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September 18, 2024

The Honorable Maria Hernandez
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

**RE: City of San Juan Capistrano Response to Orange County Grand Jury Report
Entitled: "E-bikes Friend or Foe"**

Dear Honorable Judge Hernandez:

Please accept this letter as the City of San Juan Capistrano's response to the applicable findings and recommendations in the Orange County Grand Jury's (OCGJ's) report entitled "***E-bikes Friend or Foe***." The City was requested to respond to all Findings F1 through F3, and all Recommendations R1 through R3. The City's responses to the findings and recommendations are listed below.

FINDINGS F1 THROUGH F3:

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.*

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially agrees with this finding in that a lack of uniform ordinances can create confusion for e-bike users who cross jurisdictional boundaries; however, the City has not independently verified the ordinances or policies in place across Orange County's other 33 cities.

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.*

City Response: The City of San Juan Capistrano disagrees with this finding. Based on our experience, the Orange County Sheriff's Department and Orange County Fire Authority have accurate tracking mechanisms in place specific to E-bike related incidents.

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

City Response: Based on the information provided in this report, the City of San Juan Capistrano agrees with this finding; however, it has not independently verified the training and educational programs offered across Orange County's other 33 cities.

RECOMMENDATIONS R1 THROUGH R3:

- 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.*

City Response: This recommendation has been implemented. The City of San Juan Capistrano contracts law enforcement services from the Orange County Sheriff's Department (OCSD). Within our community, OCSD employs a combination of education and enforcement of California Vehicle Code Section 312.5 to regulate the use of E-bikes within San Juan Capistrano.

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

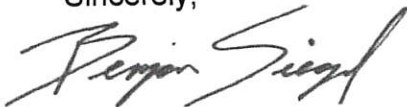
City Response: This recommendation has been implemented. The City of San Juan Capistrano is served by the Orange County Sheriff's Department and Orange County Fire Authority, both of which respond to and track accidents, injuries and deaths involving E-Bikes.

- 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.*

City Response: This recommendation has been implemented. The City of San Juan Capistrano has installed bike rules supplemental trail advisory signage in high-use areas, hosts free e-bike safety courses taught by League of American Bicyclist certified instructors, provides the community with a dedicated webpage with e-bike specific safety information, rules and regulations, and purchased two e-bikes to be used by Orange County Sheriff's Department deputies assigned to San Juan Capistrano to directly enhance education and enforcement efforts in the field.

Thank you for the opportunity to respond to the Grand Jury report. If you have any questions, please feel free to contact me at (949) 443-6314.

Sincerely,



Benjamin Siegel
City Manager

cc: Orange County Grand Jury, 700 Civic Center Drive West, Santa Ana, CA 92701
San Juan Capistrano City Council