AGENDA ITEM SUMMARY
(Must be submitted NLT 3PM Wednesday for next week agenda)

Department: BOCC

WORK SESSION  ☑ Meeting Date: 6/17/19

REGULAR AGENDA  ☐ Meeting Date:

Item summary:
☐ Call for Hearing
☐ Resolution
☐ Draft Ordinance
☐ Contract/Agreement/MOU - Contract #
☐ Proclamation
☐ Final Ordinance
☐ Budget Item
☐ Other - Discussion

Documents exempt from public disclosure attached: ☐

Executive summary:
Electric Bicycles and the Olympic Discovery Trail:
Electric bicycles are an emerging technology around which counties and other municipalities are beginning to create rules and norms, especially as they relate to shared-use trails like the Olympic Discovery Trail. With the multitude of agencies/jurisdictions that have some control or ownership over the ODT and similar trails in Clallam County, it is important to attempt to develop a set of rules and norms that can be adopted across the county to ensure consistency, avoid confusion and maximize the use and enjoyment of all our shared-use trails.

Sam Chandler of Ben’s Bikes in Sequim has been helping to organize the cycling community in order to take proactive action, and to that end has drafted language relating to electric bicycle usage and rules in Clallam County. The purpose of today’s discussion will be to learn about electric bicycles and their abilities; to learn about how other jurisdictions are considering electric bicycles as they make rules, to begin to solicit input from the local bicycling community around what might be appropriate for Clallam County in general and the ODT specifically, and to identify next steps in the conversation.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) If a budget action is required, has it been submitted and a copy attached? ☐
None

Recommended action: (Does the Board need to act? If so, what is the department’s recommendation?)
Discussion regarding Electric bicycles and the Olympic Discovery Trail and to identify next steps in the conversation.

County Official signature & print name:  [Signature] Mark Ozias, BOCC

Name of Employee/Stakeholder attending meeting: Ben’s Bikes, Peninsula Tails Coalition, Olympic Peninsula Bicycle Alliance, City of Sequim, Department of Natural Resources, Dry Hill

Relevant Departments: Roads/Public Works Department, and Parks, Fairs and Facilities

Date submitted: April 2, 2019

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Questions? Call Loni Gores, Clerk of the Board, ext 2256
Proposed Electric Bicycle Use Rules for Clallam County
And Contiguous Jurisdictions
April 1, 2019 May 21, 2019

Section 1 – Definitions

1) “Electric bicycle” means a 2 or 3 or 4 wheel bicycle equipped with fully operable pedals and an electric motor of less than 750 watt (15.6 amps x 48V) that meets the requirements of one of the following three classes:
   a. “Class 1 electric bicycle means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
   b. “Class 2 electric bicycle” means an electric bicycle equipped with a throttle-actuated motor that may be used exclusively to propel the bicycle or a Class 1 electric bicycle with a boost, and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.
   c. “Class 32 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

2) Electric bicycles are not a “motor vehicle” or “moped” as described here.

Section 2 – General rules for electric bicycles to be used in Clallam County

1) Rights and duties of electric bicycles

Except as otherwise provided in this note: an electric bicycle or an operator of an electric bicycle is afforded all the rights and privileges, and subject to all of the duties of a bicycle or the operator of a bicycle. An electric bicycle is a vehicle in the same way a bicycle is a vehicle.

2) Insurance, licensing and registration

An electric bicycle or a person operating an electric bicycle is not subject to the provisions of state law relating to financial responsibility, driver’s licenses,
registration and registration, certificates of title, off-highway vehicles and license plates. An electric bicycle is not a motor vehicle.

3) Labeling requirement

All bicycle retail vendors or electric bicycles shall apply a label that is permanently affixed, in a prominent location, to each electric bicycle. The label shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle, and shall be printed in Arial font in at least 9-point type.

4) Tampering restriction

A person may not tamper with or modify an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle, unless they appropriately replace the label indicating the classification required in section 2.3.

5) CPSC compliance


6) Motor disengagement

An electric bicycle must operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.

7) Path Use by class 1 and class 2 electric bicycles

A class 1 electric bicycle or a class 2 electric bicycle may be ridden on a bicycle or multi-use path where bicycles are permitted.
8) Path use by class 3 electric bicycles

A class 3 electric bicycle may not be ridden on the Olympic Adventure Trail or Miller Peninsula State Park that are a bicycle or multi-use path in Clallam County. A class 3 electric bicycle may be ridden on any road, street or highway that are used by other motorized vehicles.

Section 3- Additional rules for electric bicycles

1) Age restriction

No person under the age of sixteen (16) may operate a class 3 electric bicycle. A person under the age of sixteen (1) may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.

2) Helmet requirement

All operators and passengers of class 1, class 2 and class 3 electric bicycles must wear a properly fitted and fastened bicycle helmet that meets the standards provided by either the United States Consumer Product Safety Commission or the American Society for Testing and Materials, or standards subsequently established by those entities. Failure to wear a helmet constitutes negligence/assumption of risk and could otherwise limit recovery in the instance of a collision with other road users or motor vehicles.

3) Speedometer requirement

All electric bicycles must be equipped with a speedometer that displays the speed the bicycle is traveling in miles per hour.

4) Safety

All electric bicycles permitted on the trails described herein must be built and certified by a qualified retail bicycle service establishment to assure the safe performance of the equipment.
Section 4 - Permits

1) Decals

All class 1, class 2 and class 3 electric bicycle users must purchase a non-transferable permit decal to attach to the bicycle that includes the class, watt hours and amps of the bicycle.

2) Use

All class 1 and class 2 electric bicycles may use all sections of the Olympic Discovery Trail (ODT) and all developed sections of the Olympic Adventure Trail (OAT). Class 3 electric bicycles may use all open logging roads and sections of the ODT that are open to automobiles.

3) Application for other venues

Other land owners or jurisdictions that manage other bicycle trails (for example, Dungeness Trails, Miller State Park, Dry Hill, Olympic Discovery Trail inside the city limits of Sequim or Port Angeles) may adopt the Clallam County permit decallanguage for electric bicycle use on the respective trails under their control.

4) Fees

The cost of each decal will be $10 with all funds earmarked for ODT and OAT maintenance, wayfaring signs and informational kiosks.

5) Dealers

Permit decals may be purchased on-line from Peninsula Trails Coalition (PTC) Olympic Peninsula Bicycle Alliance (OPBA) or Ben’s Bikes.

Permit decals may be purchased in person at Ben’s Bikes and Pedego Sequim.

6) Prohibitions

Permit decals are not available for any other electric bicycle configuration, for any motorized bicycle or for any electric bicycle kit where the power output is unknown. Any electric bicycle that does not comply with Section 3 and Section 4 will not be eligible for permit decals.
Bicycle shops that rent electric bicycles to the public must provide information purchase permit decals for each bicycle to allow customers access to the section about the respective trails in this rule.

All multi-use trails and paths shall have prominent speed limit signs setting the speed at 15 MPH and appropriate warning signs on blind corners and areas of congestion.

REVISED May 21, 2019