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## SENATE COMMITTEE ON TRANSPORTATION

Senator Dave Cortese, Chair

2025 - 2026 Regular

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<b>Bill No:</b>	AB 875	<b>Hearing Date:</b>	7/8/2025
<b>Author:</b>	Muratsuchi		
<b>Version:</b>	6/25/2025 Amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Isabelle LaSalle		

**SUBJECT:** Vehicle removal

**DIGEST:** This bill authorizes a peace officer to remove and impound a vehicle that 1) has fewer than 4 wheels but does not meet the definition of an electric bicycle (e-bike) and meets other criteria, or 2) is a class 3 e-bike and the operator is under 16 years old, further requires the release of a seized vehicle to the owner, violator, or their agent after a minimum of 48 hours if specified conditions are met.

### ANALYSIS:

*Existing law:*

- 1) Prohibits a person under 16 years of age from operating a class 3 e-bike. (Vehicle Code section (VEH) 21213)
- 2) Authorizes a peace officer to impound a vehicle if a person is operating a vehicle without a proper driver's license, a suspended driver's license or revoked driver's license. (VEH 14602.6)
- 3) Defines an e-bike as a bicycle equipped with fully operational pedals and an electric motor that is not physically capable of exceeding 750 watts of power. (VEH 312.5)
- 4) Defines a class 1 e-bike as a bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour (mph), and is not capable of providing assistance to reach speeds greater than 20 mph. (VEH 312.5)
- 5) Defines a class 2 e-bike as a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 mph. (VEH 312.5)

- 6) Defines a class 3 electric bicycle as a bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, and that ceases to provide assistance when the bicycle reaches the speed of 28 mph. (VEH 312.5)
- 7) Prohibits a person from tampering with or modifying an electric bicycle as to change the speed capability of the bicycle unless the modification keeps within the existing speed allowances of an electric bicycle. (VEH 24016)
- 8) Prohibits a person from selling a product or device that can modify the speed capability of an electric bicycle such that it no longer meets the definition of an electric bicycle. (VEH 24016)

**This bill:**

- 1) Authorizes a peace officer to remove a vehicle with fewer than four wheels that does not meet the definition of an e-bike if both of the following apply:
  - a) The vehicle is powered by an electric motor capable of exclusively propelling the vehicle in excess of 20 mph; and,
  - b) Is being operated without a current vehicle registration or by an operator who is not licensed to operate the vehicle.
- 2) Authorizes a peace officer to remove a class 3 e-bike if it is being operated by a person under the age of 16, as prohibited by law.
- 3) Requires an agency to release the seized vehicle to the owner, violator, or their agent after a minimum of 48 hours if both of the following conditions are met:
  - a) The owner, violator, or authorized agent's request is made during normal business hours; and,
  - b) The applicable removal, seizure, and storage costs have been paid.
- 4) Authorizes a city, county, or city and county to adopt a regulation, ordinance, or resolution imposing charges equal its administrative costs relating to the removal, seizure, and storage costs and shall not exceed the actual costs incurred for the expenses directed related to removing, seizing, and storing the vehicle.
- 5) Authorizes an agency to require the owner, violator, or the parent or legal guardian of the owner or violator to deliver proof that the violator completed a

training program for e-bikes in order to have a class 3 e-bike released if it was removed for being operated by a person under the age of 16.

## COMMENTS:

- 1) *Purpose of the bill.* According to the author, “E-bikes are a green alternative to cars, but their increased popularity comes with greater risk. According to data collected by the California Highway Patrol, there was nearly a four-fold increase in e-bike injuries from 2022 to 2024. The worst offenders are “out-of-class” e-bikes which are capable of exceeding speed limits for their respective classes— 20 mph for class 1 and 2 or 28 mph for class 3. Currently, law enforcement lacks clear authority under the Vehicle Code to remove these illegal and unsafe vehicles—even when they pose a clear threat to public safety. This bill provides needed clarity in statute to allow law enforcement to remove illegal and dangerous vehicles from the streets.”
- 2) *E-bikes.* Electric bicycles, or e-bikes, look like regular bicycles but include an electric motor and battery. These bikes are rapidly growing in popularity. The global e-bike market size was valued at \$43.59 billion in 2023. The market is projected to grow from \$50.14 billion in 2024 to \$148.70 billion by 2032. In California, e-bikes must be equipped with fully operable pedals and an electric motor that does not exceed 750 watts of power. A class 3 e-bike is defined as an e-bike that utilizes an electric motor only to assist with pedaling the bicycle (and cannot independently propel it), but that ceases to assist with pedaling when the bike reaches 28 miles per hour, and persons under 16 are prohibited from operating such bikes. Riders must be 16 or older to ride a class 3 e-bike. Class 2 e-bikes are the only e-bikes with throttle assist and max out at 20 mph on throttle assist alone.
- 3) *Devices too fast to be e-bikes.* Any devices that goes faster than 20 mph on throttle alone, or faster than 28 mph via pedal assist, are not legally e-bikes. These faster devices are sometimes referred to as out-of-class e-bikes or eMotos. They may even fall into the definition of mopeds (also known as motorized bicycles) which can go up to 30 mph, must be registered with the DMV, and require a license to operate.

Current law protects consumers from false advertising pertaining to misclassified or out-of-class e-bikes. Specifically, it is illegal to advertise or sell any of the following vehicles as e-bikes:

- a) A vehicle with two or three wheels powered by an electric motor that is intended by the manufacturer to be modifiable to attain a speed greater than

20 miles per hour on motor power alone or to attain more than 750 watts of power.

- b) A vehicle that is modified to attain a speed greater than 20 miles per hour on motor power alone or to have motor power of more than 750 watts.
- c) A vehicle that is modified to have its operable pedals removed.

However, consumers still purport out-of-class e-bike devices being advertised as e-bikes. Some of these devices have top speeds listed at 40 or 50 mph. Manufactures of true (legal) e-bikes contend that these out-of-class devices do not have appropriate safety features necessary for their top speeds. For example, these devices may be equipped with brakes designed for a regular bicycle and not a motorized device. The manufactures of legal e-bikes argue that these too-fast, “rogue e-vehicles” are circumventing California law and endangering riders.

- 4) *E-bike safety.* This bill is one of a number of bills this year aimed at improving e-bike safety. As e-bike popularity has surged in recent years, so have concerns about the safety of the devices, in addition to other micromobility devices, such as electric scooters and hoverboards. According to a 2023 federal report titled *Micromobility Products-Related Deaths, Injuries, and Hazard Patterns: 2017-2022*, “injuries associated with all micromobility devices increased nearly 21% in 2022 from 2021. Micromobility-related injuries have trended upward since 2017, increasing an estimated average 23% annually.” The report estimated that e-bikes accidents led to 53,200 emergency department visits nationally from 2017 through 2022, accounting for 15% of the overall micromobility injury estimate in the same timeframe. The report found that “children 14 years and younger accounted for about 36% of micromobility injuries from 2017 to 2022, double their 18% proportion of the U.S. population.”
- 5) *Impounding devices.* This bill authorizes a law enforcement officer to remove and impound an e-bike in that officer’s territorial jurisdiction under two specific circumstances: first, when the e-bike does not meet the statutory definition of an e-bike but is powered by an electric motor capable of propelling it more than 20 mph and is being operated by a person who is not licensed to operate it, and second, when a person under 16 years of age is operating a class 3 e-bike. The removal authority granted by this bill mirrors existing law authorizing the removal of “pocket bikes,” which are essentially mini-motorcycles.

Another provision of this bill authorizes a city, county, or city and county to adopt an ordinance imposing charges equal to its administrative costs relating to the removal, seizure and storage of e-bikes that fall within the scope of the bill. Additionally, the bill requires the removal agency to release a seized device or vehicle to the owner, violator or their agent after a minimum of 48 hours if a request for the vehicle is made during normal business hours and all relevant fees have been paid. This retrieval provision is consistent with existing impoundment provisions related to other vehicles. Finally, for class 3 e-bikes removed pursuant to this bill, the measure authorizes the removal agency, as a condition of release, to require the owner, violator, or the parent or legal guardian of the owner or violator, to deliver proof that the violator has completed a bike safety and training program.

- 6) *Double referral.* This bill was approved by the Senate Public Safety Committee by a 6-0 vote on June 24, 2025.

#### **RELATED/PREVIOUS LEGISLATION:**

**AB 965 (Davies, 2025)** – Would prohibit a person from selling a class 3 e-bike to a person under 16 years of age. *This bill is currently in the Senate Appropriations Committee.*

**SB 455 (Blakespear, 2025)** – Would have changed the definitions of mopeds and motor-driven cycles, creates a new classification of low-powered moped, and adds labeling and noticing requirements for manufacturers and retailers of e-bikes. *This bill died in the Senate Appropriations Committee.*

**SB 586 (Jones, 2025)** – Defines an eMoto as an electric two-wheeled device built on a bicycle infrastructure that does not have pedals or an engine number and designates eMotos as off-highway vehicles. *This bill is currently in the Assembly Transportation Committee.*

**AB 1774 (Dixon, Chapter 55, Statutes of 2024)** – Prohibits the sale of a device that makes it someone can increase the speed of an e-bike beyond the speed permitted by law (28 mph).

**SB 1271 (Min, Chapter 891, Statutes of 2024)** – Modified the definition of an e-bike to make it clear that it cannot be capable of going speeds greater than 20 miles per hour (class 1 or 2) or 28 miles per hour on pedal assist (class 3).

**SB 381 (Min, Chapter 869, Statutes of 2023)** – Requires the Mineta Transportation Institute at San Jose State University, in consultation with relevant

stakeholders, to conduct a study on electric bicycles and the safety of riders and pedestrians by January 1, 2026.

**AB 1096 (Chiu, Chapter 568, Statutes of 2015)** – Established the definitions, classification, and requirements for the operation, sale, and manufacturing of e-bikes.

**FISCAL EFFECT:** Appropriation: No    Fiscal Com.: Yes    Local: No

**POSITIONS:** (Communicated to the committee before noon on Wednesday, July 2, 2025.)

**SUPPORT:**

AAA Northern California, Nevada & Utah  
Auto Club of Southern California (AAA)  
Automobile Club of Southern California  
California Contract Cities Association  
California Orthopaedic Association  
California Orthopedic Association  
California Police Chiefs Association  
California State Sheriffs' Association  
City of Laguna Niguel  
City of Rolling Hills Estates  
League of California Cities  
Peace Officers Research Association of California (PORAC)  
South Bay Cities Council of Governments  
Streets are for Everyone  
Streets for All  
University of California

**OPPOSITION:**

None received.

**ARGUMENTS IN SUPPORT:** According to the California Police Chiefs Association, “While existing California law has set definitions and limitations governing the different classifications of e-bikes (VEH 312.5), there remains ambiguity regarding law enforcement ability to remove or store those e-bikes that exceed these requirements. Law enforcement relies upon clear statutory authority to justify their actions, and the lack of such explicit guidance is hindering officers. Currently, the California Highway Patrol and many local agencies are not encouraging officers to remove e-bikes as there is no specific removal authority in

the vehicle code. This is despite the fact that many e-bikes are clearly violating safety restrictions and requirements related to speed limits. This inability to take meaningful enforcement actions dramatically limits the effectiveness of law enforcement responses, as shown by the data above.

“AB 875 takes a measured approach to give law enforcement the explicit authority to remove e-bikes and similar 3-wheel vehicles for two specific violations: 1) those that have the ability to break the speed thresholds established in current law, and 2) use by an underage operator. These two specific areas are targeted as high-risk behaviors that public safety agencies have an interest in deterring. Again, it is clear that the enforcement options currently available are not enough to stop the dramatic increase in accidents and fatalities, and more is needed to prevent further harm.”

**-- END --**