CITY OF LOS ALAMITOS
Council Chamber
3191 Katella Ave., Los Alamitos CA 90720

TRAFFIC COMMISSION AGENDA
REGULAR MEETING

Wednesday, September 11, 2024 – 7:00 PM

NOTICE TO THE PUBLIC - This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the City Clerk's Office or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Each matter on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as "for information" or "for discussion" may also be the subject of an "action" taken by the City Council at the same meeting.

Agenda-related documents provided to a majority of the City Council after distribution of the Traffic Commission agenda packet (GC §54957.5) will be made available for public inspection at the meeting. Such documents will also be available at the City Clerk's office, 3191 Katella Avenue Los Alamitos, CA 90720.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (562) 431-3538, ext. 220. Notification at least 42 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35 ADA Title II]. Language translation services are available for this meeting by calling the City Clerk's Office at least 42 hours in advance.

If you are unable to attend this meeting in person, you may submit comments on any agenda item or on any item not on the agenda by email to cityclerk@cityoflosalamitos.org with the subject line "TRAFFIC COMMISSION PUBLIC COMMENT". Comments received by 3:00 p.m. the day of the meeting will be compiled, provided to the City Council, and made available to the public before the start of the meeting. Staff will not read email comments at the meeting. You may also view the meeting live on local cable channel 3.

If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the City Clerk's Office at (562) 431-3538, extension 220, 48-hours prior to the meeting so that reasonable arrangements may be made.

1. CALL TO ORDER

2. ROLL CALL

Chair Murphy
Vice Chair Mejia
Commissioner D. Hill
Commissioner R. Hill
Commissioner Marchese
Commissioner Patz
Commissioner Rojas

3. PLEDGE OF ALLEGIANCE

4. ORAL COMMUNICATIONS

At this time, any individual in the audience may address the Traffic Commission and speak on any item within the subject matter jurisdiction of the Commission. Please state if you wish to speak on an item on the Agenda. **Remarks are to be limited to not more than three minutes.**

5. CONSENT CALENDAR

All Consent Calendar items may be acted upon by one motion unless a Traffic Commissioner requests separate action on a specific item.

A. Approval of Minutes

Approve the Minutes for the Regular Meeting of the August 14, 2024.

6. STAFF REPORTS

A. Traffic Commission Status Log

B. Orange County Grand Jury Report - E-Bikes Friends or Foe (Development Services)

Response to the June 20, 2024, Orange County Grand Jury Report titled, "E-bikes Friend or Foe."

Recommendation:

1. Receive and File

7. ITEMS FROM THE DEVELOPMENT SERVICES DEPARTMENT

8. TRAFFIC COMMISSION INITIATED BUSINESS

At this time, Commissioners may report on items not included on the agenda, but no such matter may be discussed, nor may any action be taken in which there is interest to the community, except as to provide Staff direction to report back or to place the item on a future agenda.

9. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the Los Alamitos City Hall, 3191 Katella Ave. and online at www.cityoflosalamitos.org not less than 72 hours prior to the meeting.

_____

Vandine Ouk

Department Secretary
Dated: 9/05/24

MINUTES OF TRAFFIC COMMISSION MEETING OF THE CITY OF LOS ALAMITOS

REGULAR MEETING – August 14, 2024

1. CALL TO ORDER

The Traffic Commission met in Regular Session at 7:00 p.m. on Wednesday, August 14, 2024, Chair Murphy presiding.

2. ROLL CALL

Present:	Commissioners:	Chair Murphy, Vice Chair Mejia D. Hill, R. Hill, Marchese, Patz, and Rojas
Present:	Staff:	Irving Montenegro Jr., Development Services Manager Chris Kelley, City Engineer Vandine Ouk, Department Secretary

3. PLEDGE OF ALLEGIANCE

Vice Chair Mejia led the Pledge of Allegiance.

4. ORAL COMMUNICATION

Chair Murphy opened oral communications.

Chair Murphy closed oral communications.

5. CONSENT CALENDAR

All Consent Calendar items may be acted upon by one motion unless a Traffic Commissioner requests separate action on a specific item.

A. Approval of the Minutes

Approval of the Minutes for the Regular Meeting of July 10, 2024.

Motion/Second: R. Hill/Patz
Carried 4/0 (D. Hill and Patz abstained): The Traffic Commission approved the Regular Meeting Minutes of July 10, 2024.

6. STAFF REPORTS

A. Road Closure for Neighborhood Events

Development Services Manager Montenegro Jr. summarized the staff report.

The Traffic Commission asked and received clarification from Development Services Manager Montenegro Jr. on the following:

- The applicant is responsible for providing and installing signage and barricades and noticing the residents who live near the event of the closure.
- The applicant must provide proof of notice before approval of the street closure.
- Fees collected are dependent on the sizeof the event.
- An eleven-foot clear travel way must be provided for emergency and local access to the parcel.
- The Temporary Use Permit adheres to the municipal code.
- The Temporary Use Permit application must be submitted to the city thirty days before the event and will be revised to reflect the deadline. Currently, City Staff can accept the applications within 15 days for the recurring events.

Approve: Patz/Marchese
Carried 7/0: The Traffic Commission approved the Road Closure for Neighborhood Events with the noted revisions.

B. Traffic Commission Status Log
This is a traffic tool used by the Traffic Commission to track assignments and accomplishments.

Commissioner Rojas asked and received clarification from Development Services Department Secretary Ouk that item E7 has been completed.

Vice Chair Mejia asked and received clarification from City Engineer Kelley that item A7 will be included in the upcoming Striping on Los Alamitos Boulevard Project.

Chair Murphy asked and received clarification from Development Services Manager Montenegro Jr. that item E8 will be a program that the Los Alamitos Police Department will implement.

7. FROM THE DEVELOPMENT SERVICES DEPARTMENT

Development Services Manager Montenegro Jr. briefly discussed the following:

- Nites on Pine Series – 4:00 p.m. on every third Saturday of the month from August 17th – November 16th
- “No U-Turn” sign installed in front of Good Sheperd Church
- Community Center II Grand Reopening – Friday, October 4th
- Mr. Feldman’s concern from the last Traffic Commission Meeting is under review

8. TRAFFIC COMMISSION INITIATED BUSINESS

Commissioner Rojas requested Development Services Manager Montenegro Jr. to follow up on an email sent by Ms. Charlene Wood regarding installation of speed humps.

Commissioner Rojas requested staff to follow-up on item E3 on the Traffic Commission Status Log.

Vice Chair Mejia asked and received clarification from City Engineer Kelley that the Southern California Edison Representative is tentatively scheduled to attend the September Traffic Commission Meeting.

Vice Chair Mejia requested a follow-up on item A32 on the Traffic Commission Status Log.

Vice Chair Mejia asked and received clarification from City Engineer Kelley that the sign survey is being conducted throughout the city.

Vice Chair Mejia requested staff to review the handicapped parking space on Green Avenue between Noel Street and Maple Street.

Commissioner Marchese asked and received clarification from Development Services Manager Montenegro Jr. that the street sweeping schedule could be confirmed with the Development Services Department.

Chair Murphy asked and received clarification from Development Services Manager Montenegro Jr. that the posted no-parking hours for street sweeping must be followed even if the street sweeper has passed.

9. ADJOURNMENT

Motion/Second: Murphy/R. Hill
Carried 7/0: The Traffic Commission unanimously voted to adjourn the meeting until September 11, 2024.

The Traffic Commission adjourned at 7: 47 p.m.

_____
Bruce Murphy, Chair

Attest:

_____
Vandine Ouk, Department Secretary

LOS ALAMITOS TRAFFIC COMMISSION STATUS LOG

ITEM	DESCRIPTION	DATE INITIATED	REQUESTED BY	REMARKS
A1	install 4-way stop signs at 4-way stop intersections	Jul-15	J. Wilhelm	Completed
A2	Farquhar/Los Alamitos Alley Study		Emerson/Mejia	Completed
A3	No left turn sign by the post office on Reagan St	Jun-15	D. Patz	Completed
A4	Katella/Cherry crosswalk on eastside of Katella	Jun-15	J. Mejia	Pending - Put on 7-yr CIP
A5	High School Traffic Study		D. Hunt	Completed. Submitted request to the district and was denied. No further action at this time.
A7	Repaint arrows at bus pad on Katella @ Walnut	Apr-15	J. Mejia	Completed
A8	3-way stop sign @ Cherry St & Catalina St	Jan-13	J. Wilhelm	Completed
A9	Consider options for widening Civic Center Dr	Jan-14	J. Mejia	No longer applies
A10	Upgrade forklift crossing on Catalina	Jan-16	J. Mejia	Completed
A11	remove parking spaces on s/s Catalina opposite - near the Los Alamitos Medical Center	Mar-16	J. Mejia	Completed
A12	PT/P study to downgrade fully protected operation for Rossmoor Way/Los Alamitos TS and Bradbury/Los Alamitos TS S/B and N/B directions	Jun-16	D. Emerson	Completed
A13	1. Los Alamitos Blvd @ Farquhar - safety light out 2. Los Alamitos Blvd @ Katella - safety light cycling 3. Los Alamitos Blvd @ Florista, safety light out 4. Los Alamitos Blvd @ Cerritos - Illuminatated street name dark 5. Cerritos Ave @ Los Al High, ISNS is out 6. Cerritos Ave @ Humbolt, ISNS is out 7. Cerritos Ave @ Bloomfield, safety light out	Feb-19	J. Mejia	Completed
A15	Los Alamitos Blvd @ Orangewood Safety Light Out	Mar-08	Hill	Completed
A16	Safety light out at the intersection of Humbolt Street and Cerritos Ave.	May-17	Chair Patz	Completed
A17	Bloomfield speed sign is not working	Apr-17		Completed
A18	Parking Revision 10732 Los Alamitos Boulevard in Front of McNally Back to 24 Min. Zone.	Feb. 7	Commission	Completed
A19	Real Estate Sign limiting visibility at the intersection of Florista and Pine	Apr-17	Commission	Completed
A20	Florista Signal Timing	Jul-17	Commissioner Hill	completed.
A21	Katella Avenue at Lexington Safety light is dark	Sept. 17	Commission	Completed
A22	Traffic signal indication at S/W corner missing	Sept. 17	Chair Patz	Completed
A23	Move or upgrade mid-block crosswalk on Cherry s/o Florista	Mar-16	J. Mejia & D. Patz	Completed

LOS ALAMITOS TRAFFIC COMMISSION STATUS LOG

ITEM	DESCRIPTION	DATE INITIATED	REQUESTED BY	REMARKS
A24	five (5) traffic signs on the south side of Katella Avenue, between the 605 freeway and Wallingsford are starting to lean toward the street.	Feb-19	E. Singer	Completed
A25	parkway trees are blocking the effectiveness of the street lights, on the east side of Los Alamitos Bouelvard, between the car wash and Bradbury Road.	Feb-19	E. Singer	Completed
A26	alley, south of Katella from Lexington heading west: overgrown vegetation at the rear of the private properties	Feb-19	E Singer	Completed
A27	repair of two speeds bumps in the alley between Lexington Drive and Noel Street, and between Katella Avenue and Green Avenue.	Mar-19	J. Mejia	Completed
A28	request to adjust the new median lights on Los Alamitos Bouelvard, so that the lights are triggered to turn on and off by the sensor and not the timer.	Feb-19	D. Patz	Completed
A29	Scramble Timing at the intersection of Cerritos and Los Alamitos Boulevard	Apr-17	R. Hill	No further action required at this time. Will be evaluated after School Traffic Study Review
A30	Add red curb for sight distance on Katella for n/bound Bloomfield	Mar-16	D. Emerson	Completed
A31	Vehicles in N/bound left turn lanes on Los Alamitos at Katella back up into thru lane	Jan-16	D. Emerson	Reviewing - Would likely require capital improvements
A32	Replace speed bumps in alley - poor condition	Jan-16	J. Mejia	Completed - no longer applicable
A34	Extend the "merge left" sign on Los Alamitos Boulevard (NB) to be moved closer to Katella Avenue	Apr-19	Singer	Completed
A35	Painted "merging" street marks on Los Alamitos Boulevard north of Katella Avenue, south of Florista Avenue.	Jun-19	Traffic Commissioner Mejia	Completed
A36	"No Parking" sign replacement at the west end of San Joaquin Avenue	Jun-19	Traffic Commissioner Patz	Completed
A37	San Bonito Avenue street sign on Bloomfield Street going north to south is blocked by a block wall	Oct-19	Traffic Commissioner Patz	Completed
A38	Katella Deli removal of damaged wall	Feb-19	Traffic Commissioner Mejia	Completed

LOS ALAMITOS TRAFFIC COMMISSION STATUS LOG

ITEM	DESCRIPTION	DATE INITIATED	REQUESTED BY	REMARKS
A39	Overgrown tree on private property covering a signal at the intersection of Bradbury Road and Los Alamitos Boulevard	Jun-19	Traffic Commissioner Rodman	Completed
A40	Street name signs at Los Alamitos Bl/Florista- paint/vinyl pealing off	Jan-16	J. Seaman	Completed
A41	Fadded permit parking signs on San Joaquin Avenue, San Mateo Avenue, and Humbolt Street paint/vinyl pealing off	Jan-22	Traffic Commissioner Patz	Completed
A42	Restripe crosswalk on Kyle Street and Florista Street	Jun-22	Javier Mejia	Completed
A43	Request for removal of flashing radar speed sign on Bloomfield Street between Cerritos Avenue and Katella Avenue	Jun-23	Chair Patz	Completed
A44	Request for median markers on the east side of Katella Avenue	Jan-23	Commissioner Murphy	Completed
A45	No U-Turn sign on the left turn lane on Los Alamitos Boulevard into Good Shepherd Church	24-Jun	Traffic Commissioner R. Hill	Completed
COMMUNITY INITIATED ITEMS - COMPLETED				
B1	Extend signal time for cars crossing Katella @ Walnut/Wallingsford	Apr-June-15	Lindsey	Completed
B2	Conduct Four-Way Stop Study at the intersection of Walnut and Catalina	Apr-17		Completed
B3	Traffic Signal @ Wallingsford and Katella	May-17	Resident	Completed
B4	requesting the installation of a u-turn sign and/or paint a red curb in the Woodcrest neighborhood - school traffic imposes safety concerns (Los Alamitos High School)	Oct-17	Residents: Carol Wall & Betty Binder	completed.
B5	installation of a right-turn only sign at the exit driveway off Farquhar, on the east side of Jack in the Box leaving Bank of America parking lot going onto Farquhar.	Nov-17	Resident: Art DeBolt	completed and removed.
B6	Traffic signal at Katella and Los Alamitos	Jul-17	P. Dykhouse	Completed: Traffic signal is operating as was intended
B7	Red curb request on north side of Sausalito Street east of the driveway into Sausalito Walk	Sep-18	esident: Richard Murph	Completed
B8	Installation of a crosswalk at the intersection of Green Avenue and Bloomfield Avenue	Jan-19	Resident:	Completed
B9	Dedicated right turn lane on Cerritos Avenue in front of Los Alamitos High School	Oct-19	Traffic Commissioner Hill	Completed

LOS ALAMITOS TRAFFIC COMMISSION STATUS LOG

ITEM	DESCRIPTION	DATE INITIATED	REQUESTED BY	REMARKS
B10	Permit parking sign removal in New Dutch Haven neighborhood - as part of the permit parking review	Oct-19	Residents	Completed
B11	Permit parking sign removal in Carrier Row neighborhood - as part of the permit parking review	Oct-19	Residents	Completed
B12	Red curb request on south of Sausalito Street west of Los Alamitos Boulevard (next to Shenandoah's)	Sep-18	Resident: Richard Murphy	Completed
B13	Request for the installation of equipment for the visually impaired on Florista Street and Los Alamitos Boulevard	Fall 2018	Resident	Completed
B14	Installation of speed humps at Old Town West (Project updated to Traffic Calming)	Sep-19	Resident	Completed
B15	Red Curb Request on 4021 Howard Avenue	May-17	Matthew Dastis	Item pending written request from Mr. Dastis. *Requestee passed away* No further action needed
RECOMMENDATION APPROVED & PENDING IMPLEMENTATION				
C1	Analysis of other intersections near all schools within City limits which might warrant the installation of a crosswalk	Jan-19	Traffic Commission	Approved - pending implementation
C2	Street sweeping signage around the LAMC (initiated by excess trash and debris on the street)	Jan-19	Resident	Approved - pending implementation
C3	Safety concern of accessability on the southeast and northeast corner of Los Alamitos Boulevard/Bradbury Road and Los Alamitos Boulevard/Rossmoor Way	Apr-21	D. Hill	Approved - pending implementation
RECOMMENDATION DENIED				
D1	installation of northbound speed limit sign on Bloomfield	Nov-19	Resident: Art DeBolt	denied
D2	change the alley (between Farquhar Ave & Howard Ave) to be one-way only	Nov-19	Resident: Art DeBolt	denied
D3	Remove "Keep Clear" on Farquhar at Cherry	Mar-16	D. Emerson	Denied
D4	Remove school signs for Laurel HS, which is closed	Nov-15	D. Patz	Denied per schools request
D5	Modify pedestrian signal/sign for NB right turns - East leg Bloomfield & Katella	Jan-14	J. Wilhelm	Denied

LOS ALAMITOS TRAFFIC COMMISSION STATUS LOG

ITEM	DESCRIPTION	DATE INITIATED	REQUESTED BY	REMARKS
D6	Request to add permit parking on Maple Street in the Apartment Row neighborhood	Jan-20	Resident: Mark Giruad	Denied
D7	15 minute parking sign at 4012 Katella Ave, Suite 101	Mar-20	Business Owner: Hai Nguyen	Denied - Staff spoke to Business owner
D8	Bring the traffic study for Shea Properties Arrowhead to Commission	Mar-16	J. Mejia	Denied
ITEMS PENDING - TRAFFIC COMMISSION				
E1	Striping Plan on Katella Avenue	Nov-23	J. Mejia	Item pending
E2	Guardrail on southeast corner of Katella Avenue and Los Alamitos Boulevard	Jan-24	D. Hill	Item pending
E3	Traffic signal timing traveling east on Bradbury Road at Los Alamitos Boulevard	Mar-24	R. Hill	Item pending
E4	One Way Street with angled parking in Apartment Row on Green Avenue and Howard Avenue	24-Jun	D. Patz	Item pending
E5	Review 2-hour parking sign in front of 10841 Bloomfield Street to reserve for staff	24-Jun	R. Hill	Item pending
E6	Review time limit parking signs in the city	24-Jun	J. Mejia	Item pending
E7	No U-Turn sign on the left turn lane on Los Alamitos Boulevard into Good Shepherd Church	24-Jun	R. Hill	Item pending
E8	E-Bike Plan	24-Jun	B. Murphy	Item pending
ITEMS PENDING CONSIDERATION - CITY COUNCIL				

City of Los Alamitos

TRAFFIC COMMISSION AGENDA REPORT

MEETING DATE: September 11, 2024 **ITEM NUMBER: 6B**

To: **Chair Murphy & Members of the Traffic Commission**

Presented By: **Irving Montenegro Jr., Manager**

Subject: **Orange County Grand Jury Report - E-Bikes Friends or Foe**

SUMMARY

Response to the June 20, 2024, Orange County Grand Jury Report titled, "E-bikes Friend or Foe."

RECOMMENDATION

1. Receive and File

BACKGROUND

On June 20, 2024, the Orange County Grand Jury released a report titled, E-bikes Friend or Foe. The use of electric bicycles (E-bikes) has increased as our communities look to new and novel ways to commute and to reduce our reliance on automobiles. E-bikes are a cost-effective alternative. However, they bring higher risks of accidents and injuries when compared to conventional bicycles. The public deserves education and safety regulations to mitigate this concern. The 2023-2024 Orange County Grand Jury (OCGJ) investigation into E-bike regulation, education, and safety focused on what, if any, pertinent regulations have been adopted by Orange County cities. The OCGJ investigation revealed that outside of the California Vehicle Code, the 34 cities, 13 of which are contract cities with the Orange County Sheriff's Department (OCSD), vary significantly in their regulations, safety (accidents, fatalities, etc.), enforcement, and education on E-bikes.

There is an urgent need to have consistent ordinances for the regulation and enforcement of safe E-bike use in all cities, school districts, parks, and unincorporated areas. Currently, there are significant differences in policy across cities. The recent surge in E-bike usage calls for immediate action to strengthen city oversight of this issue.

In compliance with California Penal Code §933 and §933.05, the City is required to provide a response to each of the Grand Jury findings and recommendations directed to the City by September 19, 2024. A copy of the Grand Jury Report is included as Attachment 1 to this report.

DISCUSSION

The staff have reviewed the Grand Jury's Report and has prepared the attached responses to

those findings and recommendations that were directed to the City of Los Alamitos. Topics discussed in the report include a brief history of E-bikes, the sales increase of E-bikes over the past 2 years, accidents and incidents with E-bikes are on the rise, as are complaints from citizens of Orange County about E-bikes, and the regulations of their use do not seem to have kept up.

In total, the Grand Jury contained three (3) findings and three (3) recommendations requiring a response by the City. The proposed City responses are included as Attachment 2.

FISCAL IMPACT

None.

Attachment:
1. "E-bikes Friend or Foe"
2. City's Response Letter to "E-bike Friend or Foe"

ORANGE COUNTY GRAND JURY
700 CIVIC CENTER DRIVE WEST • SANTA ANA, CALIFORNIA 92701 • 714/834-3320
www.ocgrandjury.org • FAX 714/834-5555

June 13, 2024

The Honorable Jordan Nefulda
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

CONFIDENTIAL

Dear Mayor Nefulda:

Enclosed is a copy of the 2023-2024 Orange County Grand Jury report, ***E-bikes Friend or Foe.*** Pursuant to *Penal Code* 933.05(f), a copy of the report is being provided to you at least two working days prior to its public release. Please note that under that subsection, "No officer, agency, department, or governing body of a public agency shall disclose any contents of the report *prior to the public release of the final report.*" (Emphasis added.) It is **required** that you provide a response to each of the findings and recommendations of this report directed to your office in compliance with *Penal Code* 933.05(a) and (b), a copy is enclosed.

Please distribute this report to your governing body.

For each Grand Jury recommendation accepted and not implemented, provide a schedule for future implementation. In addition, by the end of March of each subsequent year, please report on the progress being made on each recommendation accepted but not completed. These annual reports should continue until all recommendations are implemented.

Please mail the response to the recommendations to Maria Hernandez, Presiding Judge of the Superior Court, 700 Civic Center Drive West, Santa Ana, CA 92701, with a separate copy mailed to the Orange County Grand Jury, 700 Civic Center Drive West, Santa Ana, CA 92701, no later than **90** days after the public release date, **June 20, 2024**, in compliance with *Penal Code* 933, copy enclosed. The due date then is **September 19, 2024**.

Should additional time for responding to this report be necessary for further analysis, *Penal Code* 933.05(b)(3) permits an extension of time up to six months from the public release date. Such extensions should be advised in writing, with the information required in *Penal Code* 933.05(b)(3), to the Presiding Judge of the Superior Court, with a separate copy of the request to the Grand Jury.

We tentatively plan to issue the public release on **June 20, 2024**. Upon public release, the report will be available on the Grand Jury website at www.ocgrandjury.org.

Very truly yours,

Margaret Riley for

Michael J. Verrengia, Foreperson
2023-2024 ORANGE COUNTY GRAND JURY

MJV:jm

Enclosures: Grand Jury Report
Penal Code 933, 933.05

Cc: Chet Simmons, City Manager

CONFIDENTIAL

E-bikes
Friend or Foe

COUNTY OF ORANGE
CALIFORNIA

GRAND JURY 2023-2024

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SUMMARY

The use of electric bicycles (E-bikes) has increased as our communities look to new and novel ways to commute and to reduce our reliance on automobiles. E-bikes are a cost-effective alternative. However, they bring higher risks of accidents and injuries when compared to conventional bicycles. The public deserves education and safety regulations to mitigate this concern.

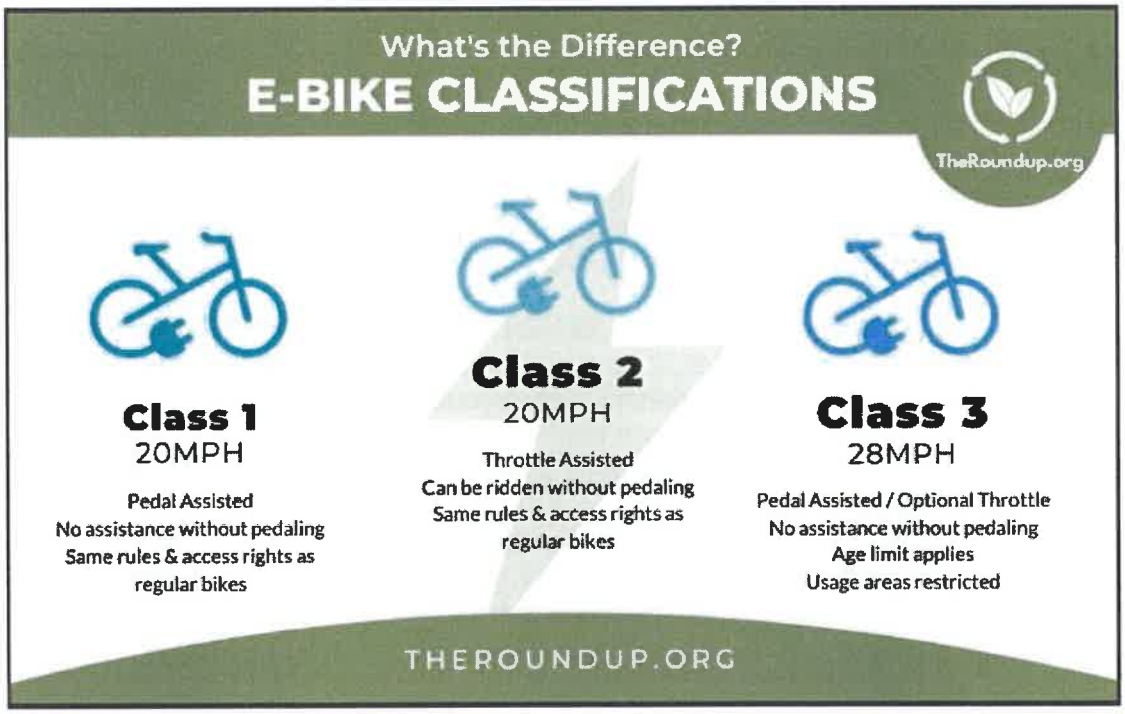
The 2023-2024 Orange County Grand Jury (OCGJ) investigation into E-bike regulation, education, and safety focused on what, if any, pertinent regulations have been adopted by Orange County cities. The OCGJ investigation revealed that outside of the California Vehicle Code, the 34 cities, 13 of which are contract cities with the Orange County Sheriff's Department (OCSD), vary significantly in their regulation, safety (accidents, fatalities, etc.), enforcement, and education on E-bikes. The Orange County Transportation Authority (OCTA) oversees E-bike safety, education, and public outreach for all unincorporated areas. OCTA holds quarterly meetings with all 34 cities in the county to discuss transportation issues including E-bike regulation, safety, education, and enforcement.

There is an urgent need to have consistent ordinances for the regulation and enforcement of safe E-bike use in all cities, school districts, parks, and unincorporated areas. Currently, there are significant differences in policy across cities. The recent surge in E-bike usage calls for immediate action to strengthen city oversight of this issue. This report will highlight the differences between cities' approaches and make recommendations to attain realistic and practical policies for their respective jurisdictions.

BACKGROUND

The modern E-bike was introduced in the 1990s as a pedal assist bike with a battery-powered motor. The OCGJ focused on the 3 classes of E-bikes (see table below).

In most cases, it is hard to tell the difference between a Class 1, 2, or 3 E-bike, as there may be no apparent distinction to the naked eye. It is important that Orange County residents understand the different classes of E-bikes, how fast they can go, and any applicable restrictions or regulations that govern their use. This is particularly pertinent as automobile and bus commuters must now share the road with E-bike riders.



The ease of use, relatively low price, and convenience of E-bikes have led to their proliferation throughout Orange County. It is estimated that the sales of E-bikes rose by 145% during 2020-to-2021 (World Economic Forum March 12, 2021).

However, along with the proliferation of E-bikes have come inevitable issues regarding their use, including:

- riding on sidewalks
- riding against traffic
- speeding
- bike vs pedestrian collisions
- bike vs motorized vehicle conflicts
- the ability to make unauthorized modifications to the electric motors which allows the E-bikes to exceed their maximum intended speed

There are also issues regarding E-bike rider injuries in accidents, which can be more serious than injuries of riders in bicycle accidents (US Consumer Product Safety Commission October 17, 2023). According to the OCGJ survey sent to city mayors, many do not track or have awareness of the incidence and prevalence of E-bike injuries and fatalities in their respective cities.

The OCGJ sent a survey to all Orange County cities to learn each city's policies, availability of safety education, and enforcement of E-bikes. The responses from the cities that answered indicate a wide variety of differences - with some cities having robust training, enforcement measures, and methods of socializing E-bike use in their communities.

The OCGJ recognizes that there cannot be a "one size fits all" approach to the regulation of E-bikes, as all cities in Orange County are unique and have different needs. For example, a large beachside city will have its own unique policies as compared to smaller inland cities. The rapidly expanding use of E-bikes compels cities to ensure a safe environment for riders of E-bikes and all citizens of Orange County.

REASON FOR THE STUDY

As E-bike sales have increased by almost 145% worldwide (World Economic Forum Mar. 12, 2021) over the past 2 years, the regulation of their use does not seem to have kept up. Accidents and incidents with E-bikes are on the rise, as are complaints from citizens of Orange County about E-bike riders (Voice of OC Sept. 2023). Accordingly, the OCGJ determined that an investigation into E-bikes was needed to bring public awareness to the safe use of E-bikes and the importance of having city-relevant "rules of the road" in place.

This report seeks to press Orange County cities to actively seek common-sense rules for E-bikes to ensure their safe operation among conventional bicycles, pedestrians, and vehicles.

METHOD OF STUDY

Information from this investigation was collected and verified through multiple sources and statements made during interviews and includes extensive research of current online and print articles regarding E-bikes in Orange County. The OCGJ conducted the following activities:

- In-person interviews of representatives from:
  - A major retail bike shop that sells both E-bikes and standard bicycles
  - The Orange County Transportation Authority
  - The Orange County Sheriff's Department
  - The Central Newport Beach Community Association
- In-person attendance and online viewing of several city council meetings
- In-person attendance at a training session hosted by a local city
- Review of proposed State legislation that failed, passed, or is in committee

- Direct observance of E-bike riders, where they are riding, use of protective gear, passengers, dangerous maneuvers, etc.
- An online survey was distributed to the mayors of 34 cities in Orange County. Unincorporated areas/divisions were not included in this survey. Mayors and/or representatives from 22 cities responded to this survey

INVESTIGATION AND ANALYSIS

Through interviews and surveys, the OCGJ determined that there is wide variation of rules on E-bikes and limited information regarding the reporting of E-bike incidents, accidents, injuries, and basic rules of the road for E-bikes.

Several news outlets (newspapers, magazines, television, online forums) have published stories about E-bikes. While many acknowledge the benefits of E-bikes, they also detail significant issues for cities to address.

Speeding, unsafe, or reckless operation, riders under 18 years of age not wearing helmets and toddlers riding on the back or front without proper child safety seats present common E-bike regulation and enforcement challenges for law enforcement.

Orange County Transportation Authority

OCTA has published on their website a comprehensive list of regulations listed by city regarding bicycles and E-bikes. As with the OCGJ survey, there are several different rules for E-bike riders dependent on what city they are riding in due to the differences in cities such as availability of bike lanes and the speed at which E-bikes are permitted to travel.

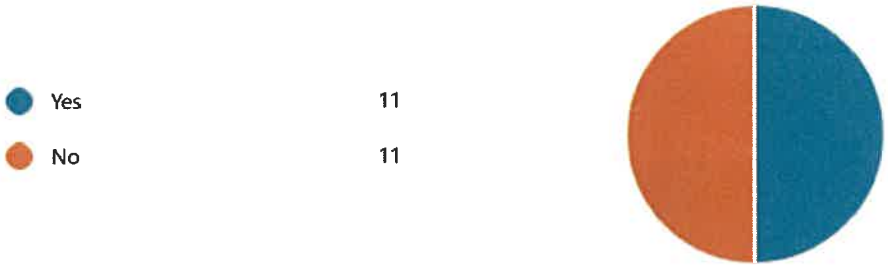
Orange County Sheriff's Department

OCSD enforces the California Vehicle Code (CVC) Section 312.5 regarding electric bicycles. In addition, the Sheriff's Department works closely with OCTA to provide E-bike outreach and education to the residents of Orange County. The OCSD Training Bulletin 23-01, issued January 4, 2023, provides the current E-bike enforcement criteria for Sheriff's Deputies.

Cities Survey

OCGJ sent a list of survey questions to all city mayors in Orange County regarding policies in their cities with respect to E-bikes. Of the 34 surveys sent, 22 were completed and returned to the Grand Jury. A sampling of the survey results follows:

- **Do you track injuries/deaths from E-bike accidents, injuries, fatalities?**

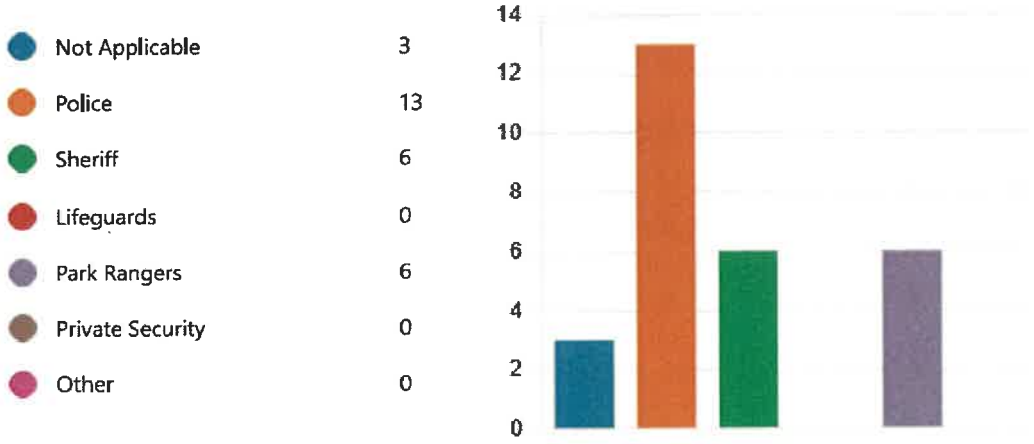


Tracking of E-bike injuries, deaths, property damage and battery fires, 11 of the 22 cities answered that they tracked these items on E-bikes.

The entity responsible for tracking these items varied within each city among law enforcement organizations, city government offices, and local hospitals. There is no standard way to compile and publish accident/incident information on E-bikes.

To properly track trends in E-bike operation, a robust incident and accident tracking mechanism must be in place. Items that need to be tracked include but are not limited to class of E-bike involved, estimated speed of the E-bike, direction of travel, age of the rider, whether helmets were used, and any injuries sustained. In the process of accident reporting, most police agencies do not distinguish whether the bicycle involved was a conventional bike or an E-bike.

- **In your city, who, if anyone, is authorized to enforce infractions? Please select all that apply:**



Of the 22 cities that completed the survey, 100% indicated that some form of law enforcement was the agency authorized to enforce/cite infractions for E-bike riders. Police Departments, OCSD, or Park Rangers were the organizations authorized for E-bike enforcement.

- **In your city, are E-bikes allowed:**

	YES	NO	UNKNOWN
SIDEWALKS	10	8	4
BIKE LANES	21	0	1
PARK TRAILS	13	5	4
SCHOOL CAMPUSES	8	2	12
VEHICLE LANES	16	0	6
HIGHWAYS	9	5	8

10 cities indicated that E-bikes were authorized on sidewalks, 4 cities answered unknown, and the remaining cities answered that E-bikes were prohibited from sidewalks.

21 cities indicated that E-bikes were authorized in bike lanes with one city responding as unknown.

13 cities indicated that E-bikes are allowed on park trails, 5 cities indicated that E-bikes were prohibited from using park trails, and 4 cities indicated that park trail policy for E-bikes was unknown.

16 cities indicated that E-bikes were authorized in vehicle lanes and 6 cities answered unknown.

5 cities answered no, 8 cities answered unknown, and 9 cities indicated that E-bikes were allowed on highways.

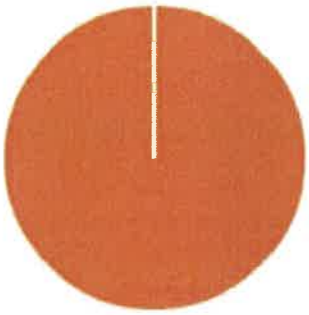
Riding on sidewalks was found to be a contentious issue. One city cited California Assembly Bill 825 (which would have barred local agencies from prohibiting bike use on sidewalks but has since been vetoed) as a reason not to prohibit E-bikes on sidewalks.

When there is no defined bike lane, E-bike riders will ride on sidewalks as a matter of safety. E-bikes, depending on the class, can go up to 28 miles per hour, which is typically faster than a conventional bicycle and much faster than a walking pedestrian.

Although most current laws give the bicyclist and pedestrians the right of way, the reaction time for an E-bike rider going over 10 miles per hour on the sidewalk generally does not give the rider adequate opportunity to avoid pedestrians walking on the sidewalk or cars coming out of driveways.

- **Does your city have posted speed limits for E-bikes?**

Yes	0
No	22
Unknown	0

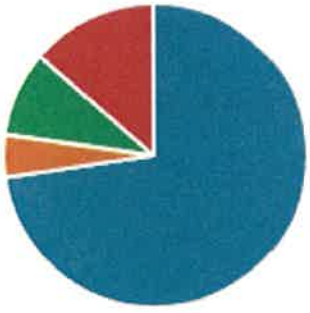


100% of the cities that answered the OCGJ survey indicated that they do not post speed limits for E-bikes. No reasons were cited as to why they are not posted for E-bikes even though their top speed can be as high as 28 miles per hour or faster if the rider disables speed restrictive devices thus allowing the E-bike to almost double its speed.

There are obvious issues involving where to place speed limit signs for E-bikes. They are allowed to travel in bike lanes, on sidewalks, and in some jurisdictions even allowed to ride in opposition to traffic.

- **In your city, are E-bikes expected to travel in the same direction or opposite direction from street traffic?**

Same direction	16
Opposite direction	1
Both directions	2
Unknown	3

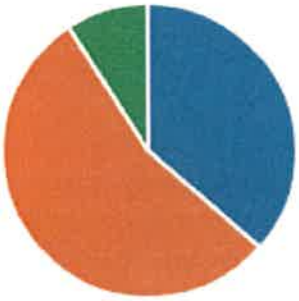


Some cities have authorized E-bikes to ride against the flow of traffic. As stated in the OCTA website (in a section entitled "Wrong Way Riding"), riding against traffic is inherently dangerous due to:

- Oncoming cars approach at a much higher speed
- Drivers cannot see E-bike riders when turning left
- E-bike rider is unable to make right turns
- Traffic signals cannot be seen

- **Is safety training offered by the city for E-bike riders?**

Yes	8
No	12
Unknown	2

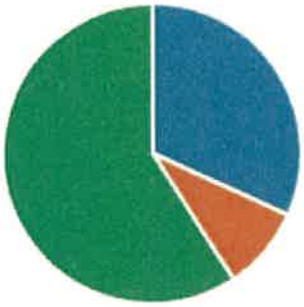


Safety education and/or training for E-bike riders is available only sporadically and is, in most cases, optional. As noted in the survey, only 8 cities indicated that safety training was offered. The Orange County Register published a story (OC Register Jan 3, 2024) about a San Juan Capistrano resident who has taken on educating new E-bike riders as a result of her son being injured on an E-bike. An OCGJ visit to a local retailer of E-bikes found there was no formal training for E-bike purchasers or riders, and the only information to purchasers of E-bikes was a pamphlet. The Huntington Beach Police Department has a safety class every other month which focuses on E-bike safety. OCTA holds safety "bike rodeos" for E-bike riders. These are a few examples of the education available for E-bike riders, but none is mandatory prior to purchasing or riding an E-bike. Therefore, grass-roots efforts are another important step in promoting education and safety.

The OCGJ interviewed a member of the Central Newport Beach Community Association as to their concerns about education, safety, and enforcement regarding E-bikes. The Association has been active in monitoring E-bike use, specifically on the Balboa peninsula. Its focus has been on a perceived lack of enforcement of existing ordinances and the CVC on streets and the beach boardwalk. Along with education and safety training, the Association prefers active enforcement using radar guns, tickets, and increased law enforcement presence.

- **Do the schools/school districts in your city offer safety information and/or certification for student E-bike users on campus?**

Yes	7
No	2
Unknown	13



There are 28 school districts spread across the 34 cities of Orange County. Cities were asked whether schools in their jurisdictions offer safety information to student E-bike riders. Of the 22 cities that responded to the survey, 7 answered yes and 2 answered no. The concerning number that leaps to the eye is that 13 survey respondents stated that they were unaware of their school district's participation in E-bike regulation. At the time of this report, the 5 districts (per district website) that currently require safety training and registration are:

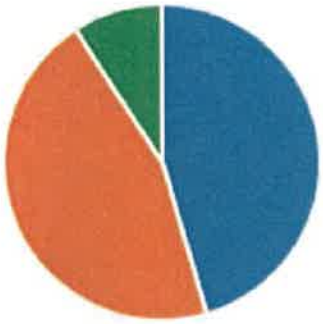
- Capistrano Unified
- Los Alamitos Unified
- Huntington Beach Union
- Irvine Unified
- Ocean View

- **Are there any other persons/groups that might be able to provide meaningful or relevant information regarding E-bikes to the Grand Jury?**

At least 6 cities referred this question to the OCSD. 6 others referred this question to their own police department. Interestingly, at least 6 suggested that their jurisdictional park rangers (if these are in place in their city) would be able to answer the question.

- **Is there outreach by the city being conducted to inform your community of any regulations and safety training?**

Yes	10
No	10
Unknown	2

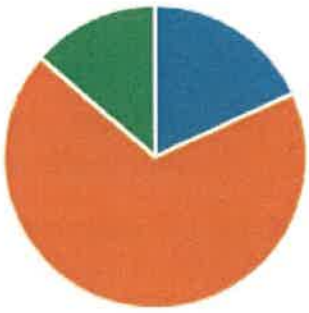


Of the 34 cities in Orange County, 22 responded to this question: 10 cities said "yes," 10 cities said "no," and 2 cities indicated "unknown."

An example of outreach is the City of Irvine's Police Department. The outreach has several elements which includes High Visibility Enforcement (HVE) operations to issue administrative citations to juveniles violating vehicle codes on E-bikes. It also hosts E-bike safety courses, E-bike rodeos, and community presentations on E-bike safety. There are also plans for Public Safety in collaboration with the Irvine Unified School District to implement a parking permit program which will require students riding E-bikes to school to attend workshops on E-bike safety before being issued a parking permit to park their E-bike on campus.

- **Does your city regulate the use of E-bikes?**

Yes	4
No	15
Unknown	3



There were 15 cities who responded that they do not regulate E-bikes or their usage. The OCGJ felt that this statistic, on its own, warranted further investigation and, possibly, further action by such cities.

GENERAL COMMENTS FROM SURVEY RESPONDENTS

"I personally promote safe e-bike texts on local Facebook groups... about 16,000 members. I promote e-bike safety every council meeting."

"State and local legislation is lagging far behind e-bike technology and there is a lot of confusion amongst e-bike users and police regarding what is lawful and what is unlawful when it comes to e-bikes."

"Thank you for looking into this. I am a relatively new mayor and although I consider e-Bikes an issue, we have so many other issues that are taking priority. I would like to see e-Bikes banned from all trails that were previously used for bicycles and pedestrians only. They function more like scooters than bicycles."

"E-bikes and bike safety, in general, are very big topics in the community right now and our Police Department is currently doing A LOT to address these items. Besides conducting weekly High Visibility Enforcement (HVE) operations, IPD's traffic staff oftentimes issue administrative citations to juveniles who commit vehicle code violations on their bicycles, including E-bikes and E-scooters. In fact, approximately 50% of our administrative citations are issued to E-bike and E-scooter operators. Rather than paying a fine similar to conventional traffic citations, our administrative citations require the juvenile to attend a 2-hour long bike safety course with a parent or guardian on the weekend at City Hall."

"Our city will soon be meeting with reps from OCSD in reference to providing additional educational tools for e-bike riders. I have made contact with our local elected officials in reference to securing funds for e-bike enforcement and education."

"The issue with E-bike safety is an active project in our traffic safety unit. Currently we are looking at any municipal codes which will assist with safety for e-bike riders and motorists."

COMMENDATIONS

The following agencies contributed to the OCGJ's investigation into the use of E-bikes in Orange County:

- Orange County Transportation Authority has taken a leadership role in outreach and education to all 34 Orange County cities
- Orange County Sheriff's Department has been very proactive in keeping up with the everchanging rules of the road for E-bikes
- Central Newport Beach Community Association provided important data and various studies on E-bike usage in Newport Beach

FINDINGS

In accordance with California Penal Code Sections 933 and 933.05, the 2023-2024 Grand Jury requires (or, as noted requests) responses from each agency affected by the findings presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court. Based on its investigation titled "E-bikes- Friend or Foe," the 2023-2024 Orange County Grand Jury has arrived at three principal findings, as follows:

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.

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.

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

RECOMMENDATIONS

In accordance with California Penal Code Sections 933 and 933.05, the 2023-2024 Grand Jury requires responses from each agency affected by the recommendations presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation described herein, the 2023-2024 Orange County Grand Jury makes the following 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.

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

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.

RESPONSES

California Penal Code Section 933 requires the governing body of any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. Such comment shall be made no later than 90 days after the Grand Jury publishes its report (filed with the Clerk of the Court). Additionally, in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official shall comment on the findings and recommendations pertaining to the matters under that elected official's control within 60 days to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code Section 933.05 specifies the manner in which such comment(s) are to be made as follows:

(a) As to each Grand Jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) 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 therefore.

(b) As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

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

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation, therefore.

(c) If a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

REQUIRED RESPONSES

Comments to the Presiding Judge of the Superior Court in compliance with Penal Code Section 933.05 are required from:

Findings – 90 Day Response Required

City Councils of:

Aliso Viejo	F1, F2, F3
Anaheim	F1, F2, F3
Brea	F1, F2, F3

Buena Park	F1, F2, F3
Costa Mesa	F1, F2, F3
Cypress	F1, F2, F3
Dana Point	F1, F2, F3
Fountain Valley	F1, F2, F3
Fullerton	F1, F2, F3
Garden Grove	F1, F2, F3
Huntington Beach	F1, F2, F3
Irvine	F1, F2, F3
La Habra	F1, F2, F3
La Palma	F1, F2, F3
Laguna Beach	F1, F2, F3
Laguna Hills	F1, F2, F3
Laguna Niguel	F1, F2, F3
Laguna Woods	F1, F2, F3
Lake Forest	F1, F2, F3
Los Alamitos	F1, F2, F3
Mission Viejo	F1, F2, F3
Newport Beach	F1, F2, F3
Orange	F1, F2, F3
Placentia	F1, F2, F3
Rancho Santa Margarita	F1, F2, F3
San Clemente	F1, F2, F3

San Juan Capistrano	F1, F2, F3
Santa Ana	F1, F2, F3
Seal Beach	F1, F2, F3
Stanton	F1, F2, F3
Tustin	F1, F2, F3
Villa Park	F1, F2, F3
Westminster	F1, F2, F3
Yorba Linda	F1, F2, F3

Recommendations – 90 Day Response Required

City Councils of:

Aliso Viejo	R1, R2, R3
Anaheim	R1, R2, R3
Brea	R1, R2, R3
Buena Park	R1, R2, R3
Costa Mesa	R1, R2, R3
Cypress	R1, R2, R3
Dana Point	R1, R2, R3
Fountain Valley	R1, R2, R3
Fullerton	R1, R2, R3
Garden Grove	R1, R2, R3
Huntington Beach	R1, R2, R3
Irvine	R1, R2, R3
La Habra	R1, R2, R3

La Palma	R1, R2, R3
Laguna Beach	R1, R2, R3
Laguna Hills	R1, R2, R3
Laguna Niguel	R1, R2, R3
Laguna Woods	R1, R2, R3
Lake Forest	R1, R2, R3
Los Alamitos	R1, R2, R3
Mission Viejo	R1, R2, R3
Newport Beach	R1, R2, R3
Orange	R1, R2, R3
Placentia	R1, R2, R3
Rancho Santa Margarita	R1, R2, R3
San Clemente	R1, R2, R3
San Juan Capistrano	R1, R2, R3
Santa Ana	R1, R2, R3
Seal Beach	R1, R2, R3
Stanton	R1, R2, R3
Tustin	R1, R2, R3
Villa Park	R1, R2, R3
Westminster	R1, R2, R3
Yorba Linda	R1, R2, R3

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GLOSSARY

CNBCA	Central Newport Beach Community Association
CVC	California Vehicle Code
E-bike	Electric bicycle
HVE	High Visibility Enforcement
OCGJ	Orange County Grand Jury
OCSD	Orange County Sheriff's Department
OCTA	Orange County Transportation Authority

APPENDICES

APPENDIX 1

Current County of Orange E-Bike Laws - Unincorporated Areas [1]

- All E-bikes are required to have a label that describes classification, top assisted speed, and motor wattage.
- Helmets are recommended for all E-bike users. If you are under 18, it's required!
- It is illegal to carry passengers on your E-bike unless your bike has an extra permanent seat or when using a child safety seat.
- E-bikes shall not be operated in excess of their designed speed or the speed limit, whichever is lower, on the road, and in no event in excess of 10 miles per hour on paved trails.
- E-bike shall not be operated in excess of 5 miles per hour on sidewalk.
- Riding on the road against the flow of traffic is prohibited.

[1] Orange County Public Works. 2024. "E-bike Safety in the County of Orange." Accessed May 22. 2024. https://www.ocgov.com .

APPENDIX 2

California Vehicle Code Section 312.5 as of December 23, 2023

An electric bicycle is a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts. Three classes of electric bicycles have been established:

- Class 1: A low speed pedal-assisted electric bicycle equipped with a motor which provides assistance only when the rider is pedaling and ceases to provide assistance when a speed of 20 mph is reached.
- Class 2: A low speed throttle-assisted electric bicycle equipped with a motor used exclusively to propel the bicycle and NOT capable of providing assistance when a speed of 20 mph is reached.
- Class 3: A low speed pedal-assisted electric bicycle equipped with a speedometer, and a motor which provides assistance only when the rider is pedaling and ceases to provide assistance when a speed of 28 mph is reached.

The operator of a Class 3 electric bicycle:

- **Must** be 16 years old or older.
- **Must** wear a bicycle safety helmet.
- **Must not** transport passengers.
- **May** ride an electric bicycle in a bicycle lane **if** authorized by local authority or ordinance.

All electric bicycle classes are exempt from the motor vehicle financial responsibility, driver's license, and license plate requirements (CVC § 24016).

APPENDIX 3

California Assembly Bills

Listed below are some of the bills introduced into the State legislature, as published by LegiScan, that have a variety of proposed regulations regarding E-bikes. This is by no means a comprehensive list, and in the interest of brevity we do not include the text of each bill.

AB 458 10/08/2023 Chaptered-Regulation of insurance requirements for businesses renting micro mobility vehicles, a category which includes E-bikes.

AB 1773 04/01/2024 In committee-Where E-bikes are permitted to operate.

AB 1774 04/09/2024. This bill would prohibit a person from selling a product or device that can modify the speed capability of an electric bicycle such that it no longer meets the definition of an electric bicycle.

AB 2234 04/01/2024 In committee: The bill will require anyone over the age of 12 without a valid driver's license to take an online e-bike safety training course and pass a written test to prove they understand traffic safety rules. Those without a valid driver's license must have a state-issued ID to operate an E-bike.

SB 295 06/16/2023 In committee. Allows Public Agency authority to regulate E-bikes, et. al. on public property.

SB 381 10/13/2023 Chaptered-Comprehensive study of E-bikes.

SB 1271 04/11/2024. This bill would clarify that an electric bicycle is a bicycle equipped with fully operable pedals and an electric motor with continuous rated mechanical power of not more than 750 watts. The bill would, if an electric bicycle is capable of operating in multiple modes, require a manufacturer and distributor to include on the label the classification number of the highest classes of which it is capable of operating. Also requires lab accreditation of micro mobility batteries.

APPENDIX 4

County of Orange Ordinance No. 18-002

AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA AMENDING SECTION 2-5-29(n) OF THE CODIFIED ORDINANCES OF THE COUNTY OF ORANGE, REGARDING PROHIBITED MOTORIZED WHEELED CONVEYANCES.

The Board of Supervisors of the County of Orange ordains as follows:

SECTION 1. Section 2-5-29(n) of the Codified Ordinances of the County of Orange is hereby amended to read as follows:

Sec. 2-5-29.- Vehicle regulation.

(n) Motorized Wheeled Conveyance prohibited. No person shall operate or drive any electric or combustible motorized skateboard, scooter, dirt bike, mini bike, mini motor bike, mini motorcycle, go-kart, go-ped, all-terrain vehicle, quad runner, dune buggy or any similar electric or combustible motorized conveyance in any park, beach or recreational area, with the exception of Class 1 and Class 2 electric bicycles, as defined by the California Vehicle Code, on those regional paved, off-road bikeways designated for such use by the Director of OC Parks, with the approval of the Board of Supervisors.

California Penal Code Sections §933 and §933.05

(Note: To reduce grand jury requests for additional response information, the grand Jury has **bolded** those words in §933.05 which should be appropriately included in a response.)

933. (a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.

933.05. (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent **agrees** with the finding.

(2) 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 therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation **has been implemented**, with a summary regarding the implemented action.

(2) The recommendation **has not yet been implemented, but will be implemented** in the future, with a **timeframe** for implementation.

(3) The recommendation **requires further analysis**, with an explanation and the scope and parameters of an analysis or study, and a **timeframe** for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation **will not be implemented** because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of

August 20, 2024

Honorable Maria Hernandez, Presiding Judge
Superior Court of California, County of Orange
700 Civic Center Drive West
Santa Ana, CA 92701

RE: Response to 2023-2024 Orange County Grand Jury Report "E-bike Friend or Foe?"

Dear Judge Hernandez:

The City of Los Alamitos (City) has reviewed the Orange County Grand Jury Report titled "E-bike Friend or Foe?" As required by California Penal Code §933 and §933.05, the City is responding to the findings and recommendations included within the report. The required responses are contained below:

Findings and Responses:

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.

Response: Agree

The City of Los Alamitos is currently in the process of developing policies and ordinances to address the safe operation and regulation of the use of E-bikes.

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.

Response: Partially Disagree

E-bike injuries and deaths as it relates to traffic collision are consistently and accurately tracked through traffic collision reports and the Statewide Integrated Traffic Records System (SWITRS). The City of Los Alamitos itself could track these statistics involving E-bikes utilizing our current database.

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

Response: Partially Agree

The City of Los Alamitos and the Los Alamitos Police Department work in conjunction with the Los Alamitos School District with offering E-bike safety classes twice a school year to students who ride E-bikes. There have been some instances where students in the district ride their E-bikes from different cities,

making it difficult to teach current ordinances and policies of other cities due to the fact there is not a standard state-wide policy or ordinance in relationship to the regulations on E-bikes.

Recommendations and Responses:

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.

Response: The recommendation will be implemented by December 1, 2024.

The City of Los Alamitos is working alongside the Los Alamitos Police Department to develop and adopt various policies and/or ordinances to define the rules of the road for the use of E-bikes.

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

Response: The recommendation will be implemented by December 1, 2024.

The City of Los Alamitos and the Los Alamitos Police Department will have a mechanism in place to report accident, injuries, and deaths involving E-bikes by December 1, 2024.

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.

Response: Recommendation has already been implemented

The City of Los Alamitos and the Los Alamitos Police Department currently work with the Los Alamitos School District with offering E-bike safety classes to all intermediate school students twice a year, in order to park their E-bikes on campus.

In the event that you need additional information regarding the City's responses, please contact City Manager, Chet Simmons, via email at csimmons@cityoflosalamitos.org.

Respectfully,

Jordan Nefulda, Mayor