

# 45-DAY NOTICE: PROPOSED OFF-ROAD VEHICLE RULE CHANGE, ELECTRIC BICYCLE REGULATION AND OTHER NOTED CHANGES

BOARD OF DIRECTORS MEETING AUGUST 27, 2021



**TAHOE DONNER**<sup>SM</sup>



# RECOMENDATION

**By Motion:** To extend the member comment period for the proposed changes to the "Off-Road Vehicles" rule, as follows: Additional comments will be taken up to and at a September Board Meeting where the proposed changes to the "Off-Road Vehicles" rule will be considered by the Board.





## BACKGROUND

- E-bike use on the TD's trail and fire road system is currently governed by the Off-Road Vehicle Rule.
- Current rule needs to be updated to address and clarify motorized and motor-propelled vehicle use on Association common areas and trail system.
- December-March: Extensive community outreach initiative took place
- March 2021: Board directed staff to prepare rule change language while taking into consideration member outreach and Board of Directors' feedback.
- Draft rule created with legal counsel and interested Trails and Open Space members.
- 45-Day Comment period began July 8, closed August 20
- **Nearly 250 comments were received through the feedback form.** Full export of comments included in meeting documents

# PROPOSED MODIFICATIONS

**2.2 Off-Road Vehicles.** *Snowmobiles; off-highway vehicles (e.g., ATV's, UTV's, SXS's); 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 vehicle is prohibited on Common Areas, and other Association-owned properties, with the following exceptions. First, the Association may use such vehicles in the furtherance of its operations. Second, golf carts are authorized for use on the golf course. Third, Class 1, 2 and Class 3 electric bicycles and motorcycles are allowed in Association parking lots. Fourth, mobility assistive devices for those medically certified as disabled are allowed. Finally, 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 here in, sections 406, 12804.9, 21113, 21207.5, and 24016 of, and to add Sections 312.5 and 21213 as adopted October 7,2015, shall apply to any interpretation of this rule.*

Note: Red text signifies new or amended language.

# IF APPROVED, WHAT IS THE IMMEDIATE EFFECT?

As noticed to the members, effects of the proposed Off-Road Vehicle Rule on homeowners are to:

- Expand prohibition of off-road vehicles to include utility terrain vehicles (UTV's), side-by-side vehicles (SXS's), motor-propelled scooters/boards and other motor-propelled vehicles
- Authorize Class 1 electric bicycle usage on trails and fire road system **as designated and regulated by future Association open space and trails policies (see implementation detail below)**



**ADAPTIVE MANAGEMENT**

PARTIAL/LIMITED/RESTRICTED  
E-BIKE USE ALLOWED

# IMMEDIATE ROAD AND TRAIL MANAGEMENT CHANGES

Because the rule is written to allow for Adaptive Trail Management, the Tahoe Donner Land Management Department will implement the following changes if the rule change is adopted.

- Effective immediately, allow class 1 electric bikes access to double track and fire roads (not single track).
- Sign and educate the membership on the rule change, continue trail etiquette education.
- Continue trails ambassador program and trails phase-1 pilot program
- Between 8/27/21-10/31/21: Implement at minimum six unadvertised double track and single track trail monitoring days to collect trail usage data including e-bike adherence to proposed rule change.
- Between 8/27/21-10/31/21: Install two trail counters and rotate locations to collect usage data on at minimum six double or single track trails.
- By 9/10/21: Release RFP seeking consultant to assist in updating the Trails and Open Space Master Plan.
- November 2021-June 2022: Collaborate with consultant, TOS committee and membership to release an updated Trail Master plan by July 2022. This plan will define management of all recreational use on the Tahoe Donner double and single track trail system.





## E-BIKE POLICY

- 1) Effective 8/27/21 provide Class 1 e-bike access to all double track trails. Class 1 e-bikes will be prohibited from all single track trails managed solely by Tahoe Donner.
- 2) Trails permitted or granted easement across Tahoe Donner lands will be managed on a case by case basis to provide for or prohibit Class 1 e-bike use. (example Donner Lake Rim Trail)
- 3) Effective 8/27/21 The Land Management Department will have authority to further restrict e-usage on segments of double track if deemed necessary. The Land Management department will not have authority to increase e-bike access until completion and board adoption of an updated Trails Master Plan, (anticipated mid summer 2022)





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# QUESTIONS?



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