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DATE: July 8, 2019 **ACTION:**

TO: Board of Directors

FROM: Sr. Member Services Manager

RE: APPROVAL – New Rule GR.5.2a Electric Pedal Assist Bicycles

Background

The Association has received several inquiries regarding the use of motor-powered bicycles within the community. The existing CC&Rs prohibit the *“Use, operation, riding upon or in, or transportation on or by, any motorcycle, two (2) or three (3) wheeled motorized vehicle, off-road vehicle, four (4) wheeled motorcycle or similar vehicle on any lot, street, common area or CLPOA property within the Sub-division...”*

In a review of California Vehicle Code there are two distinct types of classifications for bicycles: motorized and electric. A motorized bicycle is characterized (CVC 406a) as a moped or bicycle with or without pedals that has an automatic transmission and is capable of a maximum speed of not more than 30 miles per hour. Persons who use a motorized bicycle must have a driver’s license and a M1 or M2 endorsement. Users must also wear a Department of Transportation compliant helmet.

An electric bicycle is characterized as a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts. According to bicycling.com, “e-bikes are bicycles with a battery-powered “assist” that comes via pedaling and, in some cases, a throttle. When you push the pedals on a pedal-assist e-bike, a small motor engages and gives you a boost, so you can zip up hills and cruise over tough terrain without gassing yourself.” Persons who use an electric bicycle are subject to the same provisions as a person riding a bicycle. Users under the age of 18 must wear a helmet.

The proposed new rule would clarify and permit the use of pedal assisted electric bicycles within the community.

Fiscal Impact

None

Recommendation

It is recommended that the Board of Directors approve to add new rule GR.5.2a as attached.

A handwritten signature in black ink, appearing to read "Cory Gorham". The signature is written in a cursive style with a horizontal line underneath it.

Cory Gorham, Sr. Member Services Manager

Proposed Rule

GR.5.2a Electric Pedal Assist Bicycles

Electric bicycles are permitted to be used within the community so long as the bicycle is equipped with pedals, pedal assist functionality, and an electric motor less than 750 watts.