



Mayor
Mark Tetterer

Mayor Pro Tem
Scott Voigts

Council Members
Doug Cirbo
Robert Pequeño
Benjamin Yu

City Manager
Debra DeBruhl Rose

September 17, 2024

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

Re: E-bikes Friend or Foe

Dear Judge Hernandez,

The City of Lake Forest has reviewed the Orange County Grand Jury Report entitled, "E-bikes Friend or Foe." The Lake Forest City Council reviewed and adopted the following responses to the findings and recommendations included in the report at its August 20, 2024, City Council Meeting.

Note: The original Grand Jury findings are repeated below in italics. The City's responses are in bold, with additional explanation and commentary in regular typeface. References to the "City" refer to the City of Lake Forest.

F1 *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.*

The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons thereof.

The City lacks the knowledge and information sufficient to reach this conclusion. The City cannot say with certainty what ordinances and polices exist in other Orange County cities and can only speak to its own ordinances and policies. Moreover, is unclear what is being *addressed* or how *confusion* is defined. The City has adopted an E-bike ordinance and policies that include the definition of E-bikes, E-bike speed limits on sidewalks and streets, where E-bikes can be used, and other general safety measures. The City has no way of measuring whether residents understand the law and its application to specific situations or whether they are convinced of its wisdom from a policy perspective.

F2. *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.*

The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons thereof.

The City lacks the knowledge and information sufficient to reach this conclusion. While an increase in incidences of E-bike injuries and death may cause concerns, the City lacks the information to determine that this creates a need for consistent and accurate tracking. The City is also unclear by what is meant by *consistent* and *accurate* tracking and how that would differ from existing efforts. While there may not be a system to track these incidents in an exclusive manner, that does not mean these incidents are not being tracked consistently and accurately.

F3. *Training and education on E-bike use and safety varies from city to city causing confusion amongst bike riders.*

The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons thereof.

The City lacks knowledge and information sufficient to reach this conclusion. For its part, the City has provided opportunities for public education through community events, neighborhood watch meetings as well as public safety presentations to the public. The City does not have information on E-bike safety education in other jurisdictions. The City has no way of measuring whether the public understands these laws and their application to specific situations or whether they are convinced of its wisdom from a policy perspective.

Responses to Recommendations

R1. *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.*

The recommendation has been implemented, with a summary regarding the implemented action.

The City updated its municipal code on November 1, 2022, to include policies regarding the definition of E-bikes, speed on sidewalks and streets, where E-bikes can be used, and general safety measures.

- R2. *Each Orange County city should have a mechanism in place to report accidents, injuries and deaths involving E-bikes by December 1, 2024.*

This recommendation will not be implemented because it is not warranted or is nor reasonable, with an explanation, thereof.

The City does not single out E-bike related incidents for reporting and tracking. All incidents reported and tracked are treated with the same urgency and resources via the non-emergency dispatch line or 911 emergency line by the Orange County Sherriff's Department, the City's police services provider. Singling out these incidents and establishing a mechanism to track them separately would be a policy choice left to the City under its police power, and the Grand Jury is not justified in attempting to impose it on the City.

- R3. *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.*

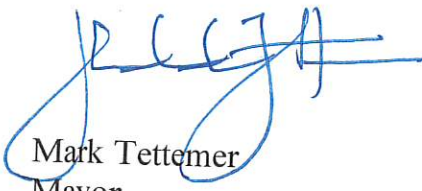
The recommendation has been implemented, with a summary regarding the implemented action.

The City has made substantial progress toward its public awareness campaign regarding E-bike regulations. Additionally, the City collaborates with local schools to enhance rider safety and is in the process of launching an E-bike registration program to prompt better knowledge of E- bike regulations and obtain data as to the type of E-bikes in the City.

If you have any questions regarding this response, please reach out to the City Manager's office at (949) 461-3410.

Respectfully,

City of Lake Forest


Mark Tettermer
Mayor