



Memorandum

To: Town Council

From: Gregg Barrie, Department of Public Works

Date: July 7, 2020

Subject: Discussion of electric bikes on Vail Pass

I. PURPOSE

Electric bikes or “e-bikes” are allowed to be operated on Town of Vail paved recreation trails in accordance with Colorado State Law. They are NOT allowed to be operated on the Vail Pass Recreation Trail, located outside of Town of Vail jurisdiction, for reasons outlined below. There is much discussion and even an ongoing effort by CDOT to allow the use of e-bikes on Vail Pass. Conversely, there are residents who prefer that e-bikes remain restricted from Vail Pass. The purpose of this Memorandum and agenda item is to provide context to the Town Council and to ask the Council to clarify a position on this issue so that staff can respond accordingly.

II. BACKGROUND

The Vail Pass Recreation Trail is operated and maintained by CDOT. Like I-70 on Vail Pass, much of the trail is located within an easement with the U.S. Forest Service (USFS) where it passes through USFS land. The CDOT general position is that the trail is a transportation route constructed as part of I-70, providing a continuous non-interstate bicycle route through Colorado, and that it should be managed under state law which allows Class I and Class II electric assisted bicycles on paved recreation trails. See Appendix A for a description of the e-bike Classes.

The USFS general position is that e-bikes are motorized vehicles, and therefore not allowed on this trail, identified as trail #7-49, per the White River National Forest Travel Management Plan. Because the trail holds a USFS Trail designation, the current understanding is that e-bikes are prohibited. There is a sign at the base of the west side stating that e-bikes are not allowed. This prohibition is not enforced and on any given day, numerous e-bikes can be seen operating on the trail. Many of them are rentals out of Vail.

CDOT regards this section from Vail to Frisco as a gap in the system and hopes to come to an agreement with the USFS to allow e-bikes on Vail Pass. The Town of Vail has no ownership, management or maintenance responsibilities on the trail. However, Vail’s residents and guests use the trail heavily and often look to the town as a resource – asking questions, reporting maintenance needs, filing complaints, etc. It is important that the Town can provide accurate information and education since most users on the west side originate from Vail.

The Vail Town Council first discussed the use of e-bikes on town-owned paved recreation trails in 2016. At that time, Council voted to allow the use of e-bikes on paved trails, overriding state law. In 2018, when state law changed to allow e-bikes, Vail altered its ordinance to follow state law. In short, the Vail Town Council has supported the use of e-bikes on town-owned recreation trails. Recreation, guest experience and commuting opportunities were a few of the reasons the Council cited for supporting e-bikes on paved trails.

III. CURRENT PATTERNS AND CONCERNS

During the busy summer months, trail users include Vail and Eagle County residents, Vail and Eagle County guests and day users from around Colorado. Many bike shops in Vail rent both traditional and electric bikes, many of which are used to ride on Vail Pass. Several operators provide drop-off service at either the top or at the base of Vail Pass. Many of those dropped at the base are using e-bikes to ascend the pass and then ride back into Vail. Throughout the summer of 2019, town staff received numerous calls and emails about e-bikes on Vail Pass. The contacts were either complaints that they saw e-bikes on the trail or people asking if they could use their e-bikes on the trail.

The most common complaint heard by town staff is that some e-bike users are operating in an unsafe manner – going too fast uphill, passing traditional bikes too close, not calling out or ringing a bell when passing, etc. Opinions vary on whether this is unsafe or just not showing common courtesy. Either way, the addition of e-bikes to Vail Pass and other local trails has simply made the trails busier, and that can always lead to the feeling that the trail is less safe. Per Vail Dispatch, there have been a total of ten bicycle-related accidents on Vail Pass over the past four summers, however, it is not known if any of them involved e-bikes.

E-bikes are increasingly popular, and that trend will continue. E-bike rentals are common in most of Vail's bike shops and they can be seen all over town ridden by guests and locals alike. It is important that the town accommodates their use in some way or another as they are not likely to go away.

IV. CURRENT PROCESS

As previously stated, CDOT would like to come to an agreement with the USFS that would allow e-bikes on the Vail Pass Trail. It will require some executive-level discussions within their organizations because of existing rules and definitions. Their decisions could have impacts on the Town of Vail in terms of the information we are providing to bike rental shops, tour operators, residents and guests.

A virtual meeting within the CDOT organization is scheduled for July 16, and town staff has been invited to that meeting. It is an opportunity for the Town of Vail to express its opinions, concerns and recommendations on the issue. As the closest municipality ("local agency") to the area in question, the opinion of the Town Council could influence the final decision and any potential conditions of approval.

V. ACTION REQUESTED BY COUNCIL

Staff is requesting that the Town Council provide its position on whether e-bikes should be allowed on Vail Pass so that staff can respond to the process accordingly with CDOT and the USFS. The position may generally include support, support with conditions or do not support.

VI. STAFF RECOMMENDATION

Based on previous Town Council support allowing e-bikes on paved trails, the fact that the east (Summit County) side of the pass is working towards permanently allowing e-bikes, and that e-bike technology is here to stay, staff recommends the Council support the use of e-bikes on the Vail Pass Trail with recommended conditions for both CDOT and the USFS. Those conditions may include:

- Bicycle etiquette signs posted at the base, top and along the trail
- Posted speed limit signs (20 mph)
- USFS permits for commercial operations should be spaced to reduce crowding

In addition, staff recommends that the Town of Vail should work with bicycle and e-bike rental operations to provide bicycle education and etiquette. This could be helpful on all Vail recreation trails and in Village areas and could be provided in the form of:

- Bicycle 101 brochure (draft form attached)
- As a short 2-3 minute safety/etiquette video to be shown to bike renters prior to leaving the store
- Require rental e-bikes to have a bell
- Post speed limit and etiquette signage along Vail's paved recreation trails

Attachments:

- Appendix A Classes of E-Bikes per Colorado Law
- Draft education – Biking around Vail

Appendix A

Classes of E-Bikes per Colorado Law

The controlling statute in Colorado for most of the bike laws is C.R.S. Section 42-4-1412 and for electric bikes as defined in C.R.S. Section 42-1-102.

Class I

Pedal assist and provides electrical assistance up to 20 mph

Class II

Pedal or throttle assist (does not require pedaling) provides electrical assistance up to 20 mph

Class III

Provides electrical power up to 28 mph.

Not allowed for riders under age 16

Under 18 must wear a helmet with a strap in place

BIKING around Vail



BIKING 101

- **Wear a Helmet** Wearing a helmet can reduce the risk of head injury to bicyclists by as much as 85 percent
- **Know Your Bike** Before you go out on your ride make sure your bike fits you properly, check your seat height, tire pressure and brakes
- **Yield to Pedestrians** Pedestrians always have the right of way. Be courteous and let people know you are behind them
- **Pass on Your Left** Whether it be another biker or pedestrian, say "passing on your left" and use your bike bell
- **Yield to Uphill Traffic** The uphill rider always has the right of way, including on paved recreation paths, dirt roads and single track. If on single track, move off the trail for the uphill biker to pass
- **Don't Text and Ride** Two hands on the handlebars at all times, please

E-BIKES

- Vail Village and Lionshead are SLOW zones for all bikes (including e-bikes)
- E-bike use is restricted on some local trails, including most soft-surface trails
- Pay attention to signs designating trail and road use

Please turn off your e-bike at:

- All children's playgrounds
- All turf areas
- All sidewalks that are not designated ped/bike paths
- Where any motorized vehicles are prohibited



BIKING ON THE ROAD

- Bike with traffic, the same direction as motor vehicles, on the side of the road, in the bike lane, or close to the sidewalk
- Yield to traffic that is already on the road
- Always bike in a single file. This includes the Vail Pass Bike Path
- In roundabouts, bikers should "Take a Lane" and act as a motor vehicle would if they are moving through
- Use proper bike signals when making turns, especially in the roundabouts
- At crosswalks, use the flashing lights
- Stop at all stop signs
- Allow faster bikers to pass

RIDER CHECKLIST



Helmet



Sunscreen



Closed Toe Shoes



Sunglasses



Water Bottle



Snacks



Extra Layer of Clothing



vailgov.com/welcome-to-vail



Vail Village Welcome Center
241 South Frontage Road
970.477.3522

Lionshead Welcome Center
395 South Frontage Road West
970.477.3523

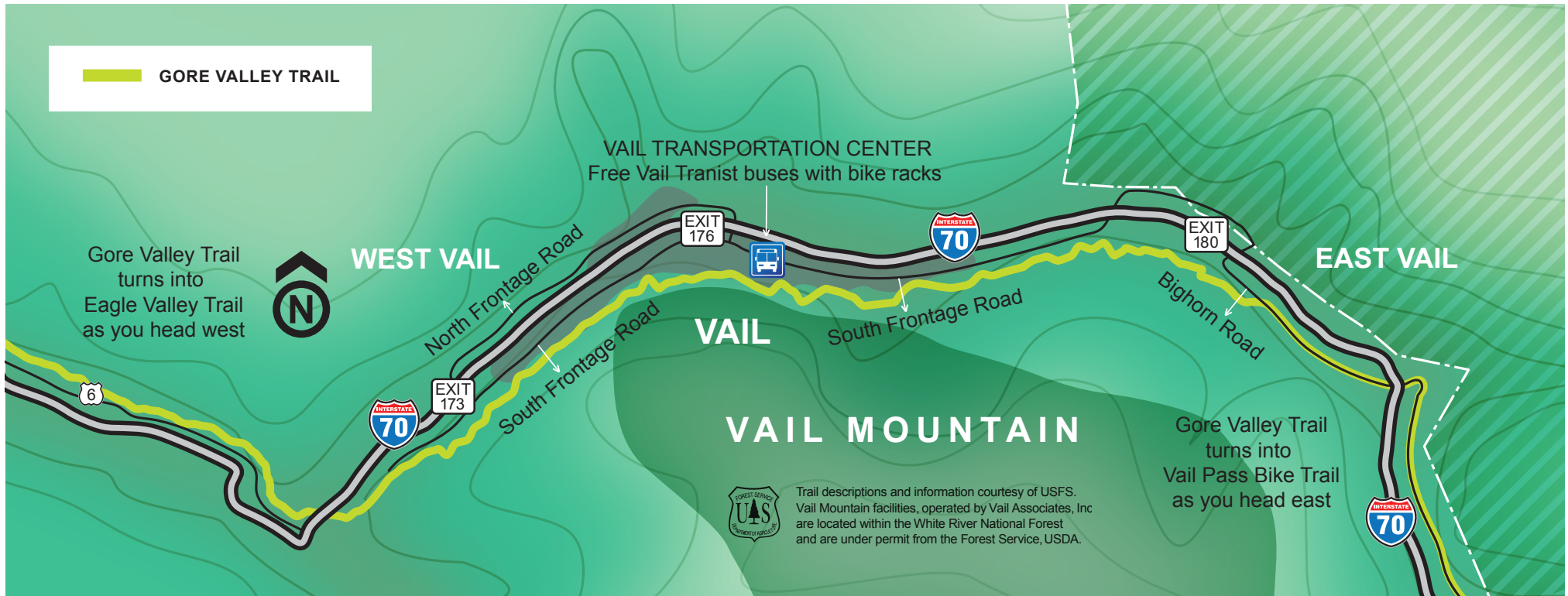


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BIKING around Vail



Photos by Townsend Bessent



TOWN OF VAIL
Welcome Centers
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Vail Village Welcome Center
241 South Frontage Road
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