facts and expert advice





BOARD MEETING MARCH 12, 2021

BOARD OF DIRECTORS DIRECTION HIGHLIGHTS

- Supports staff drafting rule change to allow for e-bike adaptive management approach
- Rule change to consider adaptive management of Class 1 e-bikes only
- Supports giving staff flexibility to manage trail system through adaptive approach taking small steps, monitoring and reporting along the way

PROPOSED RULE CHANGE

2.2 Off-Road Vehicles. Snowmobiles; <u>off-highway vehicles (e.g.,</u> ATV's, <u>UTV's, SXS's);</u> motorpowered bikes, all terrain vehicles (ATV's), off-road motorcycles; motorized bicycles (i.e. mopeds); Class 2 and 3 electric bicycles; motor-propelled scooters or boards; electric unicycles; and off-road use of any <u>other motor-propelled motorized</u>-vehicle is prohibited on Common Areas, and other Association-owned properties, <u>with the following exceptions</u>, <u>except that First</u>, the Association may use such vehicles in the furtherance of its operations. <u>Second</u>, Class 1 electric bicycle usage is authorized on the Association trail and fire road system segments designated and regulated for their use through Association open space and trails policies.- The California Vehicle Code definitions of any terms used herein shall apply to any interpretation of this rule.

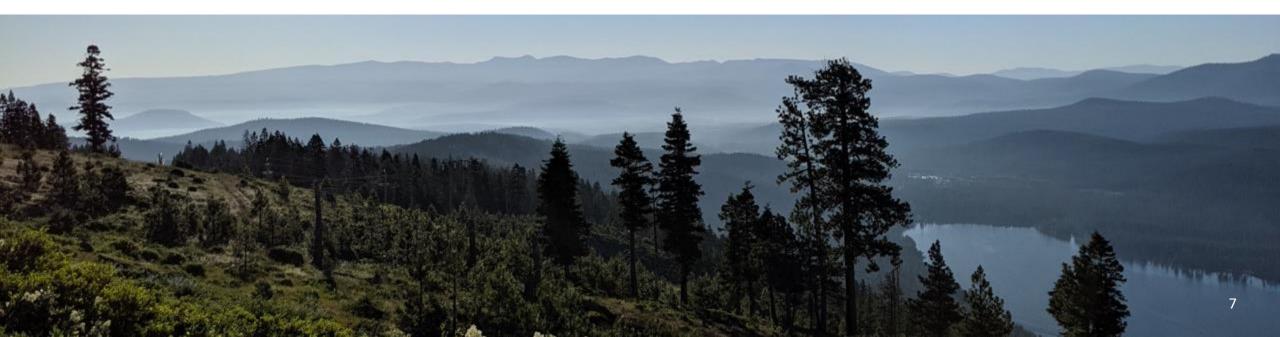
Note:

Red text signifies new or amended language. Strikethrough text signifies deletions.



ENFORCEMENT OF CURRENT RULE

- Until such time as the board adopts a change to the existing Off-Road Vehicle Rule to allow for use and regulation of Class 1 e-bikes, Class 1, 2, and 3 e-bikes are prohibited use on the Tahoe Donner trail system.
- Members and guests can expect to see messaging of the prohibition on wayfinding signs, maps, and the website.
- Enforcement procedures for violation of the rule follow the published Tahoe Donner Covenants Rules Enforcement Procedures <u>https://www.tahoedonner.com/members/homeowner-guidelines/covenants/</u>



RECOMMENDED NEXT STEPS

To summarize staff is recommending the following next steps,

- **Board Action Today:** Authorize publication of the proposed changes to the Off-Road Vehicle rule for 45-day member notification period.
- **45-day Notice:** A special general delivery mailer to the members to expedite the notice period start date. Goal of in mailboxes July 8.
- Future discussion item: Board will hear member comments on the proposed rule change at the July 23, 2021 board meeting.
- Future action item: Board action to adopt the rule change to be on the August 27, 2021 board meeting.
- Future action item: Following board adoption of the rule, Class 1 ebikes will be allowed on double track/fire roads in 2021. In 2022 any further access for e-bikes will be evaluated based on information gained in 2021 and applied in a pilot program to include member outreach and codified in open space and trails policies.



ACTION

By Motion:

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QUESTIONS?

