

UNFINISHED BUSINESS

Bill No: SB 1167
Author: Blakespear (D), et al.
Amended: 8/20/26
Vote: 21

SENATE TRANSPORTATION COMMITTEE: 12-0, 4/7/26

AYES: Cortese, Strickland, Archuleta, Arreguín, Blakespear, Gonzalez, Grayson, Menjivar, Richardson, Seyarto, Valladares, Wiener

NO VOTE RECORDED: Dahle

SENATE NATURAL RES. & WATER COMMITTEE: 7-0, 4/14/26

AYES: Becker, Seyarto, Allen, Cabaldon, Cortese, Grove, Stern

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SENATE FLOOR: 37-0, 5/26/26

AYES: 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

NO VOTE RECORDED: Dahle, Gonzalez, Niello

ASSEMBLY FLOOR: Passed, 8/25/26

SUBJECT: Vehicles: electric bicycles

SOURCE: California Bicycle Coalition
People for Bikes
Streets are for Everyone
Streets for All

DIGEST: This bill 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 prohibits noncompliant vehicles from being advertised as e-bikes. This bill additionally establishes new operational and safety requirements and imposes additional reporting requirements on law enforcement, among other things.

Assembly Amendments delete certain provisions related to unfair competition and false advertising laws, clarify moped and off-highway electric motorcycle battery compliance standards, modify e-bike labeling requirements, and address chaptering out conflicts with AB 2027 and AB 1913.

ANALYSIS:

Existing law:

- 1) Defines an e-bike as a bicycle equipped with fully operable pedals and an electric motor that does not exceed 750 watts of power. (Vehicles 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 mph. (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 equipped with a speedometer. (VEH §312.5)
- 5) Prohibits the following vehicles from being sold as an electric bicycle: vehicles 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 mph on motor power alone or to attain more than 750 watts of power, a vehicle that is modified to attain a speed greater than 20 mph on motor power alone or to have

motor power of more than 750 watts, and a vehicle that is modified to have its operable pedals removed. (VEH §312.5)

- 6) Requires manufactures and distributors of electric bicycles to apply a label that is permanently affixed, in a prominent location, to each electric bicycle. The label shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle, and shall be printed in Arial font in at least 9-point type. (VEH §312.5)
- 7) Defines a “motorcycle” as a motor vehicle having a seat or saddle for the use of the rider, designed to travel on not more than three wheels in contact with the ground. (VEH §400)
- 8) Defines a “motor-driven cycle” as any motorcycle with a motor that displaces less than 150 cubic centimeters. A motor-driven cycle does not include a motorized bicycle, as defined in Section 406. (VEH §405)
- 9) Defines a “motorized bicycle” or “moped” as a two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor that produces less than 4 gross brake horsepower and is capable of propelling the device at a maximum speed of not more than 30 mph on level ground. (VEH §406)
- 10) Requires manufacturers of motorized bicycles or mopeds to provide a disclosure to buyers that meets the following specifications:
 - a) The 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) The disclosure shall include the following language in capital letters:
“YOUR INSURANCE POLICIES MAY NOT PROVIDE COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS BICYCLE. TO DETERMINE IF COVERAGE IS PROVIDED YOU SHOULD CONTACT YOUR INSURANCE COMPANY OR AGENT.”
- 11) Defines a “motorized scooter” as any two-wheeled device that has handlebars, has either a floorboard that is designed to be stood upon when riding or a seat and footrests in place of the floorboard, and is powered by an electric motor.

This device may also be designed to be powered by human propulsion.
(VEH §407.5)

- 12) Requires motorized bicycles or mopeds to display a special license plate issued by the Department of Motor Vehicles (DMV) and specifies the process to apply for and receive the license plate. (VEH §5030)
- 13) Requires DMV to maintain a record system that provides for identification of stolen motorized bicycles or mopeds. (VEH §5038)
- 14) Establishes classes of vehicle driver's licenses, including Class M1 which authorizes an applicant to drive a two-wheel motorcycle or a motor-driven cycle; and a Class M2 which allows an applicant to drive a motorized bicycle or moped, or a bicycle with an attached motor. Specifies that persons holding a class M1 license or endorsement may operate vehicles included in class M2 without further examination. (VEH §12804.9)
- 15) Prohibits motorized bicycles from being operated on a bicycle path or trail, bikeway, bicycle lane, as specified, equestrian trail, or hiking or recreational trail, unless it is within or adjacent to a roadway or unless the local authority or the governing body of a public agency having jurisdiction over the path or trail permits, by ordinance, that operation. (VEH §21207.5)
- 16) Exempts motor-driven cycles whose speed attainable in one mile is 30 mph or less from the requirement that vehicles and motorcycles be equipped with a lamp-type turn signal system. (VEH §24951)
- 17) Requires every motorcycle during darkness to be equipped with at least one and not more than two lighted headlamps. (VEH §25650)
- 18) Provides that it is unlawful for any person or business to advertise or promote goods or services using statements that are untrue or misleading. This applies to all forms of communication, including newspapers, online content, and other advertising methods, and covers claims that the advertiser knows—or should reasonably know—are false. Violations are misdemeanors punishable by up to six months in county jail, a fine of up to \$2,500, or both. (Business and Professions Code (BPC) §17500)

- 19) Defines unfair competition to mean any unlawful, unfair or fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising.
(BPC §17200)
- 20) Prohibits a person from distributing, selling, leasing, or offering for sale or lease a powered mobility device unless the battery for the powered mobility device has been tested by an accredited testing laboratory for compliance with ANSI/CAN/UL 2272. (Health and Safety Code §26302)

This bill:

- 1) Makes findings and declarations related to e-bikes and other electric devices and vehicles.
- 2) 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.
- 3) 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 five 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.
- 4) 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) Specifies that an e-bike, 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;
 - 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.
- 5) 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.
- 6) 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. This 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.
- 7) 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.
- 8) 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.
- 9) 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.
- 10) 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.

- 11) 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.
- 12) 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 advises buyers that the vehicle is a motor vehicle subject to registration, their existing insurance policies may not provide coverage for the vehicle, and that they should contact their insurance company or insurance agent to determine if coverage is provided.
- 13) Extends the definition of "off-highway motor vehicle subject to identification" to include mopeds and off-highway electric motorcycles.
- 14) Prohibits a person from renting or offering for rental a moped or off-highway electric motorcycle or a corresponding charging system unless the battery and charging system complies with applicable requirements within SAE J2929 or another applicable SAE, ISO, UNECE, or IEC safety standard.

Comments

Purpose of the bill. 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, manufacturers are held responsible for misleading advertisements, and law enforcement can collect better data.”

What’s an e-bike? Electric bicycles, or e-bikes, typically look similar to regular bicycles but include an electric motor and battery. In California, e-bikes must be equipped with fully operable pedals and an electric motor that does not exceed 750 watts of power. The fastest e-bikes are Class 3, with a maximum pedal-assisted speed of 28 mph. Class 2 e-bikes offer throttle assistance and can travel up to 20 mph. A device that is capable of going faster than 20 mph using a throttle alone, or

faster than 28 mph with pedal assist, is not an e-bike under California law. The primary purpose of SB 1167 is to eradicate over-powered devices that fall outside the technical definition of e-bikes but are misrepresented as e-bikes.

Current e-bike false advertising laws. Current law technically 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 mph 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 mph on motor power alone or to have motor power of more than 750 watts; or,
- c) A vehicle that is modified to have its operable pedals removed.

This statute is intended to keep illegal, overpowered devices off the street and out of the market. However, many online retailers flagrantly violate this law and advertise throttle-powered devices with maximum speeds over 20 mph as e-bikes.

Benefits of e-bikes. Shifting trips from personal vehicles to active transportation is a key strategy for achieving the state's environmental goals. E-bikes are an increasingly popular tool to reduce car travel, particularly given that more than half of all trips in the United States are under three miles. Evidence also shows that e-bikes are used by a diverse range of individuals, including children, older adults, and people with disabilities who may be unable to drive or use a conventional bicycle. In addition to expanding mobility, e-bikes present an opportunity to address persistent transportation challenges, including vehicle traffic injuries and fatalities, transportation-related emissions, and roadway congestion.

Growing concerns with e-bikes and other devices. Californians have seen a surge of news coverage in recent years about the dangers of e-bikes. Additionally, many places where conventional bicycles were common have experienced a proliferation of e-bikes, such as schools, coastal communities, and bike trails. The rapid growth in the visibility of faster devices has resulted in a swift backlash against e-bikes across the country, including calls for increased restrictions and, in some cases, bans. However, many of the reported incidents may not have involved a legal e-bike.

E-bike safety study finds illegal, over-powered devices are a key problem. The Mineta Transportation Institute (MTI) at San Jose State University released a report commissioned by the California Legislature titled: *Exploring Electric Bicycle Safety Performance Data and Policy Options for California*. The report found, “many devices marketed in California as electric bicycles have much higher motor power and/or faster motor-assisted speed than the law allows. While nobody knows how many of these illegal electric bicycles are on the road, the percentage might be quite high. Counts of electric two-wheelers parked at a dozen northern California middle and high schools found that almost 90% may not meet the standards for legal electric bicycles. Some of these devices have as much as eight times more power than legal limits.” The study went on to find that many consumers unknowingly purchase illegal devices, believing them to be legal e-bikes. Misleading advertisements often list devices capable of going over 30 mph as e-bikes and displays photos or videos of these devices on public roads.

SB 1167 seeks to prevent the sale of illegal devices. Among other things, SB 1167 clarifies that any device that does not meet the legal definition of a device or vehicle in the Vehicle Code is neither an e-bike, nor is it legal to operate on public roads. It also 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. This bill 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 complies with all applicable requirements for that motor vehicle. Under this bill, a peace officer would be able to remove (tow and impound) a prohibited device if a person is operating it on a highway or public-right-of-way.

Classifying mopeds, etc. Among numerous other technical changes to the Vehicle Code, this bill deletes the term “motorized bicycle” in the Vehicle Code and replaces it with “moped.” The goal of this change is to reduce confusion between “motorized bicycles” and e-bikes. This change may create an administrative burden for DMV, but does not create a policy change as the two terms are synonymous. Mopeds legally may not achieve speeds over 30 mph on level ground and require at minimum an M2 license, or any other driver’s license, to operate. Mopeds must be registered and display a license plate.

Disclosures and labels. This bill expands the current labeling requirements for manufacturers and distributors of e-bikes, mopeds, and motor-driven cycles. Specifically, this bill requires these vehicles to have informational labels that are

securely affixed to the frame or fork of the e-bike, moped, or motor-driven cycle. The label must be readily visible without inverting the device and cannot be removed without the marking or labeling being defaced or destroyed. Currently, e-bikes must have a prominent, permanently affixed label. The label must contain the classification number, top assisted speed, and motor wattage of the e-bike, and must also be printed in Arial font in at least 9-point type. Under this bill, the label would also need to include the name of the brand and the manufacturer, importer, or distributor of the e-bike, in addition to the existing information required. This bill requires a retailer or bicycle repair shop to verify that the classification label matches the e-bike class, before installing the label.

This bill also specifies that manufacturers and distributors of mopeds and motor-driven cycles affix labels compliant with federal regulations, mandating, among other things, the name of the manufacturer, month and year of manufacture, gross vehicle weight rating, vehicle identification number, and the classification of the vehicle.

This bill additionally imposes disclosure requirements on manufacturers, importers, and sellers of motor-driven cycles, mopeds, or off-highway electric motorcycles. The disclosure would need to advise buyers that the vehicle is a motor vehicle subject to registration and applicable motor vehicle laws.

Law enforcement reporting. This bill requires law enforcement to include in any incident report for an injury or crash involving an e-bike, moped, or motor-driven cycle all the information on the device or vehicle's label. If the e-bike, moped, or motor-driven cycle does not have a label, the incident report must indicate that a marking or label was not available.

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

According to the Assembly Appropriations Committee:

- 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.

- DMV anticipates minor costs associated with forms and publication updates, including revisions to the Motorcycle Handbook.
- The California Highway Patrol (CHP) anticipates minor, absorbable costs for policy and training updates and to collect additional crash data.
- Costs to local law enforcement to collect additional crash data. The committee does not know the magnitude of these local costs but notes 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.

SUPPORT: (Verified 8/25/26)

California Bicycle Coalition (co-source)

People for Bikes (co-source)

Streets are for Everyone (co-source)

Streets for All (co-source)

50 Sacramento

AAA Northern California, Nevada & Utah

AARP

Abate of California - Motorcyclists Rights & Safety Organization

Active San Gabriel Valley

Alameda County Transportation Commission

American Academy of Pediatrics, California

Association of California Cities - Orange County

Auto Club of Southern California

Bicycling Monterey

Bike Culver City

Bike East Bay

Bike LA

Bike Temecula Valley

Brea; City of

Calbike

California Association of Bicycling Organizations

California Association of Recreation & Park Districts

California District Attorneys Association

California Emergency Nurses Association
California Medical Association
California Mountain Biking Coalition
California Orthopedic Association
California Outdoor Recreation Partnership
Chico Velo Bicycle Advocates
Circulate San Diego
City and County of San Francisco
City of Calabasas
City of Carlsbad
City of Coronado
City of Del Mar
City of Lakewood CA
City of Los Alamitos
City of Norwalk
City of Rancho Cucamonga
City of San Juan Capistrano
City of San Luis Obispo
City of San Mateo
City of Vista
City/county Association of Governments of San Mateo County
Claremont Streets for People
County of Marin
Cupertino; City of
Day One
East Bay for Everyone
East Bay Regional Park District
Ecology Action
Festival Trail
Fremont, City of
Goleta; City of
Irvine; City of
LA Critical Mass
Lafayette; City of
League of California Cities
Livable Communities Initiative
Marin County Bicycle Coalition
Marin County Board of Supervisors
Marin County Council of Mayors and Councilmembers
Metropolitan Transportation Commission

Move LA
Move San Mateo
Move Santa Barbara County
Napa County Bicycle Coalition (napa Bike)
Neutron Holdings, INC. DbA Lime
Norwalk; City of
Oceanside Unified School District
Oceanside; City of
Orange County Sheriff's Department
Orange County Transportation Authority
Orange; County of
People for Bikes
Rails to Trails Conservancy
Riverside County District Attorney
Sacramento Area Bicycle Advocates
Sacramento County Young Democrats
San Diego County Bicycle Coalition
San Diego County District Attorney's Office
San Diego County Sheriff's Office
San Dieguito Union High School District
San Francisco Bicycle Coalition
Sandiego350
Santa Monica Safe Streets Alliance
Santa Monica Spoke
Scripps Health
Silicon Valley Bicycle Coalition
Slow Down Sacramento
Sonoma County Bicycle Coalition
South Pas Active Streets
Street Racing Kills
Sunnyvale Safe Streets
Town of Truckee
Transbay Coalition
Transform
Walk Bike Berkeley
Walk Bike Cupertino
West Hollywood Bicycle Coalition

OPPOSITION: (Verified 8/25/26)

None received.

Prepared by: Isabelle LaSalle / TRANS. / (916) 651-4121
8/25/26 18:18:58

**** **END** ****