

SENATE THIRD READING

SB 1167 (Blakespear)

As Amended July 1, 2026

Majority vote

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.

Major Provisions

- 1) 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.
- 2) 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 and requires motor-driven cycles and mopeds to have a 17-digit vehicle identification number and a specified safety certification.
- 3) 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.
- 4) 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 and requires every motor-driven cycle and moped operating during darkness to be equipped with at least one and not more than two lighted headlamps.
- 5) 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. The bill also extends this 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.

- 6) 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.
- 7) 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.
- 8) 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.
- 9) 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.
- 10) 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.
- 11) 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).
- 12) Extends the definition of "off-highway motor vehicle subject to identification" to include mopeds and off-highway electric motorcycles.

COMMENTS

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.

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%).

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.

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.

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.

This bill attempts to clarify 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. 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

"The 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, manufacturers are held responsible for misleading advertisements, and law enforcement can collect better data."

Arguments in Support

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."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to Assembly Appropriations Committee:

- 1) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown, but potentially significant amount to the courts to adjudicate any additional filings resulting from violations of the requirements and prohibitions in this bill. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a

demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions, totaling approximately \$117.3 million in 2025-26.

- 2) The Department of Motor Vehicles (DMV) anticipates minor costs associated with forms and publication updates, including revisions to the Motorcycle Handbook.
- 3) The California Highway Patrol (CHP) anticipates minor, absorbable costs for policy and training updates and to collect additional crash data.
- 4) Costs to local law enforcement to collect additional crash data. The committee does not know the magnitude of these local costs but notes the CHP expects such costs to be minor and absorbable, as described above. Nonetheless, these local costs may be significant in the aggregate, statewide. The state would need to reimburse these local costs, likely from the General Fund, if locals file a claim with the Commission on State Mandates and the commission determines the costs to be a reimbursable state mandate.

VOTES

SENATE FLOOR: 37-0-3

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

ABS, ABST OR NV: Dahle, Gonzalez, Niello

ASM TRANSPORTATION: 15-0-1

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

ABS, ABST OR NV: Lackey

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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CONSULTANT: David Sforza / TRANS. / (916) 319-2093

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