

AGENDA ITEM SUMMARY

April 21, 2020

City Council

STAFF

Tessa Greigor, FCBikes Program Manager
Claire Havelda, Legal

SUBJECT

Items Relating to Electric Assisted Bicycles on Paved Trails.

EXECUTIVE SUMMARY

This item is coming to City Council as Second Reading of the Ordinances. The one-year pilot program allowing Class 1 and Class 2 e-bikes on paved trails is set to expire on April 30. Subsequent action is needed by City Council to determine future e-bike regulations, based on the pilot program results, prior to the expiration of the pilot program ordinance.

- A. Second Reading of Ordinance No. 058, 2020, Amending Chapter 23 of the Code of the City of Fort Collins to Allow and Regulate the Use of Electrical Assisted Bicycles on the City's Paved Trails.
- B. Second Reading of Ordinance No. 059, 2020, Amending the Fort Collins Traffic Code to Allow and Regulate the Use of Electrical Assisted Bicycles on the City's Paved Trails.

These Ordinances, adopted on First Reading on April 7, 2020 by a vote of 6-1 (Nays: Cunniff) update Fort Collins City and Traffic Code to allow Class 1 and Class 2 e-bikes on City-paved trails. In April 2019, Fort Collins City Council approved a one-year pilot program to allow Class 1 and Class 2 e-bikes on paved trails in Fort Collins. This one-year pilot program began May 1, 2019 and will end April 30, 2020. Data and public input were collected during the pilot program, and staff has found no major issues associated with allowing e-bikes on paved trails at this time. Research and the pilot program indicate e-bikes provide mobility, sustainability, and health benefits, and can help achieve Fort Collins' Climate Action and transportation goals.

In conjunction with the recommendation to continue allowing Class 1 and Class 2 e-bikes on paved trails, staff is also recommending strategies to ensure Fort Collins' trail system remains a positive and safe experience for all users as use increases, and to address concerns raised during the pilot program.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

- 1. First Reading Agenda Item Summary, April 7, 2020 (w/o attachments) (PDF)
- 2. Ordinance No. 058, 2020 (DOCX)
- 3. Ordinance No. 059, 2020 (PDF)

AGENDA ITEM SUMMARY

City Council

April 7, 2020

STAFF

Tessa Gregor, FCBikes Program Manager
Claire Havelda, Legal

SUBJECT

Items Relating to Electric Assisted Bicycles on Paved Trails.

EXECUTIVE SUMMARY

- A. First Reading of Ordinance No. 058, 2020, Amending Chapter 23 of the Code of the City of Fort Collins to Allow and Regulate the Use of Electrical Assisted Bicycles on the City's Paved Trails.
- B. First Reading of Ordinance No. 059, 2020, Amending the Fort Collins Traffic Code to Allow and Regulate the Use of Electrical Assisted Bicycles on the City's Paved Trails.

The purpose of this item is to present two ordinances for Council consideration to update Fort Collins City and Traffic Code to allow Class 1 and Class 2 e-bikes on City-paved trails.

In April 2019, Fort Collins City Council approved a one-year pilot program to allow Class 1 and Class 2 e-bikes on paved trails in Fort Collins. This one-year pilot program began May 1, 2019 and will end April 30, 2020. Data and public input were collected during the pilot program, and staff has found no major issues associated with allowing e-bikes on paved trails at this time. Research and the pilot program indicate e-bikes provide mobility, sustainability, and health benefits, and can help achieve Fort Collins' Climate Action and transportation goals.

In conjunction with the recommendation to continue allowing Class 1 and Class 2 e-bikes on paved trails, staff is also recommending strategies to ensure Fort Collins' trail system remains a positive and safe experience for all users as use increases, and to address concerns raised during the pilot program.

Key takeaways from the pilot program include:

- The pilot program did not result in any major safety incidents associated with allowing e-bikes on paved trails.
- Public feedback and input from City Boards and Commissions indicated more support for allowing e-bikes on paved trails than opposition, particularly Class 1 e-bikes.
- Bicyclist speed observations showed an average bicycle speed of just under 12 miles per hour (total of 1,157 bikes observed). Only 16 e-bikes were observed during the speed assessments with an average speed of 15.63 mph.
- E-bike use is increasing though it remains a relatively small percentage of users on the trails today. Trail count data from September showed 1.2% of bicyclists using e-bikes.
- Most E-bike owners reported bicycling more and replacing car trips with their e-bike.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on First Reading.

The results of the pilot program and relevant research have informed staff's recommended adoption of the

Ordinances allowing the use of Class 1 and Class 2 e-bikes on paved trails. City Council may wish to amend the ordinances to only allow Class 1 e-bikes on paved trails based on certain City board recommendations and the differences in public opinions and some staff opinions. A motion to make that revision is provided as **Attachment 10**, in case that is desired.

E-bikes provide mobility, sustainability, and health benefits, and provide a strategy for achieving Fort Collins' Climate Action and transportation goals. Further, as the region continues to connect the paved trail network, consistently allowing e-bikes on paved trails across jurisdictions, offers people the option to commute longer distances by bike and increases access to recreation opportunities. Most Colorado jurisdictions including Loveland, Larimer County, and Boulder County, allow e-bikes on paved trails.

In conjunction with staff's recommended ordinances to allow e-bikes on paved trails, staff is recommending ongoing monitoring of trail utilization, user behavior, and continued education and outreach to address broader concerns related to trail safety and remain proactive in anticipation of increased trail use in the coming years (additional strategies detailed in the subsequent section).

BACKGROUND / DISCUSSION

In August 2017, Colorado passed House Bill 17-1151 concerning the regulation of e-bikes; this law establishes three classes of e-bikes, defines e-bikes as bicycles, and allows the operation of Class 1 and Class 2 e-bikes on bike or pedestrian paths unless local governments prohibit such use (which at the time was the case for Fort Collins).

Following adoption of this state law in 2017, the City's Bicycle Advisory Committee (BAC) researched the topic of allowing e-bikes on Fort Collins' paved trail system and ultimately recommended the City pursue a pilot program. Staff from FC Moves, Natural Areas, Parks, and Park Planning & Development developed the framework for this pilot program, which was subsequently presented to nine City Boards, Commissions and Committees for their consideration and action; eight voted in favor of a pilot program to allow e-bikes on paved trails for one year.

In April 2019, Fort Collins City Council adopted Ordinance No. 045, which enacted a one-year exemption from certain restrictions in the City Code to allow Class 1 and Class 2 e-bikes on paved designated trails in Fort Collins. This one-year pilot program began May 1, 2019 and will end April 30, 2020.

Existing E-bike Code and Regulations

Consistent with Colorado Traffic Code, City Traffic Code defines e-bikes as a bicycle with two or three wheels, fully operable pedals, and an electric motor that does not exceed 750 watts. City and Colorado Traffic Code require e-bikes to conform to one of three classifications outlined in Table 1 and to be labeled accordingly. E-bikes and e-bike riders are exempt from motor vehicle registration and license requirements.

Under Colorado law, Class 1 and Class 2 e-bikes are allowed on the same bicycle and pedestrian paths as conventional bikes, unless regulated or restricted by local jurisdictions.

Except as authorized by the 2019 pilot program ordinance, Fort Collins City Code currently prohibits the use of e-bikes while the motor is engaged on a bike or pedestrian path or on a recreational trail unless the user has a temporary or permanent mobility disability. E-bikes are otherwise legal and treated as traditional bicycles under Fort Collins Code.

Table 1: Classification of E-bikes (Colorado and Fort Collins Regulations)	
Electric Assist Bicycle Definition	A bicycle with two or three wheels, fully operable pedals, and an electric motor that does not exceed 750 watts.
Class 1	An electrical assisted bicycle that is equipped with an electric motor that provides assistance while the rider is pedaling up to 20 miles per hour.

Class 2	An electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.
Class 3	An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight (28) miles per hour. Class 3 e-bikes include age restrictions and require the use of helmets for people under the age of 18.

Other E-Devices

In 2019, Fort Collins also launched a one-year e-scooter share pilot program with the private scooter company Bird. E-scooters and other e-devices (except for Class 1 and Class 2 e-bikes) are not currently allowed on Fort Collins’ recreational trail system and are being managed separately from e-bikes. The timing of the 2017 state law regarding e-bikes and the clear definition of e-bikes as bicycles in local and state statutes prompted staff to approach the e-bike paved trail pilot program independently of other e-devices. As the use of e-scooters and other e-devices increases and these modes become more established, staff will utilize upcoming Plan updates to determine future management strategies and policies for such devices as part of Fort Collins trail system.

Literature Review Key Findings

During the pilot program, the City of Fort Collins joined Boulder County, Larimer County, and the City of Boulder as a funding partner in the completion of a Literature Review to provide a snapshot of relevant research related to e-bikes and how they are being addressed in other jurisdictions. The literature review also assessed broader topics related to recreation conflict and emerging technology. The key findings from the literature review were:

- E-bikes provide increased access to recreation and transportation; older adults are more likely to use e-bikes for recreation and fitness whereas younger adults are more likely to use e-bikes for commuting, utilitarian trips, and to replace car trips.
- The addition of the electric-assist encourages people to take more and longer trips by bike and offers individual health benefits.
- E-bike users indicate feeling safer on an e-bike than a conventional bike given the ability to travel through an intersection quickly or traverse challenging terrain.
- Safety, speed, crowding, and user conflict are common concerns related to bicycles, and even more so for e-bikes. However, e-bike research has shown that people tend to view e-bikes more favorably once they are exposed to or become familiar with e-bikes.
- The literature review found little research to suggest that e-bikes have greater negative impacts on trails or wildlife than regular bikes.
- Many Colorado jurisdictions have acted to allow some or all classes of e-bikes on their trails.

Literature Review available online at: fcgov.com/ebikes

E-Bike Paved Trail Pilot Program Overview

The development, implementation and final recommendations of the e-bike pilot program were done in partnership with multiple City Departments, including FC Moves, Parks, Park Planning and Development, and Natural Areas. Police Services and Traffic Operations were also consulted for data and feedback. Community and regional partners, including local bike shops, Colorado State University, bicycle organizations, and neighboring jurisdictions played a role in the pilot program as well. Students from the Colorado School of Public Health were integral to the implementation of the e-bike pilot program.

The primary pilot program goals were:

- Assess public opinions and perceptions around allowing e-bikes on paved trails
- Collect data to understand impacts to trail user experience and safety

- Measure changes to bicycle utilization on trails
- Increase awareness of proper trail etiquette and trail use laws
- Collect comprehensive data to report back to decision makers in areas of concern

E-Bike Pilot Program Methods

The pilot program included the following evaluation methods:

- **Public surveys and questionnaires:** The pilot program included extensive data collection through surveys and questionnaires. Surveys were administered on the trails, online, and during events. Combining all surveys, over 1,100 responses were received, offering a good indicator of the perceptions and experiences related to allowing e-bikes on Fort Collins paved trails. Trail surveys were conducted on multiple days, during different time periods, and across the trail system to reach as many individuals as possible. Over 650 surveys were completed by people on the trails and the online survey received 382 responses.
- **Bicyclist speed snapshots:** Bicyclist speeds were captured during the pilot program using hand-held pocket radar units with trained students. Speeds snapshots were captured on 19 different days in April, July, August, September and October. Different locations and time periods were included in the analysis on the following trails: Spring Creek Trail, Poudre Trail, Long View Trail, Mason Trail, and Power Trail. A total of 1,157 bicyclists were included in the speed assessments with only 16 e-bikes observed.
- **Annual trail counts including e-bike observations:** Bicyclist and pedestrian counts were collected at 13 trail locations in September. These counts were used to track the percentage of bicyclists using e-bikes.
- **Observations and feedback from City Rangers:** During the Pilot Program, Staff requested feedback from City Rangers regarding observations and reported conflicts with people utilizing e-bikes.
- **Feedback from City Departments:** Multiple City departments were involved in the pilot program with feedback or data collected from Police Services, FC Moves, Natural Areas, Parks, Park Planning and Development and Traffic Operations.
- **Access Fort Collins and incident reports:** Community members were encouraged to report issues or comments using the City's Access Fort Collins application, email, or report directly to Police Services.
- **Other feedback (community partners, bike shops):** Staff reached out to partners including local bike shops, Colorado State University, and local bicycle organizations, to seek input regarding the pilot program.
- **Literature Review (led by Boulder County with funding provided by the City of Fort Collins):** During the pilot program, the City of Fort Collins joined Boulder County, Larimer County, and the City of Boulder as a funding partner in the completion of a Literature Review to provide a snapshot of relevant research related to e-bikes and how they are being addressed in other jurisdictions.

In addition, the following education and outreach was conducted during the pilot program:

- Educational handouts distributed through retailers and at events
- Temporary signage placed on the trails with information about the pilot program and the courtesy speed limit of 15 mph
- Press release
- Website information
- Social media and email communications
- Trail "pop-up" education events
- E-bike specific outreach at major events including Open Streets, Bike to Work Day, Earth Day, and the Bike Fix-it Bonanza
- E-bike demos
- Distribution of hundreds of bike bells in partnership with Bike Fort Collins to emphasize safe passing

Pilot Program Results (see Attachment 1 for additional information):

Summary of Survey Feedback

- **Public Opinions:** Based on more than 1,100 survey responses, the majority of respondents indicated

support for allowing Class 1 e-bikes on paved trails (53% support, 15% oppose). A slightly higher percentage of respondents indicated supporting Class 2 e-bikes on paved trails over opposing them (36% support, 28% oppose), however the level of support was lower in comparison to Class 1 e-bikes.

Comments: The primary reasons people indicated support for e-bikes on paved trails were: provides support for those needing additional assistance, no difference from a regular bike, and supports alternative transportation. The primary reasons people indicated opposing e-bikes on paved trails were concerns over safety and speed, perspectives of e-bikes being a motorized vehicle, and impact to trail experiences.

- **Trail Experience:** Several survey questions were used to assess overall trail experience as well as the impact of e-bikes to users' trail experience. Overall trail experience was rated very high by trail users. For trail users who observed e-bikes during the day of the trail survey, very few survey respondents rated those encounters as negative. Survey respondents who had experienced e-bikes on the paved trails were asked to indicate how that has impacted their overall experience using the paved trails-between 72% and 86% of respondents rated the impact as Neutral/No Impact to Positive.
- **Perception of Safety:** Trail survey respondents were asked to rate, during daylight hours, how safe they felt (typically) when using Fort Collins paved trails. Very few respondents reported feeling unsafe. 98-99% of respondents reported feeling somewhat or very safe when using Fort Collins paved trails. This is a question that can be asked in the future to determine changes in perception of safety.
- **Crashes:** During the e-bike pilot program, City departments did not receive reports of e-bike crashes on the paved trails. Recognizing trail-related crashes may go unreported, Staff included a question on the trail surveys to understand the prevalence of trail crashes. Of these survey responses, one person (of 427 responses) indicated experiencing an e-bike related crash on the paved trails in the previous 6 months.
- **E-bike related trail conflicts:** Out of 235 trail survey responses, three respondents indicated experiencing conflict with an e-bike user. 90% of respondents reported not experiencing conflict on the trail that day. In this context "conflict" was described as "trail users interfering with one another's goals on the trail, causing unpleasant experiences".

Summary of E-bike Use

The use of e-bikes has increased in Fort Collins, but still represents a small percentage of bicycle users. Trail count data from September showed 1.2% of bicyclists using e-bikes. Based on local survey results of e-bike owners, the majority are 50+ years of age, and indicate bicycling more because of their e-bike and using their e-bike to replace car trips. Local bike shops reported increased e-bike sales between 2018 and 2019 and indicated selling almost entirely Class 1 e-bikes.

Summary of Bicycle Speed Snapshots

Bicyclist speeds were capturing prior to and during the pilot program using hand-held pocket radar units with trained students. Speeds snapshots were captured on 19 different days in April, July, August, September and October. Different locations and time periods were included in the analysis on the following trails: Spring Creek Trail, Poudre Trail, Long View Trail, Mason Trail, and Power Trail. A total of 1,157 bicyclists were included in the speed assessments with only 16 e-bikes observed.

The average speed for all bikes was just under 12 miles per hour (11.93 mph), with an observed range of 1 - 24 miles per hour. For the 16 e-bikes observed, the average speed was 15.62 miles per hour, with an observed range of 10 - 23 miles per hour. The low sample size for e-bike observations suggests a need to continue monitoring speeds while also conducting education on safe trail speeds for all bicyclists.

Trail Ranger Observations

During the pilot program, Parks and Natural Areas Rangers were asked to provide reports of e-bike observations and safety incidents involving e-bikes. While Rangers did observe e-bikes on the paved trails, no e-bike safety incidents were reported by the Rangers on the paved trails.

Access Fort Collins Reports:

During the pilot program, approximately 25 emails or Access Fort Collins reports were submitted with some indicating support for e-bikes and some expressing concerns or negative experiences with e-bikes on the trails. Some of the comments received indicated experiences with illegal devices on the trails (e.g., gas-powered bikes), which were not included in the pilot program.

The City's Safe Routes to School Program Coordinator reported an interaction with an e-bike user riding at high speed and behaving inconsiderately near a group of youth (it's unclear if this was a legal e-bike allowed on the paved trails). These reports indicate additional education and signage are warranted to inform trail users of what is legally allowed on the trails, and to emphasize safe trail behaviors.

Feedback from Police Services

Fort Collins Police Services was asked to provide feedback regarding their experience during the pilot program and if they had received reports regarding issues with e-bikes on paved trails. Police Services indicated that allowing e-bikes on paved trails has not been an issue from their experience and they support continuing to allow them.

Staff and Boardmember Concerns

While the staff recommendation and recommendation from most City boards consulted is to proceed with allowing the use of e-bikes on paved trails, the following broader concerns were raised by some staff members and boardmembers during the review process:

- **Slippery slope:** If e-bikes are allowed, this may result in a public perception that other e-devices are or should be allowed.
- **Enforcement:** If the recommendation to allow e-bikes on paved trails comes with an expectation for increased trail enforcement, the ability for staff to meet this expectation is of concern given existing resources and other safety priorities.
- **Future impacts to trail system:** The use of e-bikes is currently low in Fort Collins. Concerns were raised regarding the current design and capacity of the trail system, and how the system will accommodate increased e-bike use in the future.
- **Trail safety and experience:** Concerns were raised around the potential future impact to trail user experience and overall safety if the use of e-bikes on paved trails continues to increase.
- **Impacts to youth and vulnerable populations:** While staff and partners did not find research to suggest increased e-bike use would have a negative impact on youth and other vulnerable populations, this was raised a concern and may warrant additional monitoring and research.

In addition to the public feedback received during the pilot program, the input from staff and board members has informed staff's additional recommendations for continued trail user education, ongoing monitoring, and addressing broader trail use, design, and management questions through upcoming Plan updates (additional details below).

Pilot Program Conclusions and Recommendations

The information collected during the pilot program and relevant research informed staff's final recommendation to allow Class 1 and Class 2 e-bikes on paved trails following the completion of the pilot program. This recommendation in conjunction with the below strategies was developed in partnership with multiple City Departments, including FC Moves, Parks, Park Planning and Development, Natural Areas, and Police Services. Feedback and recommendations from City Boards and Commissions, as well as community and regional partners, also played a role in the final recommendations.

Recommended strategies to address concerns and maintain a positive user experience for all trail users

- **Conduct trail user education to promote safe and legal use of the trail system.** Bicycle user speed and trail safety remain concerns among trail users based on input received during the pilot program. Fort Collins has a courtesy trail speed limit of 15 mph; while this is not an enforceable speed limit, it is an important education tool. To continue to promote safe trail use and foster positive trail experiences, staff recommends ongoing trail user education in partnership with FC Moves, Parks, Natural Areas, Police Services, and community organizations to emphasize this courtesy speed limit, trail laws, and proper etiquette.
- **Conduct ongoing monitoring of trail utilization and experience**, including the use of e-bikes, and safety behaviors. With e-bikes representing a small percentage of total bicycle use on trails, staff proposes to continue annual trail assessments to address safety issues if they arise. In addition, staff will use City surveys (e.g., the Annual Community Survey) to evaluate changes in overall satisfaction with the trail system.
- **Trail signage:** with the proposed changes to e-bike regulations, staff plans to install permanent signage at key trail locations (e.g., at existing kiosks and trail access points) to notify the public which devices are allowed and where along with safety information. This signage may be installed as part of a larger trail signage effort planned by Park Planning & Development.
- **Trail enforcement:** A common comment regarding safe and legal trail use is for increased enforcement. The City currently employs 8 Natural Area (patrol) Rangers and 3 Parks (patrol) Rangers who cooperatively patrol the City's the trail system. While Rangers are able to enforce certain violations on the trails, including reckless riding, they are not fully commissioned officers and therefore do not have the ability to pursue or "pullover" individuals. Further, staff believes enhanced education can address the majority of concerns raised by the public with regard to the behaviors experienced on trails.
- **Staff recommends utilizing upcoming Plan updates** (e.g., Parks Master Plan and Trails Master Plan) as the platform to engage in broader conversations around future trail system vision, the use of other e-devices, and trail management and design strategies to accommodate increased use.

CITY FINANCIAL IMPACTS

The implementation of the recommended code changes will require minimal financial resources. The installation of permanent trail signage and conducting additional trail user education is expected to cost less than \$5,000. The implementation of the education and ongoing data collection will be supported through volunteers and partnerships with other organizations and will continue to be integrated into existing education and outreach programs. Additional resources may be necessary if other recommendations are identified beyond what is currently proposed, such as increased enforcement.

BOARD / COMMISSION RECOMMENDATION

Staff presented the results of the pilot program to the following City Boards, Commissions and Committees; to date, seven have voted in favor of allowing both Class 1 and Class 2 e-bikes on paved trails, or just Class 1 e-bikes.

- Senior Advisory Board (January 8 - subsequent action, voted in favor of allowing Class 1 e-bikes on paved trails in conjunction with a requirement that e-bike users have insurance)
- Land Conservation & Stewardship Board (January 8 - subsequent action, voted in favor of allowing Class 1 e-bikes on paved trails)
- Commission on Disability (January 9 - no action taken)
- Transportation Board (January 15 - voted in favor of allowing Class 1 and Class 2 e-bikes on paved trails)
- Parks & Recreation Board (January 23 - voted in favor of allowing Class 1 and Class 2 e-bikes on paved trails, and recommended ongoing monitoring)
- Bicycle Advisory Committee (January 27 - voted in favor of allowing Class 1 and Class 2 e-bikes on paved trails)
- Youth Advisory Board (February 5 - voted in favor of allowing Class 1 and Class 2 e-bikes on paved trails, and supported allowing Class 3 e-bikes if they can be programmed to a 20 mph top speed)
- Natural Resources Advisory Board (February 19 - voted in favor of allowing Class 1 e-bikes on paved trails)
- *Air Quality Advisory Board (March 16 - canceled until further notice)*

PUBLIC OUTREACH

In addition to the boards and commissions outreach conducted as part of this process, the pilot program included extensive public outreach and engagement, including:

- Trail surveys, online survey, and event questionnaires
- Educational handouts distributed through retailers and at events
- Temporary signage placed on the trails with information about the pilot program and the courtesy speed limit of 15 mph
- Press release
- Website information
- Social media and email communications
- Trail “pop-up” education events
- E-bike specific outreach at major events including Open Streets, Bike to Work Day, Earth Day, and the Bike Fix-it Bonanza
- E-bike demos
- Distribution of hundreds of bike bells in partnership with Bike Fort Collins to emphasize safe passing

Following the completion of the pilot program, staff proposes ongoing public education and outreach to maintain safe and legal trail use and promote a culture of respect among trail users.

ATTACHMENTS

1. E-Bike Paved Trail Pilot Program Report 2019-2020 (draft) (PDF)
2. Senior Advisory Board Recommendation and Minutes (PDF)
3. Land Conservation and Stewardship Board Recommendation and Minutes (PDF)
4. Commission on Disability Minutes, January 9, 2020 (PDF)
5. Transportation Board Minutes, January 15, 2020 (PDF)
6. Parks and Recreation Board Minutes, January 23, 2020 (PDF)
7. Bicycle Advisory Committee Minutes, January 27, 2020 (draft) (PDF)
8. Youth Advisory Board Recommendation (PDF)
9. Natural Resources Advisory Board Minutes, February 19, 2020 (draft) (PDF)
10. Proposed Motions to amend Ordinances to Class One Electrical Assisted Bicycles Only (PDF)
11. Powerpoint presentation (PDF)

ORDINANCE NO. 058, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 23 OF THE CODE OF THE CITY OF FORT COLLINS
TO ALLOW AND REGULATE THE USE OF ELECTRICAL ASSISTED
BICYCLES ON THE CITY'S PAVED TRAILS

WHEREAS, on April 16, 2019, the City Council approved Ordinance No. 045, 2019, implementing a pilot program to allow electrical assisted bicycles, as that term is defined in the Fort Collins Traffic Code, to operate on paved trails in natural areas and recreation areas within the City for a one-year trial period; and

WHEREAS, pursuant to extensive staff outreach, there is public support for allowing the ongoing use of certain electrical assisted bicycles on City trails; and

WHEREAS, the City needs to balance the use of electrical assisted bicycles on trails with current use of such trails by bicycles and pedestrians, as well as maintain the City's interest in conservation and stewardship of its natural areas and recreation spaces; and

WHEREAS, City staff will continue to conduct trail user education to promote safe and legal use of the trail by electrical assisted bicycle users; and

WHEREAS, in order to balance these interests, City staff is recommending amending Chapter 23 of the City Code to expressly permit use of Class 1 and Class 2 electrical assisted bicycles on paved trails in City natural areas and recreation areas; and

WHEREAS, City staff will continue to monitor the use and impact of electrical assisted bicycles on trails within the City; and

WHEREAS, the City Council finds that amending the City Code as described herein is in the best interests of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 23-193(d)(18) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 23-193. Prohibited acts; permits.

...

(d) Except as authorized by a permit obtained for such use from the Service Area, it shall be unlawful to:

...

(18) Operate or park a motor vehicle or other motorized means of conveyance anywhere in a natural area other than on established roadways and in designated parking areas, with the following exceptions:

a. Class 1 and Class 2 electrical assisted bicycles, as defined in Section 2002(12) of the Fort Collins Traffic Code, are allowed within natural areas, on paved, designated trails only, unless prohibited by signs;

b. a motorized wheelchair may be used by any person with a temporary or permanent mobility disability anywhere in a natural area that public access is allowed; and

c. an other power-driven mobility device may be used in a natural area by any person with a temporary or permanent mobility disability, in accordance with City regulations regarding such use of other power-driven mobility devices.

Section 3. That Section 23-203(a)(1) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 23-203. - Prohibited acts; permits.

(a) It shall be unlawful to:

(1) Operate or park a motor vehicle or other motorized means of conveyance anywhere in a recreation area other than on established roadways and in designated parking areas, with the following exceptions:

a. Class 1 and Class 2 electrical assisted bicycles, as defined in Section 2002(12) of the Fort Collins Traffic Code, are allowed within recreation areas, on paved, designated trails only, unless prohibited by signs;

b. a motorized wheelchair may be used by any person with a temporary or permanent mobility disability, anywhere in a recreation area that public access is allowed; and

c. an other power-driven mobility device may be used in a recreation area by any person with a temporary or permanent mobility disability, in accordance with City regulations regarding such use of other power-driven mobility devices.

Introduced, considered favorably on first reading, and ordered published this 7th day of April, A.D. 2020, and to be presented for final passage on the 21st day of April, A.D. 2020.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on this 21st day of April, A.D. 2020.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 059, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE FORT COLLINS TRAFFIC CODE TO ALLOW AND REGULATE THE
USE OF ELECTRICAL ASSISTED BICYCLES ON THE CITY'S PAVED TRAILS

WHEREAS, on April 16, 2019, the City Council approved Ordinance No. 045, 2019, implementing a pilot program to allow electrical assisted bicycles, as that term is defined in the Fort Collins Traffic Code, to operate on paved trails in natural areas and recreation areas within the City for a one-year trial period; and

WHEREAS, pursuant to extensive staff outreach, there is public support for allowing the ongoing use of certain electrical assisted bicycles on City trails; and

WHEREAS, the City needs to balance the use of electrical assisted bicycles on trails with current use of such trails by bicycles and pedestrians, as well as maintain the City's interest in conservation and stewardship of its natural areas and recreation spaces; and

WHEREAS, City staff will continue to conduct trail user education to promote safe and legal use of the trail by electrical assisted bicycle users; and

WHEREAS, in order to balance these interests, City staff is recommending the following changes to the Fort Collins Traffic Code be made to allow Class 1 and Class 2 electrical assisted bicycles on paved trails within the City:

- Allow for the prohibition of electrical assisted bicycles by the City Engineer or the Colorado Department of Transportation, where trails have been established on the right-of-way or parallel to and within one-fourth (1/4) mile of the right-of-way of heavily traveled streets and highways; and
- Permit Class 1 and Class 2 electrical assisted bicycles on all paved bike or pedestrian paths and paved recreational trails within the City, except where prohibited by the City Code or posted signs; and

WHEREAS, City staff will continue to monitor the use and impact of electrical assisted bicycles on trails within the City; and

WHEREAS, the City Council finds that amending the Fort Collins Traffic Code as described herein is in the best interests of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 2101(2) of the Fort Collins Traffic Code is hereby amended to read as follows:

2101. - General provisions.

...

- (2) All persons are prohibited from riding Class 3 electrical assisted bicycles or an electric scooter; on a bike or pedestrian path or on a recreational trail unless otherwise authorized by the City Code.

Section 3. That Section 2106(3) of the Fort Collins Traffic Code is hereby amended to read as follows:

2106. - Sidewalks and trails.

...

- (3) Riders of Class 1 and Class 2 electrical assisted bicycles may use paved bike or pedestrian paths and paved recreational trails except where prohibited by the City Code or posted signs. The rider of Class 3 electrical assisted bicycle shall not use the electrical motor on a bike or pedestrian path or on a recreational trail unless otherwise authorized by the City Code.

Section 4. That Part 20 Section 2110(3) of the Fort Collins Traffic Code is hereby amended to read as follows:

2110. - Regulatory.

...

- (3) Where suitable bike paths, horseback trails or other trails have been established on the right-of-way or parallel to and within one-fourth (1/4) mile of the right-of-way of heavily traveled streets and highways, the Colorado Department of Transportation may, subject to the provisions of Section 43-2-135, C.R.S., by resolution or order, and the City Traffic Engineer may, where suitable bike paths, horseback trails or other trails have been established on the right-of-way or parallel to it within four hundred fifty (450) feet of the right-of-way of heavily traveled streets, by ordinance, determine and designate, upon the basis of an engineering and traffic investigation, those heavily traveled streets and highways upon which shall be prohibited any bicycle, electrical assisted bicycle, electric scooter, animal rider, animal-drawn conveyance or other class or kind of nonmotorized traffic which is found to be incompatible with the normal and safe movement of traffic, and, upon such a determination, the Colorado Department of Transportation or the City shall erect appropriate official signs giving notice thereof; except that with respect to controlled access highways, the provisions of Section 42-4-1010(3), C.R.S., shall apply. When such official signs are so erected, no person shall violate any of the instructions contained thereon.

Introduced, considered favorably on first reading, and ordered published this 7th day of April, A.D. 2020, and to be presented for final passage on the 21st day of April, A.D. 2020.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 21st day of April, A.D. 2020.

Mayor

ATTEST:

City Clerk