

Polly Ann Trailway Management Council, Inc. Policy

For the use of the ELECTRIC BICYCLE on the Polly Ann Trail

The Polly Ann Trailway Management Council (PATMC) approved the use of certain electric bicycles (e-bike, powerbike or booster bike) on the Polly Ann Trail commencing on January 28, 2018. This policy is adopted to insure the health and safety of all users of the Polly Ann Trail. It imposes certain terms and conditions on trail users that operate an electric bicycle on the trail itself as well as trail facilities and property.

In response to the change in Michigan law regarding motorized vehicles on non-motorized trails due to Public Acts 138, 139 and 140 of 2017 authorizing certain electric bicycles to use non-motorized trails taking effect on January 28, 2018, the PATMC has determined that a Class 1 electric bike may be permitted on the Polly Ann Trail for a one-year test period. Pursuant to standards, specifications and requirements spelled out in the new law the PATMC will permit the use of Class 1 electric bicycles only if they conform to the requirements spelled out in this policy.

Any person using the Polly Ann Trail must adhere to all trail rules in effect at the time of use. This includes users on foot, snowshoeing, skiing, skating, bicycle (pedal and electric), horse or horse and buggy. The following rules must be adhered to when operating an allowed class of electric bicycle on the Polly Ann Trail:

- 1) An electric bike for purposes of this policy is determined to be a bicycle with an integrated electric motor, power supply and control apparatus which can be used for propulsion.
- 2) Any electric bicycle on the trail may be a Class 1 electric bicycle as defined by law. This means that by definition it is equipped with an identification sticker showing the class of the bicycle with an electric motor of not more than 250 watts (Note: the motor can produce more power for short periods, such as when the rider is struggling to get up a steep hill) and that it provides assistance only when the rider is pedaling and cuts out or disengages automatically.
- 3) NO Class 2 or Class 3 electric bicycles are allowed on the Polly Ann Trail, trail facilities or property without prior approval of the Polly Ann Trail Manager. (See No. 4 and No. 5 below)
- 4) Any electric bicycle not displaying an identification of class number while on the trail shall be required to provide information which will provide a means to classify the electric bicycle as Class 1, Class 2 or Class 3 for purposes of this policy. Failure to provide this information will make the subject electric bicycle unable to be operated on the Polly Ann Trail. The determination of Class is solely determined using manufacturer information and identifications at the discretion of the Trail Manager. The Trail Manager may be contacted by phone or email to the Polly Ann Trailway Manager phone or email address to arrange prior approval or for information.
- 5) The Trail Manager may make certain determinations on whether the particular Class 2 or 3 electric bike may be used by relying on industry standards and in consideration of extenuating factors presented by the operator, such as age, verifiable health and related conditions. PATMC will accept a verbal representation, not contradicted by observable fact, that the Class of electric bike is being used for a mobility disability as credible assurance. The PATMC reserves the right to make determinations or reverse the determination of the Trail Manager regarding this policy and its' application.
- 6) Should the Trail Manager authorize use to a non-Class 1 electric bicycle, an identification card with such authorization will be issued to the operator signifying permission to trail use for the particular electric bike and must be in the possession of the operator while on the trail.

- 7) The electric bicycle must comply with all applicable equipment and manufacturing requirements for electric bicycles established under federal law, including standards adopted by the United States Consumer Product Safety Commission and compiled in 16 CFR part 1512.
- 8) Electric bicycles shall observe all the same speed limits for the Polly Ann Trail of a maximum speed of 15 MPH.
- 9) The PATMC provides special permission through the "Other Power Driven Mobility Device Policy" (OPDMD) to qualified trail users in regards to disabled and handicapped users in accordance with the Americans With Disabilities Act of 1990, Public Law 101-336, and the Persons With Disabilities Civil Rights Act, 1976 PA 220, MCL 37.1101 to 37.1607
- 10) The PATMC member communities of the Townships of Addison, Orion and Oxford along with the Villages of Oxford and Leonard have legal jurisdiction over the segment of the Polly Ann Trail in their community, and may issue a civil or other infraction(s) to violators of the applicable laws which can result in fines and/or jail time for offenders.
- 11) Electric bicycles shall yield to other trail users the same as other bicycle riders. All bicyclists must yield to pedestrians and horses when encountered on the trail. They must announce their intentions within earshot of other users when passing or turning.
- 12) The electric bike must not be operated in a dangerous or reckless manner that may jeopardize the safety of the operator(s), Trailway Council and/or municipal employees, the public or that may cause damage to property.
- 13) The Polly Ann Trailway Management Council, Inc. accepts no responsibility for storage of the electric bike in any event.
- 14) The Polly Ann Trailway Management Council, Inc. accepts no responsibility for transporting any electric bike to and/or from the Polly Ann Trail.
- 15) The operator of an electric bike is responsible for ensuring the device works properly, per manufacturer's instructions. The Polly Ann Trailway Management Council, Inc. accepts no responsibility for providing battery charging or emergency retrieval of the electric bike under any circumstances, including, but not limited to, failed power of the device.
- 16) The Polly Ann Trailway Management Council, Inc. accepts no liability for damage to an electric bike, or injury to the operator, whether caused by the operator, another visitor to the Polly Ann Trail, or any other circumstance.
- 17) The Polly Ann Trailway Management Council, Inc. accepts no liability for damage caused by the operator of the electric bike, or injury to others caused by the operator of the electric bike.

By a vote of the PATMC, this policy is approved March 21, 2018.



Chairperson, PATMC

Secretary, PATMC