



Date: Tuesday, August 22, 2023

Honorable Mayor and Council Members: Mayor Lindsay Romack, Vice Mayor Dave Polivy, Council Member Courtney Henderson, Council Member Jan Zabriskie, Council Member Anna Klovstad

Author and title: Lisa Madden, Police Lieutenant

Title: **Consideration of options to address trail etiquette and safety on multi-use trails including potential amendments to Municipal Code 10.21 Vehicles on Trails**

Approved by: Jen Callaway, Town Manager

Recommended Action:

Review and provide direction on options to address trail etiquette and safety on multi-use trails, including recommended amendments to Truckee Municipal Code Chapter 10.21 Vehicles on Trails to include updated allowed devices definitions on multi-use trails and regulations for such devices to ensure the well-being of all trail users while accommodating various modes of transportation and consideration of an additional Community Service Officer position to augment enforcement and education on trails.

Discussion:

Section 10.21 of the Truckee Municipal Code addresses the permissions and restrictions regarding vehicles and equipment/devices on multi-use trails. The intended revisions seek to provide clearer guidelines for acceptable types of devices, uses of these devices, refine definitions, and tackle issues concerning irresponsible usage. Multi-use trails in Truckee have seen an increase in usage and the emerging technology of clean energy devices has created a need to update our allowed uses and regulations on multi-use trails.

The recommended update was informed by a comprehensive data collection and community engagement process, including:

- Community survey:
 - A comprehensive community survey was conducted focused on determining the appropriate usage of devices on multi-use trails. The survey aimed to gather insights from the community about which devices should be allowed on the trails, primary concerns, challenges, and community needs.
 - The survey generated 259 responses and ran from 06/01/2023-07/14/2023.
 - Key findings from the survey showed recreation and exercise were the primary use for the trail (89.19%).
 - Litter/dog waste, Lack of trail etiquette/not sharing the trail, and speed of cyclists were the top three concerns (in that order) for barriers and challenges to using the trail systems.
 - The survey allowed community members to express their opinions on a wide range of barriers to using the trail system. The top three improvements the community would like to see enacted to enhance trail experience are:
 - Speed and Safety
 - Trail Maintenance and Infrastructure
 - Dog waste and Etiquette
- Stakeholder meetings:

- Two stakeholder meetings were conducted. The stakeholder meetings were comprised of representatives of local bicycle shops, small business owners, non-profit trail groups, bicycle and trail advocates, Tahoe Forest Hospital and Tahoe Truckee Unified School District. The stakeholders were identified as community members who had knowledge regarding bicycle and trail use as well as connections to the use of the trail systems such as the hospital and school systems. The invitation provided information to attend a meeting to discuss trail safety, usage, and regulation.
- During the initial session on June 21, 2023, the discussion was focused on allowed devices on the trails, general concerns, and e-bike usage. Nine stakeholders participated in the discussion. Subsequent to this discussion, participants submitted relevant information via email concerning the language pertaining to defining alternative transportation devices and regulations from other agencies.
- To facilitate conversation at the second meeting, the information provided by the stakeholders was compiled and incorporated into a draft municipal code (See attachment 1).
- The second meeting on July 26, 2023, reviewed and discussed the draft municipal code document with a heavy focus on updated definitions and regulations. The group reached a consensus that implementing a speed limit would be the most suitable measure to tackle both speed and safety concerns, given the diverse range of activities on the trail. Specific to e-bikes, the group agreed that the class of e-bike was irrelevant and that reducing speeds was the most important factor in reducing conflicts on the trails. The group acknowledged the necessity of incorporating specific language to promote reduced speeds while overtaking pedestrians, animals, and other obstacles along the trail.
- Community meeting:
 - A community meeting is scheduled for August 16, 2023, from 5:00PM-6:00PM. This meeting will include a presentation of current objectives to update the municipal code and will include a live poll to obtain information from the group on community concerns specific to alternative transportation devices on the trails. A translator will be available, and all polling questions will be in both English and Spanish. The feedback received at this meeting will be summarized during the Town Council discussion of this agenda item on August 22.
- Review of comparable municipal codes:
 - In response to stakeholder group and community survey feedback that identified speed as the most significant concern, a comprehensive review of various municipal codes pertaining to trail speed was conducted. This showed many jurisdictions have adopted speed limits on multi-use paths. Regulations included prohibitions of class 3 e-bikes, reasonable and prudent clauses, and 15 mile per hour speed limits. The most common regulation was the 15 mile per hour speed limit. Some agencies have also specified that the California Vehicle Code applies to trail systems.
- Analysis of calls for service/incidents on trails:
 - A review of police department calls for service were conducted over a 2-year span (07/01/2021-07/01/2023). In total, there were 22 calls for service related to incidents on trails. This list contains incidents where a reporting party called dispatch and an officer was notified. *Note regarding dog bite calls for service:* If the reporting party called dispatch from a different location (ie. Hospital, home), the call for service would be listed at the location they are currently at and not linked to the multi-use trail, so those calls are not included in the data.
 - The calls for service included animal-related calls, vandalism, theft, and other minor calls for service. A bicycle vs. e-bicycle collision was reported on 10/01/2022 causing damage to the bicyclist and minor injury to the rider. The

reporting party did not request a report but wanted the police department to be aware.

- Trail incident reporting tool:
 - The Trail Incident Reporting Tool is a more convenient way to identify incidents on the trail that may not require police presence but is of notable concern to the user. This is a new program that will capture additional important data for future analysis. The incident reporting tool launched in early June. As of August 8th, 2023, there were 15 incidents reported, with the majority of incidents linked to e-bikes and bicycles.
 - Trail Incident Reporting Tool link:
<https://survey123.arcgis.com/share/e1c4ad0bbd4247df99208f306bdb0c02?portalUrl=https://townoftruckee.maps.arcgis.com>
- Flashvote survey conducted by Visit Truckee-Tahoe:
 - In June 2023, Visit Truckee-Tahoe initiated a preliminary survey, ranking paved trails as the third most pressing concern in Truckee. A current survey is underway, targeting residents to gather perspectives on paved trails and to determine the key issues that warrant prioritization. The Town of Truckee, notably its police department, was consulted for input on the survey question and its corresponding responses. The insights gathered from these responses will contribute supplementary data to better understand the community's top priorities for enhancing trail experiences.
 - The survey question presented in the survey focused on multi-use trails:
 - Q2- With the growing use of E-Bikes and more users of PAVED TRAILS (primarily Trout Creek and Legacy Trail), which of the following issues should be prioritized in the summer? (You can choose up to FOUR, if any)
 - Litter and dog waste
 - Lack of trail etiquette/not sharing the trail
 - Lack of education/irresponsible use
 - Speed of cyclists
 - Crowded with people
 - Lack of parking near path access
 - Poor trail maintenance
 - Lack of public restrooms
 - Other issues or ideas for solutions_____

Recommended Municipal Code Update:

Through the outreach channels described above, speeds of alternative transportation devices emerged as a prominent concern among community members, highlighting the need for addressing safety and minimizing potential risks on multi-use trails. Staff recommends that Town Council consider Municipal Code amendments to address the following issues:

- Language: Clean up language to clarify municipal code for the purpose (10.21.010), definitions (10.21.020), Prohibitions (10.21.030), Allowed Uses (10.21.040), and Reckless Operation (10.21.050).
- Definitions (Section 10.21.020): Definitions have been significantly expanded and clarified to encompass smaller, lightweight, and environmentally friendly devices, aligning with the evolving landscape of alternative transportation technology.
- Reckless Operation (Section 10.21.050): The updated language introduces a speed limit of 15 MPH on multi-use trails, alternative language options, and additional safety regulations for trail safety.

Currently, the vehicle code restricts certain alternative transportation devices such as motorized boards and scooters on trails to 15 miles per hour:

- California Vehicle Code 21294(b) states: A person shall not operate an electrically motorized board upon a highway, bikeway, or any other public bicycle path, sidewalk, or trail, at a speed in excess of 15 miles per hour.
- California Vehicle Code 21235(b) states: Operate a motorized scooter on a highway with a speed limit in excess of 25 miles per hour unless the motorized scooter is operated within a Class II or Class IV bikeway, except that a local authority may, by ordinance or resolution, authorize the operation of a motorized scooter outside of a Class II or Class IV bikeway on a highway with a speed limit of up to 35 miles per hour. *The 15 mile per hour maximum speed limit for the operation of a motorized scooter specified in Section 22411 applies to the operation of a motorized scooter on all highways, including bikeways, regardless of a higher speed limit applicable to the highway.*

Based on community feedback and research, staff's recommendation is to modify and incorporate a speed limit of 15 miles per hour for all modes of transportation and to include a reasonable and prudent clause to address increased safety while passing. This approach most aligns with the collective interests of the community and fosters a safer and more inclusive trail environment. The recommendation to add a speed limit of 15 MPH on multi-use trails allows for continued alternative transportation which reduces vehicles on the road, while also ensuring other users can enjoy the trail systems at the same time.

- The recommended language is as follows:
 - *"The speed limit for any device shall not exceed 15 miles per hour, but in no instance shall the speed allowed be greater than is reasonable and prudent under the existing conditions having due regard for terrain, weather, visibility, including time of day, pedestrian and vehicular traffic on or crossing the trail, and conditions of the device."*
- Alternative language options that exist:
 - *Keep the language in our current municipal code: "Operation at a speed greater than reasonable or prudent having due regard for weather, visibility, pedestrian and vehicular traffic on or crossing the trail, and condition of the vehicle."*

OR

- *"Trail users shall travel at a speed at which the trail user is safe and in control at all times and does not pose any danger to others or degrade or harm the natural environment."*

OR

- *"The speed limit for any trail shall not exceed 15 miles per hours, or 5 miles per hour on blind turns and when passing pedestrians, but in no instance shall the speed allowed be greater than is reasonable and prudent under the existing conditions."*

Alternative Options:

- Recent Chalk Stencils Placed Along Legacy Trail: Chalk signs were recently placed on the Legacy Trail to increase awareness of trail etiquette. This trial may have an impact on user education on trail usage. While the implementation of these signs is new, the initial reactions from the community have been positive. Additionally, there are alternative options to explore before implementing a speed limit. Installing *recommended* speed limits at trail heads can curtail speeds, without necessitating any enforcement actions by the police department.

Current Police Department Efforts on Multi-Use Trails:

- Currently, the police department has two Zero motorcycles to patrol the multi-use trail systems. Officers have increased patrol presence on the trails over the summer months. The traffic team has begun implementing procedures to integrate multi-use trail patrol into their traffic program. The police department's philosophy on traffic enforcement has always focused on education to change behavior.
- The use of the Zero motorcycles is advantageous for officers due to the ease of patrolling the multi-use trail, but also having the capability to swiftly respond to emergencies across town, if necessary. Additionally, the Zero motorcycles are capable of speeds that might be needed to contact reckless operators on devices on the trails. These law enforcement patrols are dependent on staffing resources, calls for service, and the availability of motorcycle-trained officers on duty to patrol.

Consideration of Additional Community Service Officer Position to Support Trail Outreach:

- Initial conversations with the Truckee Trails Foundation indicate a prospective opportunity to establish a funded Community Service Officer position supported by Measure U funding. The position could be aimed at bolstering trail education and enforcement efforts.
- Augmenting sworn officer patrols on trails with a dedicated Community Service Officer for trail specific patrols whether on foot, bicycle or e-bike will allow for increased education and enforcement on the trails.
- The police department has conducted several educational outreach events focusing on the school systems prior to the end of school. This educational push was focused on bike safety and included an e-bike element. Youth focused bicycle safety education will continue to be conducted by the police department to ensure safe riding habits are taught. A dedicated Community Service Officer position would assist in bolstering educational efforts, not only for bicycle safety but for pedestrian safety and animal education on the trails. The position could work with the Diversity, Equity and Inclusion Manager to outreach and educate all community members in our area.
- While the position could be fully funded by the Measure U Trails Tax, staff seeks direction on the viability of funding 25% of the Community Service Officer position from the General Fund to assist police department staffing in winter months when trails are at minimal usage. The additional support would assist in the field for weather and traffic related incidents in town during these months, similar to our current Community Service Officers.
- Other Trail Concerns:
 - While this topic focused on specifically on alternative transportation devices on trails, a variety of other concerns were brought up regarding trail use. This information will be generated into a report for possible next steps to look at increasing trail enjoyment.

Conclusion:

Staff seeks council direction on the updated municipal code changes including a direction on options to address reckless operation, specifically to the language on speed of alternative transportation devices. If directed by Town Council, staff will bring a final draft ordinance to Town Council for introduction in September.

The updated language definitions expand the allowed uses of alternative transportation devices to utilize the trail systems. The current language is vague and does not define what is allowed on the trails. The importance of trail safety aligns with the town's commitment to promoting sustainable

transportation options while providing alternative options to vehicles on the roadways. Cyclists, pedestrians, and other users are more likely to choose these trails as a safe alternative to motorized vehicles when safety for all trail users is prioritized.

A draft municipal code with the updated language and regulation options has been provided (see attachment 2). This draft includes a comparison of the prior language to the new highlighted language. Language that is recommended to be removed is struck through (example: ~~removed~~).

If requested, a timeline for implementation can be created to include signage locations, cost estimates, and timeframe for execution. Additionally, town staff would create a communications plan to educate and inform residents and trail users about the upcoming changes.

Priority:

<input type="checkbox"/> Enhanced Communication	<input checked="" type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input type="checkbox"/> Core Service

Fiscal Impact:

Depending on Council direction the fiscal impacts could include:

- Potential costs for signage to be erected.
- Police Department will utilize already purchased Zero motorcycles to patrol multi-use trails.
- Initial education and enforcement will be performed by on-duty police staff pending an assessment for the viability of a Community Service Officer position with the potential for the Town to fund 25% of the position to support patrol services in the winter. A Community Service Officer has an ongoing annual cost of around \$130,000 annually for salary and benefits.

Public Communication:

- Community survey (06/01-07/14/2023)
- Stakeholder meetings (06/21/2023 and 07/26/2023)
- Community meeting (08/16/2023)
- Trail Incident Reporting Tool (Continuous)
- Flashvote Survey (Visit Truckee Tahoe)

Attachments:

1. Stakeholder Draft Municipal Code
2. Draft Municipal Code with updated language, definitions, and option regulation language options