

PROPOSED OFF-ROAD VEHICLE RULE CHANGES: E-BIKE REGULATION AND OTHER NOTED CHANGES

BOARD OF DIRECTORS MEETING, JUNE 25, 2021



TAHOE DONNERSM



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



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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; off-highway vehicles (e.g., ATV's, UTV's, SXS's); ~~motor-powered 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 other motor-propelled ~~motorized~~ vehicle is prohibited on Common Areas, and other Association-owned properties, with the following exceptions; ~~except that First,~~ the Association may use such vehicles in the furtherance of its operations. Second, 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.



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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 <https://www.tahoedonner.com/members/homeowner-guidelines/covenants/>



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 e-bikes 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

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QUESTIONS?



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