

Date of Hearing: June 29, 2026

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

SB 1167 (Blakespear) – As Amended June 22, 2026

SENATE VOTE: 37-0

SUBJECT: Vehicles: electric bicycles

SUMMARY: Revises the definitions of electric bicycles (e-bikes), motor-driven cycles, and mopeds, updates the labeling and disclosure requirements for manufacturers and sellers of these devices, and expands prohibitions on false advertising and unfair competition related to e-bikes. This bill additionally establishes new operational and safety requirements and imposes additional reporting requirements on law enforcement, among other things. Specifically, **this bill:**

- 1) Makes findings and declarations related to e-bikes and other electric devices and vehicles.
- 2) Specifies that a person shall not distribute, sell, lease, or offer for sale or lease an electric off-highway motorcycle unless the battery has been tested by an accredited testing laboratory for compliance with ANSI/CAN/UL 2272.
- 3) Clarifies the list of devices and vehicles that are not e-bikes and may not be advertised, sold, offered for sale, or labeled as e-bikes, including:
 - a) Any motorcycle, moped, motorized scooter, off-highway electric motorcycle, pocket bike, or recreational off-highway vehicle;
 - b) A vehicle with a motor capable of providing assistance when the vehicle reaches a speed exceeding 28 mph, or a vehicle intended by the manufacturer to be modified to be capable of providing assistance when the vehicle reaches a speed exceeding 28 miles;
 - c) A vehicle without operable pedals;
 - d) A vehicle with, or intended by the manufacturer to be modifiable to achieve, motor power of more than 750 watts; and,
 - e) A vehicle capable of, or intended by the manufacturer to be modifiable to achieve, a speed greater than 20 mph on motor power alone.
- 4) Provides that advertising or selling a noncompliant device listed above as an “e-bike” or any class of electric bicycle shall constitute a misleading statement within the Business and Professions Code.
- 5) Adds to the definition of a “motor-driven cycle” vehicles that are propelled by an electric motor of less than 3,750 watts that produces 5 brake horsepower or less, are designed for highway use, and comply with all applicable federal motor safety standards.
- 6) Requires motor-driven cycles and mopeds to have a 17-digit vehicle identification number and a specified safety certification.
- 7) Clarifies that an electric bicycle, motor-driven cycle, motorized scooter, pocket bike, or off-highway electric motorcycle is not a moped, and may not be advertised, sold, offered for sale, or labeled as a moped.

- 8) Establishes that advertising or selling a motor-driven cycle as an “e-bike” or any class of electric bicycle shall constitute a misleading statement within the meaning of the Business and Professions Code.
- 9) Deletes the term “motorized bicycle” from the Vehicle Code and replaces it with “moped” and makes numerous technical changes to the definition of a moped, including:
 - a) Specifies that a moped must have an electric motor of less than 3,000 watts or an internal combustion engine that produces less than 4 gross brake horsepower;
 - b) Clarifies that a moped must be designed for highway use and comply with all applicable federal motor safety standards;
 - c) Clarifies that a moped does not include an e-bike, motor-driven cycle, motorized scooter, pocket bike, or off-highway electric motorcycle, and advertising a moped as an e-bike shall constitute a misleading statement;
 - d) Authorizes a moped to be equipped with operable pedals for propulsion by human power; and,
 - e) Clarifies that only mopeds powered by a liquid fuel must be equipped with an adequate muffler.
- 10) Clarifies that the definition of new motor vehicle dealers and vehicle manufactures include producers and sellers of off-highway electric motorcycles.
- 11) Requires motor-driven cycles and mopeds propelled by an electric motor and manufactured after January 1, 2027, to be equipped with a lamp-type turn signal system.
- 12) Requires motor-driven cycles whose speed attainable in one mile is 30 mph or less to have a lamp-type turn signal.
- 13) Requires every motor-driven cycle and moped operating during darkness to be equipped with at least one and not more than two lighted headlamps.
- 14) Prohibits the operation of a two-wheeled or three-wheeled device powered by an electric motor that is capable of propelling the device at a speed greater than 20 mph on level ground on a highway or public right-of-way when powered solely by the motor unless the device meets a definition of a class of motor vehicle device that is explicitly defined in the Vehicle Code, complies with all applicable requirements for that motor vehicle, and is explicitly authorized for use on a highway or public right-of-way.
- 15) Extends above prohibition to any device that has multiple speed modes or settings, even if one or more of the settings limit the maximum speed of the device to 20 mph, and devices that are designed or designated by the manufacturer for off-road use or for use on private land.
- 16) Authorizes a peace officer to remove a prohibited device described above if a person is operating the unauthorized device on a highway or public-right-of-way.
- 17) Requires manufacturers and distributors of electric bicycles, mopeds, and motor-driven cycles to securely affix an informational label to the frame or fork that is readily visible without inverting the electric bicycle, moped, or motor-driven cycle, and that cannot be

removed without the marking or labeling being defaced or destroyed. The information shall be printed in Arial font in at least 9-point type.

- 18) Specifies that an e-bikes label must include the following information:
 - a) The name of the brand;
 - b) The manufacturer, importer, or distributor of the electric bicycle;
 - c) The classification number of the electric bicycle; and,
 - d) The top assisted speed and motor wattage of the electric bicycle.
- 19) Specifies that a moped or motor-driven cycle label must include the following information:
 - a) The name of the brand;
 - b) The manufacturer, importer, or distributor of the moped or motor-driven cycle;
 - c) The word “moped” or “motor-driven cycle;” and,
 - d) The top assisted speed and motor wattage, if applicable, of the moped or motor-driven cycle.
- 20) Prohibits the sale or installation of an electric bicycle classification label unless the classification label is sold and installed in a physical retailer or bicycle repair shop.
- 21) Requires a retailer and bicycle repair shop of electric bicycles to verify that the classification label matches the legal electric bicycle class before installing the classification label on an electric bicycle.
- 22) Requires any incident report filed by a peace officer for an injury or crash involving an electric bicycle, moped, or motor-driven cycle to include all of the information provided on the device’s label, including brand name, manufacturer, top speed, top wattage, and classification. If the electric bicycle, moped, or motor-driven cycle does not have the marking or label, the incident report must indicate that a marking or label was not available.
- 23) Requires every manufacturer, importer, or seller of a motor-driven cycle, a moped, or an off-highway electric motorcycle that is powered by an electric motor to provide a disclosure to all potential buyers in any advertising (including any online advertising) that meets the following specifications:
 - a) The written disclosure shall be printed in not less than 14-point boldface type on a single sheet of paper that contains no information other than the disclosure;
 - b) Any disclosure provided through online advertising or on a website offering the vehicle for sale shall be in a font size no smaller than the largest font size used in such advertising or website content and require the buyer to affirmatively acknowledge having had the opportunity to read the disclosure before completing the purchase; and,
 - c) The disclosure shall include the following language in capital letters: “THIS VEHICLE IS A MOTOR VEHICLE AND SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS INCLUDING USE OF A DOT-APPROVED MOTORCYCLE HELMET, REGISTRATION, OPERATOR LICENSE, AND INSURANCE REQUIREMENTS IF USED ON A HIGHWAY. YOUR INSURANCE POLICIES MAY NOT PROVIDE COVERAGE FOR CRASHES INVOLVING THE USE OF THIS VEHICLE. TO DETERMINE IF COVERAGE IS PROVIDED, YOU SHOULD CONTACT YOUR INSURANCE COMPANY OR AGENT.”

- 24) Provides that it is unlawful for a person to sell an electric bicycle, moped, or motor-driven cycle in violation of the labeling and disclosure requirements detailed above.
- 25) Extends the definition of “off-highway motor vehicle subject to identification” to include mopeds and off-highway electric motorcycles.
- 26) Prohibits the operation of any off-highway electric motorcycle, or any motorcycle, motor-driven cycle, or moped powered by an electric motor, on any forest-covered land, brush-covered land, or grass-covered land unless the vehicle has been certified by its manufacturer for compliance with SAE J2929 or another applicable electrical safety standard and the name of the manufacturer and the test standard used are permanently marked on the vehicle or on its drive system.
- 27) Allows a person to distribute, sell, lease, or offer for sale or lease a powered mobility device with a battery that has not been tested by an accredited testing laboratory for compliance with ANSI/CAN/UL 2272 if that a moped or off-highway electric motorcycle has been certified by its manufacturer for compliance with SAE J2929 or another applicable SAE, ISO, UNECE, or IEC electrical safety standard and the name of the manufacturer and the test standard used are permanently marked on the vehicle or on its drive system.
- 28) Makes numerous additional technical and clarifying changes related to vehicle and device classifications in the Vehicle Code.
- 29) Prohibits a person from operating any off-highway electric motorcycle, or any motorcycle, motor-driven cycle, or moped powered by an electric motor, on any forest-covered land, brush-covered land, or grass-covered land unless the vehicle has been certified by its manufacturer for compliance with SAE J2929 or another applicable SAE, ISO, UNECE, or IEC electrical safety standard and the name of the manufacturer and the test standard used are permanently marked on the vehicle or on its drive system.

EXISTING LAW:

- 1) 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. (Vehicle Code (VEH) 312.5)
- 2) 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 miles per hour. (VEH 312.5)
- 3) 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)
- 4) 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, and equipping with a speedometer. (VEH 312.5)

- 5) 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)
- 6) Prohibits a person from selling a product, device or application that can modify the speed capability of an electric bicycle such that it no longer meets the definition of an electric bicycle. (VEH 24016)
- 7) Authorizes a peace officer to impound a vehicle that does not meet the definition of an electric bicycle and is both powered by an electric motor capable of exclusively propelling the vehicle in excess of 20 mph on a highway and is being operated without a license to operate that vehicle, or a person operating a vehicle that is a class 2 electric bicycle and is not 16 years of age. (VEH 22651.08)

Existing federal law:

- 1) Exempts a motor driven cycle only capable of speeds less than 30 mph (a moped) from having to have turn signals. 49 Code of Federal Regulations (CFR) 571
- 2) Prohibits a State or political subdivision of a state from prescribing a motor vehicle safety standard that is different from one prescribed by the federal government. 49 United States Code 30103

FISCAL EFFECT: Unknown

COMMENTS: More than half of all trips made in the United States are shorter than three miles. To cover these distances, e-bikes are surging in popularity, evolving from recreational devices into genuine car replacements. The speed of these devices, coupled with the reduced physical strain they require, makes them a convenient, low-cost choice for short-range trips. Furthermore, with average prices ranging from \$1,000 to \$3,500, e-bikes offer a significantly more affordable alternative to traditional motor vehicles. Their expanded use supports California's environmental goals while potentially reducing traffic-related injuries and fatalities—which claimed over 4,400 lives in the state in 2024.

The lack of licensing and insurance requirements has further fueled this proliferation. In fact, e-bikes are now outselling electric cars: according to Kelley Blue Book, while 800,000 electric cars were purchased in the U.S. in 2022, e-bike imports reached 1.1 million. Projections indicate U.S. sales could reach 6.4 million units by 2025 due to rising demand. A 2024 survey by the Mineta Transportation Institute (MTI) found that 16% of U.S. adults had ridden an e-bike in the previous year, with 6% riding weekly. Additionally, the North American Bikeshare and Scootershare Association (NABSA) reported that riders logged 59 million trips on 76,000 shared e-bikes in 2024.

Growth in e-bike use has been accompanied by a rise in e-bike-related injuries and frustration from communities about potentially dangerous use of these devices. A new wave of high-speed electric motors has entered the California market, often exceeding the speed capabilities originally intended by California law. In response to the rising number of hospitalizations across the state, several bills have been introduced this year to address safety and regulation.

Meeting California's environmental goals. In California, the transportation sector is the leading contributor of greenhouse gas (GHG) emissions and is responsible for about 40% of the state's emissions with light-duty passenger vehicles being the single leading contributor. The Legislature has set several goals to reduce GHG emissions and address climate change. The Global Warming Solutions Act of 2006 [AB 32 (Nunez), Chapter 488, Statutes of 2006] and subsequent companion legislation SB 32 (Pavley), Chapter 249, Statutes of 2016, requires California to reduce statewide GHG emissions to 40% below the 1990 level by 2030.

Reducing the number of miles people drive every day will have a significant impact on reducing GHG emissions. Providing alternative modes of transportation such as public transit, e-bikes, or other shared ride approaches could significantly reduce the number of vehicle miles traveled (VMT) in California. California has targeted a 15% reduction in VMT by 2050 as part of its larger strategy to reduce GHG emissions by 80% from 1990 levels by 2050.

In the 2023 study titled "*Impacts of E-bike Ownership on Travel Behavior: Evidence from three Northern California rebate programs*," researchers from UC Davis found that e-bike ownership leads to a measurable reduction in vehicle use. E-bike owners reported replacing one to three car trips per week with an e-bike, diverting between 12 and 44 kilograms of CO₂ per month, or roughly the equivalent of burning five gallons of gasoline or the total emissions produced by running an average refrigerator for four months. If 1 million Californians (roughly 3% of the population) used e-bikes at the "high end" rate of this study, the state would reduce emissions by 528,000 metric tons of CO₂ per year, the equivalent of taking 125,000 gas-powered cars off the road entirely.

Electric bicycle safety. As electric bicycle popularity has gone up, so have injuries. In 2023, the Legislature passed SB 381 (Min), Chapter 869, which directed the MTI at San Jose State University to study electric bicycles and the safety of riders and pedestrians. MTI released the report *Exploring Electric Bicycle Safety Performance Policy Options for California* in December of 2025. That report provided a comprehensive review of how California and other states and countries regulate electric bicycles, a review of the electric bicycle safety literature, and strategies that the state could adopt to promote the safe use of electric bicycles.

According to the report, "In 2023, a total of 461,062 patients were treated at California hospitals with transportation-related injuries. Only 4,757 patients were identified as electric bicycle riders. Thus, electric bicycle riders comprised just 1% of all patients with transportation-related injury. Comparatively, 44,039 patients were identified as conventional bicycle riders, or 10% of all transportation-related patients. Overall, there were more than 9 times more injured conventional bicycle riders than injured electric bicycle riders. By far the most patients were injured in motor vehicle incidents: 62%."

The report found that electric bicycle-related injuries may result in slightly more hospitalizations than conventional bicycle incidents, specifically "In the National Electronic Injury Surveillance System (NEISS) injury dataset of U.S. hospital patients, electric bicycle patients were hospitalized at only a three-percentage point greater rate than conventional bicycle patients (16% vs. 13%). Also, that gap disappeared when making an apples-to-apples comparison of only those injuries occurring on streets. Finally, while the California hospital data did show more electric bicycle than conventional bicycle hospitalizations, the difference was a relatively modest six percentage points (17% vs. 11%). Looking at just injuries that took place on streets, conventional

bicycles and electric bicycles had virtually identical hospitalization rates (18% vs 17%, respectively).”

In addition, most of the people involved in electric bicycle incidents are adults. NEISS reported that one in five electric bicycle patients (20%) were minors, almost identical to their share of the U.S. population. In comparison, 43% of conventional bicycle patients were minors. Slightly over half of the electric bicycle patients (54%) were adults aged 18 to 49 years. Electric bicycle patients had the oldest median age (34 years), a full decade higher than conventional bicycles (24 years). Mopeds/power-assisted cycles have the second highest median age, 30 years.

Most e-bike injuries are caused by the operators of the devices. According to NEISS data, 92% of patients were operating the device when injured, while 4% were bystanders. Bystanders struck by electric bicycles were hospitalized 12% of time, and bystanders struck by conventional bicycles were hospitalized 5% of the time.

The cause of injuries while on e-bikes was found to be nearly identical to the cause of injuries for riders of traditional bicycles. For e-bikes, 20% of injuries were caused by a collision with a motor vehicle, 4% were caused by a collision with another road user, and 51% were solo crashes. (The report notes that some of the solo crashes may have been caused by cyclists trying to avoid collisions with vehicles.) 25% of the collisions were unspecified.

Illegal e-bikes are likely the problem. Illegal e-bikes are electric bicycles that exceed 750 watts of motor power, have a top speed greater than 20 mph (for Class 1 and 2) or 28 mph (for Class 3), or lack fully operable pedals. These vehicles are generally legally classified as electric motorcycles or mopeds, requiring registration, insurance, and proper licensing.

The e-bike landscape today is very challenging because many of the e-bikes that are causing crashes and creating a perceived nuisance in communities are illegal and it is very difficult to determine if an e-bike is legal or illegal by simply looking at it. In addition, illegal e-bikes, while they can be a nuisance and dangerous may not be the highest priority of local law enforcement. As a result, passing legislation targeting electric bicycles is unlikely to address the problems caused by illegal devices.

As part of the Mineta Institute report, surveys were conducted at Marin and San Mateo County middle and high schools to see what types of devices children were riding. Those surveys found that 88% of the devices at Marin County schools and 87% of the devices at San Mateo County schools were bicycles with electric motors that did not meet the definition of an electric bicycle, suggesting a significant proliferation of illegal devices into the marketplace, particularly for devices marketed towards children.

Legislative attempts to address electric bicycles and bicycle-shaped devices. The increased popularity of e-bikes and the rise of bicycle-shaped devices with electric motors has led to an influx of legislation. Over the last several years this committee has heard many bills trying to address e-bike safety and curb the abuse of devices that look like an electric bicycle, but travel at speeds much greater than permitted by existing law.

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 prohibits a person from selling a product or device that can modify the speed capability of an e-bike. AB 545 (Davies), Chapter 37, Statutes of 2025 prohibits the sale of applications that can boost an electric bicycle's speed

greater than permitted by law. 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). AB 965 (Dixon), Chapter 65, Statutes of 2025 prohibits the sale of a class 3 electric bicycle to a person under the age of 16.

AB 875 (Muratsuchi), Chapter 168, Statutes of 2025 authorizes a peace officer to remove a vehicle with fewer than four wheels that does not meet the definition of an e-bike and is powered by an electric motor capable of exclusively propelling the vehicle in excess of 20 mph and is being operated without a current vehicle registration or by an operator who is not licensed to operate the vehicle.

In addition, there are two ongoing legislatively authorized pilots with age prohibitions on persons allowed to ride e-bikes. AB 2234 (Boerner), Chapter 823, Statutes of 2024 authorizes cities within San Diego County and the county of San Diego to prohibit a person under the age of 12 from riding a class 1 or 2 electric bicycle. AB 1778 (Connolly) authorizes cities in Marin and the county of Marin to prohibit persons under 16 from riding a class 2 electric bicycle and require everyone riding a class 2 electric bicycle to wear a helmet.

Differences between a motor driven cycle, moped, electric bicycle and bicycle. As the Mineta report highlights, there is a lot of confusion between the types of devices on the road. Below are some of the different definitions and requirements for the devices in this bill:

Vehicle Type	VEH Code Definition	Max Assisted / Motor Speed	License Required	Insurance Required	Age & Training Requirements
Motor-Driven Cycle	VEH 405: Motorcycle with engine <150cc (excludes mopeds).	Highway speeds (engine-limited)	M1	Yes	Learner’s permit at 15.5. Under 21 must complete motorcycle safety course. Helmet required for all riders.
Motorized Bicycle / Moped	VEH 406: 2–3 wheels, pedals or electric-only, automatic transmission, <4 brake hp.	≤30 mph	M1 or M2	No	Learner’s permit at 15.5. Under 21 must complete motorcycle safety course. One-time \$23 registration fee. Helmet required for all riders.
Class 1 Electric Bicycle	VEH 312.5: Pedal-assist only; motor engages only while pedaling.	≤20 mph (pedal assist)	None	No	No statewide age minimum. San Diego may require age 12+. Helmet required under 18.

Class 2 Electric Bicycle	VEH 312.5: Throttle-assisted; motor can propel without pedaling.	≤20 mph (motor-powered)	None	No	No statewide age minimum. Helmet required under 18. Pilot programs: Marin County may require age 16+. And helmets for all. San Diego may require age 12+
Class 3 Electric Bicycle	VEH 312.5: Pedal-assist only, speedometer required.	≤28 mph (pedal assist)	None	No	Under 16 prohibited statewide. Helmet required for all riders.

This bill tries to further legally distinguish these devices by clarifying that any motorcycle, mopeds, motorized scooters, off-highway electric motorized bicycles pocket bikes or recreational off-highway vehicles are not e-bikes and cannot be sold as such. This bill also defines what is not considered an e-bike, including devices capable of providing assistance exceeding 28 mph or vehicles intended by the manufacturer to be modified to be capable of providing assistance exceeding 28 mph. This bill updates outdated language defining motor driven cycles using language that only applies to gasoline cars. Under this bill, a motor driven cycle may also have 3,750 watts that produce 5 brake horsepower, not just a 150cc engine. This bill also requires motor-driven cycles and mopeds to have a 17-digit VIN number (many newer vehicles on the market only have serial numbers and are not necessarily complying with federal motor vehicle safety standards).

To clear up confusion between “motorized bicycles” and e-bikes, this bill deletes the term “motorized bicycle” from the Vehicle Code and instead exclusively refers to the devices as mopeds.

There is no direct criminal statute for law enforcement to charge you with when a device is not a moped, motorized bicycle, motor driven cycle, or motorcycle. Law enforcement can charge a person for driving a vehicle while lacking the proper license, or driving an unregistered vehicle, amongst other criminal charges. AB 875 authorized law enforcement to remove such unclassified vehicles from the road last year. This bill goes a step further and explicitly creates a violation for riding a two-wheeled or three-wheeled device powered by an electric motor that is capable of propelling the device at a speed greater than 20 mph unless the device meets the definitions of a class of motor vehicle explicitly defined in the Vehicle Code and complied with all applicable requirements for that motor vehicle.

This bill and recommendation from the Mineta report: This bill makes several revisions to the law consistent with the Mineta report’s recommendations. This bill requires better labeling of e-bikes, including a label that has the name of the brand, the manufacturer of the electric bicycle, the classification number of the electric bicycle, the top assisted speed and the motor wattage of the electric bicycle. It also prohibits the sale of stickers by outside groups with this information. (This is a problem noted in the Mineta Report where students in schools were placing fake classification stickers on their devices). It requires moped and motor-driven cycles to have

similar labels. It also makes it illegal to sell an electric bicycle, moped, or motor-driven cycle in violation of the labeling disclosure requirements detailed above.

One of the key problems the Mineta Report highlights is the lack of accurate data about injuries and fatalities from collisions reported by peace officers. This bill requires police officers to file incident reports for an injury or crash involving an electric bicycle, moped, or motor-driven cycle to include all of the information provided on the device's label, or indicate if a label was missing.

According to the author, “[t]he three class system for e-bikes can be confusing for consumers, media, healthcare providers, and law enforcement. Unscrupulous businesses have taken advantage of this confusion by selling powerful motor vehicles as ‘e-bikes.’ SB 1167 will improve community safety by better regulating motor vehicles that look like e-bikes so purchasers are aware of the safety risks, manufactures are held responsible for misleading advertisements, and law enforcement can collect better data.”

Peopleforbikes and Streets for All. *Writing as the sponsors of this bill*, argue “SB 1167 clarifies the legal definition of electric bicycles and ensures that higher-powered two-wheeled vehicles are not marketed or sold as e-bikes. The bill ensures these devices are properly classified and disclosed as motor-driven cycles or mopeds rather than electric bicycles.

“In recent years, the rapid rise of electric bikes and other electric personal mobility devices has created confusion for consumers who may not be familiar with the legal distinctions between an e-bike, a moped, or a motor-driven cycle. Some companies have taken advantage of this confusion by marketing devices as e-bikes even when they are closer in power to motorcycles, creating risks for riders and other road users.

“SB 1167 addresses this problem by clarifying vehicle definitions and prohibiting the advertising or sale of motor-driven cycles and mopeds as electric bicycles. It also requires manufacturers, importers, and sellers of certain electric motor vehicles to disclose when a product is not an e-bike and may require registration or licensing.”

The Motorcycle Industry Council (MIC), *writing in opposition to this bill*, argues “for MIC there remains outstanding concerns that have not been addressed in the current language. The primary remaining issue is the bill's use of the term ‘e bike.’ California law already provides clear, well established definitions for vehicle categories such as electric bicycle, motorcycle, motor driven cycle, moped, and off highway electric motorcycle. By contrast, the term ‘e bike’ is not defined in the California Vehicle Code or in federal law. It is widely used as common vernacular across both the motorcycle and bicycle industries, often referring to a broad range of products with differing legal classifications.

“In practice, the term ‘e bike’ is widely used across both the motorcycle and bicycle industries as general shorthand for a broad range of electric two-wheel products. It is a common marketing and consumer-facing term that does not correspond to any single statutory vehicle category. Restricting ‘e bike’ to one legal definition would place manufacturers and retailers in a difficult compliance position, as they would be prohibited from using terminology that is already deeply embedded in industry marketing, product descriptions, and consumer expectations. This misalignment between statutory language and established industry practice risks creating greater confusion for consumers rather than reducing it.”

Committee comments. Throughout this bill there are references to its provisions being a violation of BPC 17200 (false advertising) and 17500 (unfair competition law). The Attorney General's office has indicated to the committee that these references are declaratory of existing law and are not necessary to be codified in statute, as they may inadvertently limit what laws are covered by BPC 17200 and 17500.

This bill also has several provisions imposing new motor vehicle standards on mopeds that are not required by federal law, including the requirement to have turn signals. The Federal Motor Vehicle Safety Act explicitly prohibits states from passing motor vehicle safety standards that differ from federal law. Because federal law exempts mopeds from having turn signals, the provision in this bill requiring turn signals is likely preempted by federal law and should be removed from the bill.

This bill and existing law impose battery standards on mopeds and motor-driven cycles that are more applicable to e-bikes. The Motorcycle Industry Council has proposed amendments that the author has agreed to that would make this bill more consistent with industry standards for moped and motor-driven cycles. They have agreed to several technical, clarifying changes, including changes to the font on several of the disclosures. The author also has accepted changes to the provision of this bill related to the label required for motor-driven cycles and mopeds to better align with industry standards.

Therefore, the committee recommends the following amendments:

1. Strike all references to BPC 17200 and 17500.
2. Remove the provision of the bill requiring mopeds to have turn signals.
3. Add "The storage battery is designed for a moped or off-road electric motorcycle, and the battery complies with SAE J2929 or another applicable SAE, ISO, UNECE, or IEC safety standard" where appropriate.
4. Make technical, clarifying changes as proposed by the author.

REGISTERED SUPPORT / OPPOSITION:

Support

350 Sacramento
AAA Northern California, Nevada & Utah
Active San Gabriel Valley
Association of California Cities - Orange County
Auto Club of Southern California
Bicycling Monterey
Bike Culver City
Bike East Bay
Bike LA
Bike Temecula Valley
California Association of Bicycling Organizations
California Bicycle Coalition
California Medical Association

California Mountain Biking Coalition
California Orthopedic Association
California Outdoor Recreation Partnership
City of Calabasas
City of Carlsbad
City of Goleta
City of Irvine
City of Lakewood CA
City of Norwalk
City/County Association of Governments of San Mateo County
Claremont Streets for People
Day One
East Bay Regional Park District
Festival Trail
Livable Communities Initiative
Marin County Bicycle Coalition
Metropolitan Transportation Commission
Move LA
Move San Mateo
Move Santa Barbara County
Napa County Bicycle Coalition
Neutron Holdings
People for Bikes
Rails to Trails Conservancy
Sacramento Area Bicycle Advocates
San Diego County Bicycle Coalition
San Diego County District Attorney's Office
San Francisco Bicycle Coalition
SanDiego350
Santa Monica Safe Streets Alliance
Santa Monica Spoke
Silicon Valley Bicycle Coalition
Slow Down Sacramento
Sonoma County Bicycle Coalition
South Pas Active Streets
Street Racing Kills
Streets are for Everyone
Streets for All
Sunnyvale Safe Streets
Transbay Coalition
Transform
Walk Bike Cupertino
West Hollywood Bicycle Coalition

Opposition

Motorcycle Industry Council

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