

City Council Special Meeting

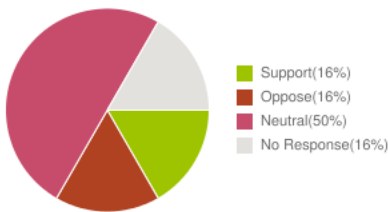
02-15-24 18:00

Agenda Name	Comments	Support	Oppose	Neutral
d) REPORT 24-0065 DISCUSSION REGARDING THE REGULATION OF BICYCLES AND ELECTRIC BICYCLES IN THE CITY (Continued from January 23, 2024) (City Attorney Patrick Donegan)	6	1	1	3

Sentiments for All Agenda Items

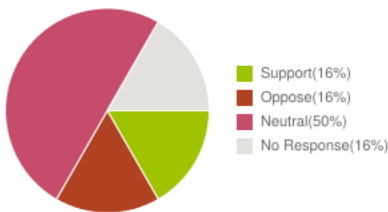
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for d) REPORT 24-0065 DISCUSSION REGARDING THE REGULATION OF BICYCLES AND ELECTRIC BICYCLES IN THE CITY
(Continued from January 23, 2024)
(City Attorney Patrick Donegan)

Overall Sentiment



Laura Pena

Location:

Submitted At: 2:57pm 02-15-24

Dear Mayor, Council Members, and Staff – As you know Ebike regulations has been a hot “safety” topic in our city especially as it relates to our Strand. I want our community to feel confident in the enforcement of any new proposed rules and regulations. It is paramount that the wording of such language in an ordinance is clear, understandable, and (hopefully) objectively measured. Since many of us see Ebikes and peddle-only bikes go faster on the Strand than the posted 8 mph signage, how does the city proposed to regulate this safety issue?

As I reviewed the Draft Ordinance, I recommend clarifying language so it is not vague and ambiguous. Although I appreciate stipulating “no person shall ride or operate a bicycle...in an unsafe manner,” I am confused by the

following unclear recommendations:

1. (a) Riding on a sidewalk without due caution for pedestrians. What does "due caution" even mean? I could probably interpret that many different ways. I recommend stating exactly what you mean so there is no confusion.

1. (d) Intentionally swerving around stopped or slowed traffic on streets, sidewalks, bicycles paths, or lanes. What if you are "intentionally swerving around" because someone opens their door and you don't want to get hit?

6. No person shall park any bicycle, electric bicycle...outside of designated areas on Pier Plaza. How many bicycle parking spots do we have throughout the city? What can we do to increase bicycle parking so its not encouraged to block walkways, sidewalks, etc?

8. It shall be unlawful for any person to operate a bicycle, electric bicycle...while under the influence of an alcoholic beverage and/or any drug. Does this mean code enforcement has the right to harass any community member if they noticed them having a glass of wine or beer before operating their bike? Is there a limit on consumption? How is this "under the influence" measured? Also, what do you consider a drug, could that be prescription medication, edibles, etc? Again, more clarification is needed so this provision isn't vague or could be easily misunderstood by both parties.

I look forward to hearing your thoughtful discussion on this issue.

Laura Pena

Vincent Busam

Location: 90254, Hermosa Beach

Submitted At: 2:07pm 02-15-24

E-bikes have been a great addition to Hermosa Beach. When looking to modify or create new regulations surrounding them, it is imperative that we do not dampen their popularity. The proposed draft ordinance adds several common-sense rules, but are they already covered by existing laws? We must be careful not to add any further regulations or actions that negatively impact this beneficial transportation method. For example, we should not implement Manhattan's laws to ride as far to the right as possible (which is dangerous), or single-file only (also dangerous), and we should not be too aggressive against people who are traveling safely and courteously along the Strand.

As our Chief said in the 2023-10-11 City Council meeting - "Over the last two years there have been ZERO traffic accidents or collisions on the Strand". We have, however, had multiple large car collisions in Hermosa the past few months causing large amounts of actual damage. I urge the council and our community to focus on this aspect of improving transportation safety in our city.

MC Guerry

Location:

Submitted At: 1:19pm 02-15-24

I am writing in regards to the proposed e-bike regulations. I ask you to not waste time on this. There are already enough laws to address whatever is happening. More importantly, e-bikes are not what are making the streets dangerous.

First, there are already laws addressing what the council wants to enact. This action seems to be more about appeasing a vocal minority than actually doing something essential.

Second, it is the auto drivers not following existing traffic laws and lax enforcement by the police of these laws that are two of the biggest reasons the streets are dangerous. I have lost count how many times I have been almost hit (as a bicyclist and a pedestrian) by car drivers doing something illegal like passing too close, running red lights/stop signs, not paying attention, and more. I have even been yelled at and almost purposely hit by someone who said only cars belong on the streets and all other vehicles should be on the sidewalks. I am scared for the day my luck runs out.

In addition, street design is more to blame than e-bikes. I have seen auto drivers double the speed limit on PCH, Ardmore, Valley, and Hermosa Ave multiple times. That this is even possible demonstrates how poorly managed

these streets are.

Rather than overregulate e-bikes, please provide for safer streets. This can be done through police enforcement of dangerous behavior as well as by installing things like protected bike lanes, calming measures, red light/speed cameras, and similar.

I also have a side note about sharrows. Studies show they are less safe than having no sharrows at all. My personal experiences confirm this as one of the most harrowing stretches of road I have experienced in Hermosa is one with sharrows. I ask the council to stop using sharrows.

Steve Collins

Location: 90254, Hermosa Beach

Submitted At: 4:52pm 02-14-24

Dear City Council,

I hope this finds you well.

I wonder if the City might address conflicting e-bike practices/laws as you review them for the coming proposal to Council?

Licensing businesses to rent e-bikes near the Strand is at odds with the laws regarding riding e-bikes on The Strand. The e-scooter fad taught us that people will rent and ride electric vehicles however and wherever they want, disregarding local laws and the usual disingenuous advisements, if any, from the rental services.

Hermosa Cyclery supports the community's desire to prohibit e-bikes on The Strand by choosing not to rent them. This had been the case for all of the established bike rental stores in our area since e-bikes were invented. We do this while sacrificing customer satisfaction, enduring an eroding customer base, and choosing not to profit from the prohibited riding behavior.

While the City started licensing e-bike rental businesses recently and, conversely, we are supporting the community's concerns, a vacuum is being created that invites new, opportunistic e-bike rental operations to locate near The Strand. Two have recently opened.

Proximity to The Strand is directly proportional to the number of rental e-bikes that would make their way there. Location matters a lot. An e-bike rental shop on PCH, for example, would have little to no impact on The Strand, and probably not last long. The latter explains the interest in e-bike rental businesses locating near The Strand.

Should the City's licensing of businesses have a role? Perhaps. In recent years, the City has regulated businesses to align their activities with community sensibilities. For example, the City has withdrawn the right to sell cigarettes from existing businesses, it prevents the expansion of alcohol intensification downtown, and has banned marijuana dispensaries city-wide; all with the intention of protecting nearby community interests.

Similar to business licensing restrictions but maybe more accommodating, perhaps mandatory geofencing equipment on rental e-bikes to turn motors off while on The Strand (and Plaza) in Hermosa Beach would resolve the conflict? The equipment is practical to add to existing e-bikes.

On the other hand, legalizing e-bikes (with motors on) on The Strand would likewise resolve the above conflicting city practices. It would ease the clear sense of duty those of us feel to abstain from renting e-bike near The Strand, because the practice would be legal, after all. We're not sure we would be interested in renting e-bikes, but our hands would no longer be tied while others proceed with disregard.

Chief LeBaron recently noted that e-bike-related accidents on The Strand is a statistical non-issue. Clearly, many good people from Hermosa Beach and beyond ride their e-bikes on The Strand, with motors on. Is the prohibition out of step with the larger, less vocal community and stopping virtually no one? It sure appears so.

We are caught between a rock and a hard place trying to support the community and so hope the City might reconcile the corrosive, conflicting practices/laws.

Thanks,
Steve Collins

Hermosa Cyclery, Inc.
20 13th Street
Hermosa Beach, CA 90254
Phone (310) 374-7816 x25
www.hermosacyclery.com

Robert Aronoff

Location: 90254, Hermosa Beach
Submitted At: 2:00pm 02-12-24

Electric bikes on The Strand are dangerous, a nuisance, noisy and unnecessary. In the past few years, The Strand has been transformed from a quiet recreational path into a freeway. The Strand was never intended to be a highway. There is no reason that electric bikes need to be on The Strand. They are not part of our community commitment to exercise and fitness. A regular bike is for exercise and fitness. An electric bike on The Strand is for someone too lazy to pedal or looking to speed.

I live on The Strand and can hear in my house electric bikes buzzing by at all hours. I often see 2 or 3 children on a bike without helmets, speeding and doing tricks. More than once while walking on The Strand I have been bumped by electric bikes. A serious accident is inevitable. The blood will be on the hands of our police chief and other city officials who intentionally refuse to enforce the existing laws relating to electric bikes.

There are two existing laws that should not be changed. They need to be enforced:

- (1) The 8mph speed limit, and
- (2) the prohibition against riders utilizing the electric motor or other electric propelled power while on The Strand.

Our Police Chief argues that it is difficult to tell whether a rider is using electric power or not. This is simply BS and an unsupportable excuse by someone who is unwilling to enforce the law.

Proposed Section 10.12.175 is good. But will it get any enforcement action? No, not until the Council gets a Police Chief who can see who is peddling a bike, and who is not, and is willing to enforce the law will public safety benefit.

The proposed ordinance does not address safety education, and it should. You have to be 15½ and pass a test to ride a motorcycle. Why shouldn't an e-bike rider be of a minimum age and have some safety training?

Finally, the barriers at the walk-zone by the pier do nothing to slow the e-bike riders. The barriers just cause a hazard as oncoming traffic is forced to face each other while the bikes try to weave through a more narrow path. Get rid of the barriers, put up some signs informing of the law and then enforce the law.

Anthony Higgins

Location:
Submitted At: 1:02pm 02-11-24

Dear City Council,

Unsafe Ebike/Pedestrian encounters are all too common on the strand during peak season and almost everyone has a story.

I believe there is little if any effective strand enforcement of speed limits or riding under power laws; especially outside the business district.

As background, it might be useful to ask Chief LeBaron how many speeding and riding under power tickets were issued on the strand outside the business district last summer or even last year.

It stands to reason that speeding and riding under power is more prevalent on the long stretches of strand outside

the business district.

I also hear it is very difficult for our police officers to detect if an ebike with a 250w to 500w motor is operating under power or if the rider is just fake-peddling.

Can thermal imaging cameras detect if a pedal assist ebike is operating under power?

This may not be as ridiculous as it sounds if the motor & battery area are significantly hotter than the rest of the frame as I suspect would be the case. Is enough to issue a citation?

Even if the citation is ultimately dismissed just having to appear in court maybe enough of a deterrence.

Using thermal imaging cameras to detect powered ebikes might not be as ridiculous as it sounds but a speeding 180lb rider on a 40-60lb ebike is not to be sneezed at.

Popular Mechanics:

<https://www.popularmechanics.com/technology/gear/a20430/thermal-imaging-reveals-hidden-bicycle-motors-mechanical-doping/>

Belgian cyclist Femke Van den Driessche was caught with a small electric motor in her bike after a mechanical failure during the cyclocross world championships this February.

A joint effort between two news agencies armed with a thermal camera may have caught seven professional cyclists in the act.

<https://www.popularmechanics.com/technology/gear/a20430/thermal-imaging-reveals-hidden-bicycle-motors-mechanical-doping/>

Also, can CSO spot-patrols use technology to enforce significant violations of the 8mph speed limit?

These problems have been talked about for years and not enough has changed.

Anthony Higgins