

---

CONSENT

---

Bill No: AB 875  
Author: Muratsuchi (D), et al.  
Amended: 7/10/25 in Senate  
Vote: 21

---

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 6/24/25

AYES: Arreguín, Seyarto, Caballero, Gonzalez, Pérez, Wiener

SENATE TRANSPORTATION COMMITTEE: 15-0, 7/8/25

AYES: Cortese, Strickland, Archuleta, Arreguín, Blakespear, Cervantes, Dahle,  
Gonzalez, Grayson, Limón, Menjivar, Richardson, Seyarto, Umberg, Valladares

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 71-0, 5/23/25 (Consent) - See last page for vote

---

**SUBJECT:** Vehicle removal

**SOURCE:** California Police Chiefs Association

---

**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, and to require 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) Sets forth the following definitions related to e-bikes:

- a) An e-bike, generally, is a bicycle equipped with fully operational pedals and an electric motor that is not physically capable of exceeding 750 watts of power.

- b) A class 1 e-bike is 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 miles per hour.
  - c) A class 2 e-bike is 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.
  - d) A class 3 e-bike is 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, and equipped with a speedometer. (Vehicle Code (Veh. Code), § 312.5, subd. (a).)
- 2) Specifies that the following vehicles are not e-bikes and shall not be advertised, sold, offered for sale, or labeled as such:
- 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. (Veh. Code, § 312.5, subd. (d).)
- 3) Prohibits a person under 16 years of age from operating a class 3 e-bike. (Veh. Code, § 21213.)
- 4) Requires an e-bike to meet the following criteria:
- a) Comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission, as provided.
  - b) Operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied, or operate in a manner such that the motor is engaged through a switch or mechanism that, when released or

activated, will cause the electric motor to disengage or cease to function.  
(Veh. Code, § 24016, subd. (a).)

- 5) Provides that a person shall not tamper with or modify an e-bike so as to change the speed capability of the bicycle, unless the bicycle continues to meet the definition of an e-bike and the person appropriately replaces the label indicating the classification of the e-bike, as specified. (Veh. Code, § 24016, subd. (d).)
- 6) Authorizes a peace officer to remove and 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; a vehicle so removed shall be impounded for 30 days, as specified. (Veh. Code, § 14602.6.)
- 7) Makes it unlawful for a peace officer or an unauthorized person to remove an unattended vehicle from a highway to a garage or to any other place except as provided for by California statute. (Veh. Code, § 22650, subd. (a).)
- 8) Provides that the removal and storage of a vehicle, as authorized by California statute, is a seizure and must be reasonable under the Fourth Amendment and California Constitution. (Veh. Code, § 22650, subd. (b).)
- 9) Provides that vehicle removals authorized by any authority, including California statute, that are based on the community caretaking exception are reasonable only if the removal was necessary to achieve the community caretaking need, such as ensuring the safe flow of traffic or protecting property from theft or vandalism. (Veh. Code, § 22650, subd. (b).)
- 10) Provides that law enforcement and other agencies having authority to remove vehicles shall also have the authority to provide hearings, as specified. (Veh. Code, § 22650, subd. (c).)
- 11) Places the burden of establishing the validity of the removal on the storing agency. (Veh. Code, § 22650, subd. (c).)
- 12) Authorizes a peace officer or other traffic enforcer of a local jurisdiction to remove a vehicle in many circumstances, including if it is left unattended, as specified, parked on a highway so as to obstruct traffic or create a hazard, illegally parked, as specified, stopped or parked for more than four hours upon the right-of-way of a freeway and the driver cannot move the vehicle, parked or left standing on a highway for 72 or more consecutive hours in violation of a local ordinance, and others. (Veh. Code, § 22651.)

- 13) Requires the California Highway Patrol (CHP) to develop statewide safety and training programs based on evidence-based practices for users of e-bikes, including, but not limited to, general e-bike riding safety, emergency maneuver skills, rules of the road, and laws pertaining to e-bikes, which shall be posted on CHP's website. (Streets and Highways Code (Sts. and Hwys. Code), § 894.)

This bill:

- 1) Provides that a peace officer may remove a vehicle located within the territorial limits in which the officer may act, under either of the following circumstances:
  - a) A person is operating a vehicle with fewer than four wheels that does not meet the definition of an e-bike set forth in existing law and is both of the following:
    - i. Powered by an electric motor capable of exclusively propelling the vehicle in excess of 20 miles per hour on a highway.
    - ii. Being operated by an operator who is not licensed to operate the vehicle.
  - b) A person is operating a vehicle that is a class 3 e-bike and is under 16 years old
- 2) Provides that an agency shall release a 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.
  - b) The applicable removal, seizure, and storage costs have been paid.
- 3) Provides that if a peace officer removes a vehicle because the vehicle is a class 3 e-bike operated by a person under 16 years old, an agency may, as a condition of the release of that e-bike, require the owner, violator, or the parent or legal guardian of the owner or violator to deliver proof that the violator has completed an e-bike safety and training program or a related local bicycle safety course, if one is available, as prescribed by authorities in the local jurisdiction.
- 4) Provides that a city, county, or city and county may adopt a regulation, ordinance, or resolution imposing charges equal to its administrative costs

relating to the removal, seizure, and storage costs. The charges shall not exceed the actual costs incurred for the expenses directly related to removing, seizing, and storing the vehicle.

- 5) Provides that a local jurisdiction that has adopted such a regulation, ordinance, or resolution shall publicly and conspicuously post the schedule of charges on their internet website.

## **Comments**

SB 1758 (Kopp, Chapter 1221, Statutes of 1994), gave law enforcement a new tool to enforce Vehicle Code violations—the ability to impound someone’s vehicle for driving while unlicensed or driving with a suspended license. After initial data showed that SB 1758 was effective in reducing convictions for driving without a license or with a suspended license, the Legislature began expanding the violations for which a vehicle could be impounded. AB 2288 (Aguiar, Chapter 884, Statutes of 1996) expanded vehicle impoundments to include speed contests, and SB 1489 (Perata Chapter 411, Statutes of 2002), granted law enforcement the ability to impound a vehicle for reckless driving. Today, there are nearly three dozen bases upon which local authorities – primarily peace officers – may remove and impound a vehicle under the California Vehicle Code.

California Vehicle Code Section 22651 sets forth the main circumstances under which local authorities may remove and impound a vehicle, including leaving a vehicle unattended, obstructing traffic so as to create a hazard, identifying a stolen or embezzled vehicle, blocking a private driveway or firefighting equipment (including a hydrant), when an officer arrests a person driving or in control of a vehicle and is required to take the person into custody, identifying a vehicle which has been issued five or more unaddressed parking citations, and leaving the vehicle parked or standing on a road for 72 or more consecutive hours in violation of a local ordinance authorizing removal. Existing law also authorizes a peace officer or other local official designated to perform such functions to remove a vehicle from a street or public or private property when they have reasonable grounds to believe that the vehicle has been abandoned.

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 miles per hour 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. Under existing law, 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. The removal authority granted by this bill mirrors existing law authorizing the removal of “pocket bikes,” which are essentially mini-motorcycles.

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

**SUPPORT:** (Verified 8/18/25)

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

**OPPOSITION:** (Verified 8/18/25)

None received

**ASSEMBLY FLOOR:** 71-0, 5/23/25

**AYES:** Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bryan, Chen, Ellis, Nguyen, Sanchez, Schultz, Sharp-Collins, Wicks

Prepared by: Alex Barnett / PUB. S. /  
8/21/25 16:45:35

\*\*\*\* **END** \*\*\*\*