



SB 1167: E-bike Safety

SUMMARY

SB 1167 would clearly define what an electric bicycle is and thereby prevent motor vehicles that are faster, more powerful and more dangerous from being sold or marketed as e-bikes. This bill would also improve product labeling and data collection, and it would add safety equipment requirements.

BACKGROUND

California defines an [e-bike](#) as a bicycle with operable pedals and an electric motor with power of no more than 750 watts. E-bike users must [follow](#) the same rules of the road as traditional cyclists, such as safely passing other road users and yielding to pedestrians. E-bikes are also exempt from license plate requirements and users do not need a driver's license or insurance.

There are three classes of e-bikes. Class 1 and Class 2 e-bikes are low-speed: the motor must stop providing assistance once the bike reaches 20 mph. Class 3 e-bikes must stop providing motor assistance at 28 mph.

Anyone can operate a Class 1 or 2 e-bike, but only those 16 and older may use a Class 3. Further, all Class 3 users must wear a helmet, but helmets are only required for those under 18 on Class 1 and 2 e-bikes.

E-bikes can be pedal assisted (the motor only propels the bicycle when the user is pedaling) or throttle assisted (the user does not need to pedal for the motor to propel

the bicycle). Class 1 and Class 3 e-bikes are pedal assisted and Class 2 e-bikes are throttle assisted.

	Class 1	Class 2	Class 3
Speed	20 mph	20 mph	28 mph
Power	750W	750W	750W
Motor activation	Pedal assist	Throttle only	Pedal assist
Age	Any	Any	16 +
Helmet	< 18	< 18	All users

A popular e-bike brand is [Rad Power Bikes](#). They have multiple models and all meet the legal requirements for e-bikes: no more than 750 watts of power and 20/28 mph limits.

The proliferation of e-bikes on city streets has created traffic dangers and safety concerns across California. This has prompted many cities to regulate e-bikes and how they are used. For example, [Carlsbad](#) now prohibits children under 12 years old from riding any e-bike.

PROBLEM

The three class system for e-bikes can be confusing for consumers, media, healthcare providers, and even law enforcement. Unscrupulous businesses have taken advantage of this confusion and are selling powerful motor vehicles as "e-bikes."

These vehicles are sometimes called out-of-class e-bikes but they are not e-bikes at all—they are motor vehicles. Some have motor power up to 5,000 watts and go over 50 mph, well beyond the 750 watts and 28 mph limit for e-bikes.

A review of electric two-wheel devices parked on school grounds found that [88%](#) did not meet the legal definition of e-bikes. Additionally, a class action [lawsuit](#) filed in 2025 alleges that one company, Super73, has “duped thousands of California consumers” by selling their vehicles as class 2 e-bikes, despite their mobile app easily bypassing the 20 mph limit for throttles.

This false advertising causes consumers to underestimate the danger of using them. As a result, users often fail to take safety precautions that are required on motor vehicles such as mopeds and motorcycles that travel at similar speeds. It also causes harm to the public perception of lawful e-bikes. Often, any bicycle shaped device with a motor is labeled an e-bike, regardless of power and speed capabilities.

SOLUTION

SB 1167 improves safety and clarity surrounding the use of e-bikes by:

- (1) Clarifying that any device with an engine power greater than 750 watts is *not* an e-bike, nor is any device that exceeds the 20-mph throttle or 28-mph pedal assist limits. It would also specify that devices that meet the definition of electric motorcycles, electric mopeds, and other motor vehicles are not e-bikes.
- (2) Requiring manufacturers and sellers to include a disclosure if the device is not an e-bike, including advising them that vehicle registration and rider licensing is required. It would make failure to do so a misleading statement under the Business and Professions Code restriction on false advertising.
- (3) Prohibiting any two- or three-wheeled device with an electric motor capable of propelling the device

faster than 20 mph from operating on public roads unless the device meets all requirements of a device explicitly authorized for use on the public right of way. This will restrict the use of out-of-class e-bikes that lack the safety equipment of a moped or motorcycle to private property only.

- (4) Standardizing the location of e-bike labels to be skyward on the frame, rather than hidden somewhere inaccessible such as under the seat, so that e-bikes can be properly identified by law enforcement, school officials, and parents.
- (5) Requiring any incident report for an injury or crash of an e-bike to include the information from the label, or note that there was no label. These data are essential to understand patterns, assess risk, and create targeted policies to promote safe riding practices.
- (6) Creating a new code section for citing reckless behavior on e-bikes. This will give law enforcement one more tool to promote safety.

SB 1167 will improve community safety by better regulating motor vehicles that look like e-bicycles so purchasers are aware of safety risks, manufacturers and sellers are held responsible for misleading advertisement, and law enforcement can collect better data.

SUPPORT

CalBike (co-sponsor)
People for Bikes (co-sponsor)
Streets Are For Everyone (SAFE) (co-sponsor)
Streets for All (co-sponsor)
350 Sacramento
AAA Northern California, Nevada, and Utah
ABATE of California
Active San Gabriel Valley

Automobile Club of Southern California
Bicycling Monterey
Bike East Bay
BikeLA
Bike Temecula Valley
California Association of Bicycling
Organizations (CABO)
California District Attorneys Association
(CDAA)
California Emergency Nurses Association
California Medical Association (CMA)
California Orthopaedic Association
Chico Velo Bicycle Advocates
Circulate San Diego
City of Carlsbad
City of Oceanside
City of Vista
Claremont Streets for People
Danville Safety Advocates
Day One
E-Bike Access
Festival Trail
Livable Communities Initiative
Los Angeles Critical Mass
Marin County Bicycle Coalition
Move LA
Move San Mateo
MOVE Santa Barbara County
Napa County Bicycle Coalition
Oceanside Unified School District
Rails to Trails Conservancy
Riverside County District Attorney's Office
Sacramento Area Bicycle Advocates
SanDiego350
San Diego County Bicycle Coalition
San Diego District Attorney's Office
San Dieguito Union High School District
San Francisco Bicycle Coalition
Santa Monica Safe Streets Alliance
Santa Monica Spoke
Silicon Valley Bicycle Coalition
Sonoma County Bicycle Coalition
South Pas Active
Street Racing Kills
Sunnyvale Safe Streets
Transbay Coalition
Transform
Vista Unified School District
Volt Verified
Walk Bike Berkeley

Walk Bike Cupertino
West Hollywood Bicycle Coalition

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