

CONCURRENCE IN SENATE AMENDMENTS

AB 875 (Muratsuchi)

As Amended July 10, 2025

Majority vote

SUMMARY

Authorizes a peace officer to remove a vehicle with fewer than four wheels that does not meet the definition of an electric bicycle (e-bike) and is powered by an electric motor capable of exclusively propelling the vehicle in excess of 20 miles per hour (mph) and is being operated without a current vehicle registration or by an operator who is not licensed to operate the vehicle.

Senate Amendments

- 1) Removes the authority to tow the vehicle for lacking vehicle registration.
- 2) Permits a peace officer to require a local bicycle safety course, if one is available, as a condition of release of a class 3 electric bicycle if removed because it was operated by a person under the age of 16 as a substitute for the e-bike safety course created by the California Highway Patrol (CHP).
- 3) Amends the provision authorizing a local authority to adopt a regulation, ordinance, or resolution setting a vehicle release charge equal to the administrative cost of impoundment to require that it be adopted at a public meeting and that the schedule of charges be posted on the local authority's website.

COMMENTS

State law prohibits people from modifying their e-bikes to operate at speeds greater than what is allowed. AB 1774 (Dixon), Chapter 55, Statutes of 2024 prohibited a person from selling a product or device that can modify the speed capability of an e-bike. This bill also prohibits the sale of applications that can modify the speed capability of an e-bike. SB 1271 (Min), Chapter 891, Statutes of 2024 modifies the definition of an e-bike to make it clear that it cannot be capable of going greater than 20 miles per hour (class 1 or 2) or 28 miles per hour on pedal assist (class 3).

SB 1271 was targeting Super73, a bicycle with an electric motor capable of traveling at speeds considerably faster than the law permits. As a result of SB 1271's passage, the manufacturer of Super73 removed the 1st party application feature that allowed riders to unlock "unlimited mode". This mode allowed riders to travel at speeds greater than what would classify the device as an e-bike under the law. While Super73 removed this feature from their application, the device still can be modified through third-party applications to travel at much greater speeds.

This bill authorizes law enforcement to impound a vehicle that is not an e-bike if it has fewer than four wheels, is traveling at speeds greater than 20 mph, and the person lacks proper registration or licensing to operate the vehicle. Law enforcement already has the authority to remove a vehicle operated without a valid driver's license. This bill clarifies that law enforcement has the authority to remove an out-of-class electric bicycle, which depending on its speed may be a motorized bicycle (which requires an m2 license to operate) or a motorcycle that does not meet federal motor vehicle safety standards.

In addition, this bill enhances the penalty for a person under 16 from operating a class 3 e-bike by authorizing law enforcement to remove the vehicle for a minimum of 48 hours. This mirrors existing laws for pocket bikes, which are prohibited by law for anyone to operate outside of private property. A person may retrieve the vehicle after 48 hours so long as they pay the storage costs and pick the vehicle up during normal business hours. A local jurisdiction may also require a person under 16 years old who has their class-3 e-bike removed to take an e-bike safety course created by the CHP. The CHP has created an online safety course for e-bike riders that is being updated to include questions and a certificate of completion.

A bicycle that is capable of going faster than 20 mph using a throttle or faster than 28 mph because of pedal assist is not an e-bike under state law and is considered a motorized bicycle or a motorcycle or a "motor-driven cycle" if it displaces less than 150 cubic centimeters. Unlike an e-bike, motorized bicycles, motorcycles, and motor-driven cycles require a person have a class M1 or M2 license to operate them and they must be registered with DMV. The devices may also not be street legal if they lack the equipment required for motorcycles or other devices.

While e-bike injuries are rising, they are still far outpaced by injuries from conventional bicycles, scooters, and electric scooters. According to a UCSF national study *Injuries with Electric vs Conventional Scooters and Bicycles*, 23,493 individuals were injured while riding an e-bike in 2022, resulting in 3,122 hospitalizations. Hospitalizations and injuries for electric scooters were twice as high (58,847 injuries and 6,317 hospitalizations). Conventional cyclist's injuries and hospitalizations were the highest (403,465 injuries as 54,937 hospitalizations).

While crashes are increasing, the committee has not found any information that would inform if e-bike crashes are commiserate with or disproportionate to increased ridership. It is also unclear how many crashes are falsely attributed to e-bikes but are devices that do not legally meet the definition of an e-bike.

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 speeds greater than 20 mph or 28 mph.

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."

Arguments in Support

The California Police Chiefs, writing as the sponsor of this bill, argue "The dramatic rise in popularity of e-bikes is a worldwide trend, particularly over the last decade. As environmentally friendly, healthy, and cost-saving alternatives to other vehicles, e-bikes provide a critical option for travelers throughout California. However, as studies have shown, the benefits are not without certain risks. A recent bulletin shared by the American College of Surgeons, titled *Electric Bikes are Emerging as a Health Hazard*, found that from 2018–2023, e-bike injury collisions in California alone increased 18.6-fold, from 184 to 3,429 events. In addition, the injury severity category of e-bike injuries was found to be higher than for bicycles. These statistics are further supported by data collected from the California Highway Patrol, which reported the following:

"Between 2022 and 2024, the Statewide Integrated Traffic Record System showed there was a 269% increase in electric bicycle rider injuries and an 80% increase in electric bicycle rider deaths within CHP and allied agencies' jurisdictions.

"In 2022, there were five deaths and 226 injuries of electric bicycle riders. Of those 226 injuries in 2022, unsafe speed of the electric bicyclist accounted for 46 of the injury crashes.

"In 2024, that number increased to nine deaths and 834 injuries of electric bicycle riders. Of the 834 injuries in 2024, unsafe speed of the electric bicyclist accounted for 135 of the injury crashes.

"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.

"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."

Arguments in Opposition

None on file

FISCAL COMMENTS

Pursuant to Senate Rule 28.8, negligible state costs.

VOTES:

ASM TRANSPORTATION: 16-0-0

YES: Wilson, Davies, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Hart, Hoover, Jackson, Lackey, Lowenthal, Macedo, Papan, Ransom, Rogers, Ward

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Sanchez, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 71-0-8

YES: 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

ABS, ABST OR NV: Bryan, Chen, Ellis, Nguyen, Sanchez, Schultz, Sharp-Collins, Wicks

SENATE FLOOR: 37-0-3

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
ABS, ABST OR NV: Alvarado-Gil, Hurtado, Rubio

UPDATED

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