



LAW ENFORCEMENT INFORMATION MEMO
MEMO: 16-02
SUBJECT: NEW LAWS CONCERNING ELECTRIC BICYCLES
Memo Date: February 10, 2016

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Purpose	To provide information to law enforcement regarding new laws establishing three classes of electric bicycles and changes in the definition of a motorized bicycle.
Background	Prior law defined a motorized bicycle or moped as a two or three-wheeled device with pedals, or powered solely by electrical energy, and an automatic transmission and a motor that is capable of reaching a maximum speed of 30 miles per hour (MPH).
New Information	<p>Effective January 1, 2016, Assembly Bill 1096 makes the following changes to the California Vehicle Code:</p> <p>§312.5 defines an electric bicycle as having fully operable pedals and an electric motor of less than 750 watts. Class 1 electric bicycles are assisted by a motor-pedal device; class 2 bicycles have a throttle-assist device. Neither shall be capable of providing assistance once the bicycle reaches the speed of 20 MPH. The class 3 electric bicycle has a motor-pedal device that shall cease to provide assistance when it reaches 28 MPH and will have a speedometer.</p> <p>§406 defines a motorized bicycle or moped as a two or three wheeled device with fully operative pedals for human propulsion, or having no pedals if powered solely by electrical energy, with an automatic transmission and a motor producing less than four gross brake horsepower that is incapable of exceeding 30 MPH.</p> <p>§12804.9 excludes all classes of electric bicycles described in California Vehicle Code §312.5 from being defined as a Class M2 vehicle.</p> <p>§21113(f) allows a transit development board to adopt ordinances to restrict or specify the use of electric bicycles on property controlled by or used by the board.</p> <p>§21113(g) allows a public agency, such as the Regents of the University of California and the Trustees of the California State University, to adopt rules to restrict or specify the conditions for the use of electric bicycles on public property under the jurisdiction of that agency.</p> <p>§21207.5 prohibits the use of class 3 electric bicycles on a bicycle path or trail, bikeway, bicycle lane, equestrian trail, or hiking or recreational trail, unless it is within or adjacent to a roadway or unless the local authority or governing body of a public agency having jurisdiction over the trail permits. In addition, a local authority or governing body of a public agency having jurisdiction over a trail described above may prohibit class 1 and 2 electric bicycles on that trail.</p>