

MAYOR
Valerie Amezcua
MAYOR PRO TEM
Thai Viet Phan
COUNCILMEMBERS
Phil Bacerra
Johnathan Ryan Hernandez
Jessie Lopez
David Penalzoza
Benjamin Vazquez



CITY MANAGER
Alvaro Nuñez
CITY ATTORNEY
Sonia R. Carvalho
CITY CLERK
Jennifer L. Hall

CITY OF SANTA ANA

CITY MANAGER'S OFFICE
20 Civic Center Plaza • P.O. Box 1988
Santa Ana, California 92702
www.santa-ana.org

July 15, 2024

Honorable Judge Maria Hernandez
Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

City of Santa Ana's Response to 2023-2024 Orange County Grand Jury Report-
E-bikes Friend or Foe

Honorable Presiding Judge Hernandez,

Santa Ana's responses to the Grand Jury's Findings and Recommendations of the 2023-2023 Orange County Grand Jury Report-E-bikes Friend or Foe ("Grand Jury Report") are set forth in the attachment in accordance with the format required by Penal Code sections 933 and 933.05.

Respectfully,

Alvaro Nuñez
City Manager

Enclosure: Santa Ana's Response to Findings

Cc: Orange County Grand Jury

SANTA ANA CITY COUNCIL

Valerie Amezcua
Mayor
vamezcua@santa-ana.org

Thai Viet Phan
Mayor Pro Tem, Ward 1
tphan@santa-ana.org

Benjamin Vazquez
Ward 2
bvazquez@santa-ana.org

Jessie Lopez
Ward 3
jessielopez@santa-ana.org

Phil Bacerra
Ward 4
pbacerra@santa-ana.org

Johnathan Ryan Hernandez
Ward 5
jryanhernandez@santa-ana.org

David Penalzoza
Ward 6
dpenalzoza@santa-ana.org

Grand Jury's FINDINGS:

F1. The majority of Orange County's 34 cities do not have ordinances or policies in place, which makes it difficult to address the safe operation and regulation of E-bikes leading to confusion.

Response:

We agree. The city of Santa Ana does not have specific legislation, ordinances, procedures or policies in place at this time pertaining specifically to E-bikes. The Santa Ana Police Department uses the California Vehicle Code for establishing the Rules of the Road regarding E-bike operation and regulation.

F2. Due to the increasing incidence of E-bike injuries and deaths, there is a need for consistent and accurate tracking by law enforcement and first responders, which does not exist now.

Response:

We agree; however, we have a reporting/tracking mechanism already in place. Documenting and tracking vehicle collisions is standard practice for the city of Santa Ana through its Police Department per California Vehicle Code 20008, which requires that all law enforcement agencies forward to the California Highway Patrol (CHP) such reports. The Santa Ana Police Department adheres to the guidelines set forth by CHP's Collision Investigation Manual (CIM). Reportable collisions and injuries involving E-bikes, by their unique code, are documented and reported to the Statewide Integrated Traffic Records System (SWITRS) like any other reportable vehicle collisions.

It is also important to note that data on E-bike collisions, as is the case for any other types of data, are only reflective of those collisions that are reported. In fact, in comparison to collisions involving vehicles, many collisions involving bicycles and/or pedestrians (though unknown as to how many) go unreported for a myriad of reasons.

SANTA ANA CITY COUNCIL

F3. Training and education on E-bike use and safety varies from city to city causing confusion amongst bike riders.

Response:

We agree. The city of Santa Ana, through the Traffic Division of its Police Department actively provides unique education and engagement events and opportunities to the members of our community on general bicycle safety on a regular basis. These programs have been in place for many years and they are carefully tailored to meet specific needs of our diverse communities when it comes to bicycle use. The Santa Ana Police Department has partnered with the California Office of Traffic Safety, which administers federal traffic safety grants for many years for funding and guidance.

Grand Jury's RECOMMENDATIONS:

R1. Each Orange County city should have specific policies that define the rules of the road for use of E-bikes in their communities by December 1, 2024.

Response:

We partially disagree. In general, the city of Santa Ana accepts the premise that policies are required to promote community safety and minimize confusion. The Santa Ana Police Department, as do all law enforcement agencies in the State, uses the California Vehicle Code to enforce the Rules of the Road for E-bike use on highways. However, drafting laws, rules, regulations and policies is a methodical and thoughtful deliberative process that requires time, which involves taking legitimate concerns and input from our communities into consideration. At this time, the city is not prepared to commit to the recommended date – December 1, 2024.

R2. Each Orange County city should have a mechanism in place to report accidents, injuries and deaths involving E-bikes by December 1, 2024.

Response:

We partially disagree. As indicated above, the city of Santa Ana does, and has been documenting and reporting collisions involving E-bikes resulting in injuries and deaths per California Vehicle Code 20008. Such incidents are reported to the State Wide Integrated Traffic Reporting System (SWITRS) in a manner consistent with the California Highway Patrol's Collision Investigation Manual.

SANTA ANA CITY COUNCIL

R3. Each Orange County city should research and develop outreach and education programs regarding the safe operation of E-bikes for their residents by December 1, 2024.

Response:

We partially disagree for the same reason as our response to R1 – We are not prepared to commit to a certain date to have developed any new outreach and education programs. We, however, can certainly consider expanding on the program(s) already in existence by incorporating educational information regarding the safe operation of E-bikes. This endeavor, at a minimum, will require collaboration with other agencies with more experience in dealing with communities where the use of E-bikes is more prevalent. This too is a deliberative process, which inherently requires time.

SANTA ANA CITY COUNCIL