

# APPENDIX A



## THE RESORT MUNICIPALITY OF WHISTLER COUNCIL POLICY

<b>POLICY NUMBER:</b>	<b>DATE OF RESOLUTION:</b>
<b>NAME: E-MOBILITY DEVICE POLICY</b>	

### 1.0 SCOPE OF POLICY

This policy applies to the use of e-mobility devices on the Valley Trail and local recreational off-road trails managed by the RMOW and the Whistler Off-Road Cycling Association (WORCA) within the boundaries of the Cheakamus Community Forest (excluding trails in BC Parks and Whistler Blackcomb's Controlled Recreation Area).

### 2.0 PURPOSE

This policy is intended to provide guidance for managing electric mobility device use within and around Whistler, extending to the larger area of the Cheakamus Community Forest.

The policy connects to and aligns with Recreation Sites and Trails BC's (RSTBC) Electric Bicycles (e-bikes) policy, and was developed with considerable community input. It informs e-bike trail use designations for RSTBC's Established Recreation Trails.

### 3.0 DEFINITIONS

- 3.1 Electric mobility (e-mobility) device: Representing a wide range of devices, they can use 100 per cent human power, 100 per cent motor, or a combination of both. Examples include: several classes of e-bikes (see below); electric adaptive mountain bikes (see below); motorized wheelchairs and mobility scooters; and other personal mobility devices (e.g. e-scooters, e-skateboards, e-Segways and non-bike e-devices).such as powered skateboards, stand-up e-scooters (throttle), Segways, hoverboards.
- 3.2 Electric bike (e-bike) Class 1: A bike equipped with a motor that provides assistance only when the rider is pedalling (pedal assist) and ceases to provide assistance when the bike reaches 32 km/h and has a maximum continuous wattage output of 500 watts.

- 3.3 E-bike Class 2: A bike equipped with a motor that can be used exclusively to propel the bike (throttle equipped) and ceases to provide assistance when the bike reaches 32 km/h. Class 2 e-bikes are classified as motorized vehicles according to the RSTBC e-bike policy.
- 3.4 E-bike Class 3: A bike equipped with a motor that provides assistance only when the rider is pedalling (pedal assist) and ceases to provide assistance when the bike reaches 45 km/h. Class 3 e-bikes are classified as motorized vehicles according to the RSTBC e-bike policy.
- 3.5 Electric adaptive mountain bike: Electric mountain bikes that are adapted for users with limited mobility in their limbs from spinal cord injuries or other disabilities.
- 3.6 Established Recreation Trail: A recreation trail established under section 56 of the Forest and Range Practices Act, section 6 of the Forest Practices Code of British Columbia Act or designated under the Forest Act. Applicable to RSTBC's E-Bicycle policy.

#### **4.0 BACKGROUND**

- 4.1 Whistler has always been a leader in recreation and tourism trends.
- 4.2 Protecting natural areas, especially those that are sensitive, is of key importance to Whistlerites, who generally value nature-based recreation, which has varying degrees of impact on the natural playground we use; and most of us enjoy a mix of human-powered and motorized experiences (e.g. chair lift access).
- 4.3 There is a desire to be inclusive of all ages and abilities, and provide recreation opportunities for physical, mental and spiritual wellbeing and access to nature, while protecting the natural environment. E-bikes allow more people of varying ages and abilities to recreate outdoors and use the trails.
- 4.4 E-bikes are here and their use is increasing. E-bike technology will continue to advance and evolve, and there are some types of e-bikes and e-devices that may be more appropriate than others for our community.
- 4.5 Until relatively recently, motorized recreation options have been gas-powered and directed into specific zones, due to noise, smell and speed issues; electric motors are changing the game.
- 4.6 Regardless of the type of bike, trail use is increasing with Whistler's growing population and visitation.
- 4.7 Whistler's off-road recreational trails are located on a combination of municipally controlled lands, crown lands and private lands.
- 4.8 Effective policies are required to manage potential impacts and the experience of residents, visitors and businesses. However, enforcement will be challenging as technology makes them harder to detect.

#### **5.0 POLICY CONTEXT**

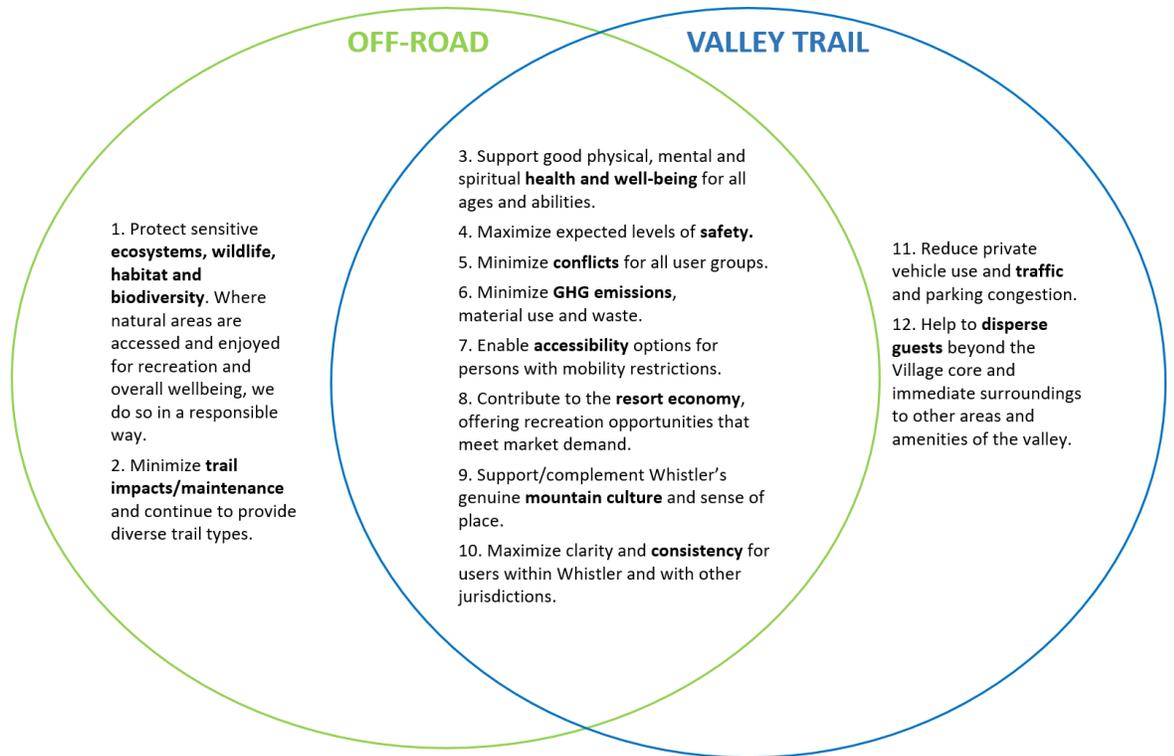
- 5.1 RMOW Vision & Official Community Plan (draft 2019): The vision characteristics and OCP goals and policies set the direction for this e-bike policy to support: the protection of the natural environment; inclusion of diverse ages, abilities, incomes and identities; access to natural areas for wellbeing while protecting the natural environment; reduction of greenhouse gas emissions and the transition to renewable sources of

energy; development an enhancement of authentic and exceptional experiences that align with our mountain culture and support economic diversification compatible with the tourism economy.

- 5.2 Transportation Action Plan (2018) and the Whistler Transportation + Recreational Cycling Plans (2006): One of the key objectives of these plans is to encourage reduced vehicle use by increasing cycling and other preferred modes of transportation. This e-bike policy is aligned with and supports that overall objective.
- 5.3 Recreation and Leisure Master Plan (2015): This e-bike policy relates to and supports a number of the strategies within the Recreation and Leisure Master Plan, including the following: ensure a balance between recreational needs and the natural environment; protect the experiential qualities of valued natural assets; respond to proven negatives and areas of user conflict; consider new assets to meet growing demands and retain resort differentiation; encourage the delivery of an enhanced and consistent quality of recreational experience across jurisdictions; and leverage and support existing and emerging recreation and leisure activities that are consistent with and further the Whistler brand.
- 5.4 The municipal *Park Use Bylaw 1526, 2002* and any replacements thereof and thereto regulates use of recreation trails that are located on municipally controlled lands.
- 5.5 Recreation Sites and Trails BC (RSTBC) designates and regulates Established Recreation Trail (ERT) use on Crown Land in collaboration with local land managers. RSTBC's process is to hear from land managers and consider stakeholder engagement results. RSTBC released its Electric Bicycles Policy (April 2019), which provides the following policy context:
  - 5.5.1 Class 1 e-bikes are classified as "non-motorized" (i.e. are motor assisted cycles) and are permitted on ERTs open to non-motorized use *unless e-bikes are specifically prohibited*.
  - 5.5.2 Class 2 and 3 e-bikes are classified as motorized and are not permitted on ERTs that prohibit motorized vehicles.
  - 5.5.3 Only Established Recreation Trails can receive a use prohibition or restriction.
  - 5.5.4 RSTBC's Electric Bicycles Policy is informed by provincial legislation including the Forest Recreation Regulation (*Forest and Range Practices Act*), the Motor Assisted Cycle Regulation (*Motor Vehicle Act*) and the Motor Vehicle Prohibition Regulation (*Wildlife Act*).

## 6.0 POLICY OBJECTIVES

- 6.1 The policy objectives are presented in the figure below and were developed based on existing RMOW plans and policies with input from key stakeholders. They were used to guide the development of the permissions and restrictions in the subsequent sections.



## 7.0 OFF-ROAD ELECTRIC MOBILITY DEVICE PERMISSIONS AND RESTRICTIONS

- 7.1 Class 1 e-bikes are *permitted* in all off-road areas, **except**:
  - 7.1.1 Areas where biking is not currently permitted (e.g. “hiking only” trails) as these trails are not built for and cannot withstand mountain biking, or are otherwise not appropriate for mountain biking.
  - 7.1.2 Alpine areas, including the Sproatt/Rainbow Alpine network above the Flank Trail for reasons of environmental considerations, user safety, and efforts to advance grizzly bear management. This restriction represents a precautionary approach to risk management. (Note: E-bikes are permitted on the Flank Trail.)
  - 7.1.3 Emerald Forest Conservation Area as this is a Council-approved conservation area where conservation is valued over recreational interests. (Note: E-bikes are permitted on the access road connection between Lorimer Road and Alta Lake Road.)
- 7.2 Class 2 e-bikes, Class 3 e-Bikes and other throttle-activated and high-speed electric mobility devices are classified as motorized vehicles according to the RSTBC e-bike policy and as such they are:
  - 7.2.1 *Permitted* on vehicle roads, forest service roads and off-road trails with a specific motorized designation. (Note: Currently, no trails in the Whistler area have this designation.)
  - 7.2.2 *Prohibited* on all off-road recreational trails designated for non-motorized use.
  - 7.2.3 *Prohibited* on all recreational trails located on municipally controlled lands as per municipal *Park Use Bylaw No. 1526, 2002*.

- 7.3 Electric Adaptive Mountain Bikes (aMTBs)<sup>1</sup> are:
- 7.3.1 *Exempt* from e-bike restrictions according to the RSTBC e-bike policy and as such they are permitted on all off-road trails where bikes are permitted, including alpine areas and the Emerald Forest Conservation Area.
  - 7.3.2 *Permitted* on all recreational trails located on municipally controlled lands as per *Park Use Bylaw No. 1526, 2002*.

## 8.0 VALLEY TRAIL ELECTRIC MOBILITY DEVICE PERMISSIONS AND RESTRICTIONS

- 8.1 Class 1 e-bikes are *permitted* on the Valley Trail.
- 8.2 Electric-powered accessibility devices are *permitted* on the Valley Trail. Examples include: wheelchairs, accessibility scooters and adaptive e-mountain bikes.
- 8.3 Throttle-activated and high-speed electric devices are *prohibited* on the Valley Trail. Examples of these devices include but are not limited to: Class 2 e-bikes with a throttle, Class 3 e-bikes with speed of up to 45 km/h, low speed motorcycles (e.g. e-mopeds), other mobility devices such as powered skateboards, stand-up e-scooters (throttle), Segways and hoverboards. (Note: These devices are classified as motorized vehicles according to provincial legislation and the municipal *Park Use Bylaw No. 1526, 2002* prohibits motor vehicles in parks and on the Valley Trail.)

## 9.0 ENFORCEMENT

- 9.1 The municipal *Park Use Bylaw No. 1526, 2002* and any replacements thereof and thereto will guide enforcement for all recreational trails located upon municipally controlled lands and the entire Valley Trail network.
- 9.2 The provincial Recreation Sites and Trails Electric Bicycles Policy will guide enforcement for all Established Recreation Trails located upon Crown Lands.
- 9.3 For clarity, recreational trails located upon Crown Lands that are not Established Recreation Trails cannot be enforced.

## 10.0 MONITORING AND EVALUATION

- 10.1 With e-mobility device technology changing rapidly and uptake increasing, new use patterns and issues will emerge. It will be important to:
  - 10.1.1 Monitor potential social, environmental and economic impacts in the coming years;
  - 10.1.2 Evaluate the effectiveness of this policy; and
  - 10.1.3 Adjust this policy as necessary.

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<sup>1</sup> Electric aMTBs that have electric motors are exempt from e-bike restrictions as long as they meet the following criteria: they must have three or four wheels; they must have the ability to propel the aMTB with hand cranks when without electric power; the normal maximum wattage is set at 800W or less; and the aMTB may have pedal assist and/or direct throttle power.

Certified Correct:

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Corporate Officer

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