

Jessica L. Araiza

From: Zachary J. Perras
Sent: Thursday, May 15, 2025 3:21 PM
To: Jessica L. Araiza
Subject: FW: April 17, 2025 El Dorado County Parks and Recreation Commission item - Recommends the Commission review and provide input on the El Dorado County Ordinance for Electric Bikes

From: John Poimiroo <poimiroo@gmail.com>
Sent: Tuesday, April 8, 2025 1:55 PM
To: Zachary J. Perras <Zachary.Perras@edcgov.us>
Subject: Re: April 17, 2025 El Dorado County Parks and Recreation Commission item - Recommends the Commission review and provide input on the El Dorado County Ordinance for Electric Bikes

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Zach,

I'm not sure I'll be free to attend your session on ebikes, but here are excerpts from emails I've previously provided to EDC cyclists on the subject.

As way of background, I am an El Dorado Hills resident and Patrol Director of the American River Bike Patrol, which patrols the El Dorado Trail within its 351 miles of trails served. The ARBP is an all-volunteer arm of the National Ski Patrol focused entirely on bike trail safety, service and stewardship. We have twice been named the best bike patrol in the nation.

Here are my observations about ebikes:

Regulating the use of e-bikes is worthless, unless that is enforced and there is no public agency that will do that. Here's why:

1. It is very difficult to identify whether an ebike is Class I, Class II or Class III. I have two ebikes and neither has anything on it to identify what class it is. A few manufacturers identify the Class, but not many. The class II bikes are easily identified, because they have throttles on them. However, there's little way for anyone to know whether a bike is Class I or III, just from its appearance. And even if it is Class I, the bike could easily have been modified to exceed 18 mph and you'd never know without opening up the bike.

2. As a bike patroller, I've discussed enforcement with park rangers, sheriff's deputies and police officers. They don't have time to enforce rules and regulations related to ebikes. So why have these rules and regulations on the books if they do nothing? Law enforcement officers know nothing about ebikes and what class they are. Further, even if they could tell Class I from Class III, they just don't have the time to enforce such a difficult-to-enforce rule.

3. The real problem is speed. Speeding is not limited to e-bikes. Most of the speeding I see during my patrols is by regular bikes, not ebikes. On the American River Parkway, large groups of road bikers will speed along in pelotons, often exceeding 40 mph with moms pushing strollers ahead. For a speeding ticket **to hold up in court**, you must have 1) a recently calibrated radar gun, 2) a certified radar gun operator trained on that particular radar gun, 3) a second law enforcement officer who is posted down the trail to stop and detain/ticket the speeder, and the trail must have "regulation" 15 mph speed limit signs posted between trail entrances, in each direction. The pursuing officer will likely need to be on a motorbike that can go faster than a speed-modified ebike and the law enforcement agency has to have the courage to risk injuring others by sending the officer in pursuit of the speeder.

For all these things come together; a recently calibrated radar gun, an officer trained to operate the calibrated radar gun and a second officer to pursue the speeder on a motorcycle at up to 60 mph down a multi-use trail that has been properly posted with speed limit signs is necessary for any ticket to hold up in court.

Frankly, all that coming together just isn't likely to happen. In my conversation with park rangers on the American River Parkway, that is why they don't enforce speed limits. They have far more important law enforcement duties to attend to than regulating speeding on a bike trail.

In the more than two years that I've patrolled the EDT, I have never once seen a Sheriff's deputy checking for speed. The EDSO has bike patrol units, but they are used for special law enforcement situations where a bike is helpful, not to enforce the class of an ebike or whether a bike is exceeding 15 mph.

The most egregious speeding is done by people on modified e-bikes or motorscooters/motorbikes commuting to/from work. These people are scofflaws who care less about obeying rules. Some of them lost their right to drive due to DUIs and must now ride a bike to get to and from work. They purchase a Class I ebike, remove the governor (watch this video to see how easy it is to do, many other similar videos are online <https://www.youtube.com/watch?v=J7zqlJj9T98>) and are able to ride a bike limited by the manufacturer to 18 mph up to 60 mph. When they pass me at 40, they flip me off when I gesture for them to slow down and ride away faster than I could ever catch them, even if I were on a street-legal ebike.

So, why write laws restricting e-bikes? It's senseless and useless. Instead, if we could get people to be speed aware, more would comply.

I like the suggestion of placing speed measuring devices along sections of trail where high speed is potentially a concern, such as on the EDT between Camino and Mosquito Rd. Four of these signs would probably have the beneficial effect of slowing traffic somewhat, but it will do nothing about scofflaws.

The scofflaws are speeding when commuting - between 6 a.m. and 9 a.m. and 3 p.m. and 6 p.m. That's when two trained officers with calibrated radar gun and motorcycle need to be posted in areas where speeding has been reported and where speed limit signs have been posted.

Only if you do that, will speeding on bike trails decline. By the way, if you enforce speed limits bike trails be prepared for screaming by all the non-ebike riders who get ticketed. I estimate that for every ebike ticketed, ten regular bikes will be. Those riders will complain, "Why are you doing this to people just trying to get in a recreational ride when no one else is out on the trail? Why aren't you going after the ebikers?" That's the reality of what you're in for.

Here's another response I sent to a cyclist concerned about ebikes:

On my regular bike patrols, I see as many people behaving admirably on e-bikes as I do on regular bikes. Some of the worst offenders are "privileged" road cyclists who believe a multi-use trail is theirs alone. It is not. It is for all users, including moms pushing baby strollers. Today, as I patrolled the American River Parkway I was passed repeatedly by road bikes exceeding 15 mph, but no e-bikes did so.

There is no problem regulating e-bikes. It isn't needed. More and more people, particularly seniors and people who just want an enjoyable excursion, not an ordeal, are riding e-bikes and that's a great thing. Actually, nothing will stop e-bikes from proliferating. They are an inevitable result of technology.

Teens and kids who ride electric scooters are more inclined to transition to an ebike than they are to a non-ebike. In Europe, most of the big mountain bike races are dominated by e-bike classes.

Every day, tens of thousands of El Dorado County kids under 15-1/2 ride motorized scooters illegally and nothing is done. The following motorized scooter is sold at Target (EDH, SLT and Placerville) as a "kids ride," yet the law requires that a person be 15-1/2 years old and have a driver's license to ride one of these. This scooter is too small for a licensed teenager to ride. It was designed and manufactured for little kids to ride.



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Law enforcement hasn't gone to Target to confiscate these scooters, as it isn't illegal to sell them. It's only illegal for a child under 18 to ride it without a driver's license.

Personally, I think the scooter law is ridiculous and should be changed, but until it is, the law is worthless, ignored and ends up eroding adherence to any of the other rules/laws related to e-vehicles.

As for e-bikes, there's no identification on them as to what is Class I, II or III. No one other than a bike shop could tell (with the exception of throttles on Class II bikes). Only when you see a bike doing in excess of 30 is it apparent that the bike is speeding, but once it stops the bike might actually be a Class I that was modified. It takes a minute and a screwdriver to turn a Class I bike into one that will operate in excess of 40 mph. The problem is not the bike, it's the person who modifies the bike. Police do not have the time, training or equipment to enforce this law, so it remains unenforced.

Additionally,

California State Law permits Class I and II ebikes (18 mph) to operate on bike paths. Only Class III are limited to city streets. The reality is that ebikes are here to stay.

If California law prevents cities and counties from restricting Class I and II bikes from operating on Class I bike paths, and Class I and II bikes can easily be modified to exceed their manufactured speed, then the only way to stop speeding is to ticket all bikes that speed.

To do that you need a team of two law enforcement officers, specially trained and outfitted in order to measure speed, ticket violators and be in court to secure the conviction.

John Poimiroo, Patrol Director

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