



City of Mission Viejo

Office of the City Manager

Trish Kelley
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September 10, 2024

The Honorable Maria D. Hernandez
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Subject: **City of Mission Viejo's Response to the 2023-2024 Orange County Grand Jury Report, "E-Bikes Friend or Foe"**

Dear Honorable Judge Maria D. Hernandez,

The City of Mission Viejo is in receipt of the 2023-2024 Orange County Grand Jury report, *E-Bikes Friend or Foe*. This report has been thoroughly reviewed by City Staff and the Orange County Sheriff's Department (OCSD). It should be noted that OCSD provides Police Services for the City of Mission Viejo. Pursuant to *California Penal Code* Section 933 and 933.05, this letter serves as a response to the inquiries of the Grand Jury. The City of Mission Viejo provides the following responses:

FINDINGS

***Finding 1:** The majority of Orange County's 34 cities do not have ordinances or policies in place, which makes it difficult to address the safe operation and regulation of E-bikes leading to confusion.*

Response: The City of Mission Viejo agrees with this finding.

***Finding 2:** Due to the increasing incidence of e-bike injuries and deaths, there is a need for consistent and accurate tracking by law enforcement and first responders, which does not exist now.*

Response: The City of Mission Viejo agrees with this finding.

***Finding 3:** Training and education on e-bike use and safety varies from city to city causing confusion amongst riders.*

Response: The City of Mission Viejo agrees with this finding.



RECOMMENDATIONS

Recommendation 1: Each Orange County city should have specific policies that define the rules of the road for use of E-bikes in their communities by December 1, 2024.

Response: The recommendation has not yet been implemented but will be implemented in the future. The City requests the deadline be extended to June 30, 2025. The City is actively working with OCS D, working with the OCTA E-bike Coordination Committee, and monitoring State actions to see forthcoming legislation. Clear guidelines and policies will be developed regarding E-bike classification, safety standards, and enforcement procedures.

Recommendation 2: Each Orange County city should have a mechanism in place to report accidents, injuries and deaths involving E-bikes by December 1, 2024.

Response: This recommendation has been implemented. The Orange County Sheriff's Department currently reports accidents, injuries, and deaths through the state-controlled system maintained by the California Highway Patrol (CHP), utilizing CHP Form 555. Any identified e-bike that is involved in a collision is coded as an "Electric Bicycle" in the CHP form. The City utilizes a third-party software, Crossroads Analytics, to compile and analyze all OCS D reported collisions, including the ability to extract incidents specifically involving e-bikes.

Recommendation 3: Each Orange County city should research and develop outreach and education programs regarding the safe operation of E-bikes for their residents by December 1, 2024.

Response: This recommendation has been implemented. The recommendation is implemented through collaboration between the City and the OCS D. The City has published E-bike safety information on the City website ([Bicycle & E-Bicycle Safety](#)) and social media platforms. In addition, the City and OCS D have hosted an E-bike Safety Rodeo ([Bike Safety Rodeo Event](#)) where participants had the opportunity to build safe riding abilities.

Should you have any questions or need any additional information, please contact Mark Chagnon, Public Works Director, at 949-470-3091 or via e-mail at mchagnon@cityofmissionviejo.org.

Sincerely,



Elaine Lister
City Manager

Cc: Trish Kelley, Mayor
Jerry Hill, Assistant City Manager
William P. Curley, III, City Attorney
Mark Chagnon, Director of Public Works
Rich Schlesinger, City Engineer
Mario Gutierrez, Transportation Engineer
Jason Ivins, OCS D Captain