Fehr & Peers

Memo

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Subject: San Mateo County E-Bike Strategy: Ordinance Templates and Guidance (Document B)

Introduction

Purpose of this Guidance

Electric bicycles (e-bikes) are an important and growing part of how people travel in San Mateo County. They make bicycling practical for more people and more trips by reducing the barriers of distance, hills, and carrying cargo or passengers, and they offer a lower-cost, lower-emission alternative to driving for commuting, school travel, errands, recreation, and connections to transit. As e-bike use has grown, so have safety concerns, particularly conflicts between riders and pedestrians on sidewalks, shared paths, and near schools.

This document is a turnkey resource for jurisdictions in San Mateo County seeking to adopt or update e-bike regulations that address those concerns while preserving the benefits e-bikes provide. It explains how the California Vehicle Code (CVC) treats bicycles and e-bikes, identifies where jurisdictions have authority to act, and offers model ordinance language along with the purpose and implications of each provision. It is intended to support the City/County Association of Governments of San Mateo County (C/CAG) in advancing a consistent countywide approach, while allowing individual jurisdictions to tailor regulations to local needs and conditions.

The model ordinance applies to bicycles and e-bikes as defined by state law. Devices that do not meet the legal definition of an e-bike, commonly called e-motos, are regulated under state law as motor vehicles or off-highway vehicles and are outside its scope. E-bike classes and the distinction between e-bikes and e-motos are described further in E-Bike Safety and Operations Guidance (Document A). Jurisdictions may also wish to consider whether similar provisions should apply to other small mobility devices, such as electric scooters. Because e-bike technology, device types, and state legislation continue to evolve, local ordinances should be reviewed and updated periodically.

Principles for Effective Local Ordinances

The goal of a local ordinance should be rules that lead to meaningful behavior change. Effective ordinances are clear, memorable, and easy for riders, families, schools, law enforcement, and the

broader public to understand. Rules that are overly complex, inconsistent across jurisdictions, or difficult to communicate are less likely to be understood, followed, or enforced.

Decision makers should weigh the benefits and tradeoffs of each provision. Improving safety is the central objective, but local rules should also preserve the mobility, accessibility, and community benefits that e-bikes provide, including access to school, work, transit, shopping, and recreation. Ordinances should target identified safety concerns and avoid unnecessary barriers to safe, practical e-bike use.

The model ordinance reflects four additional principles:

- **Education first.** Enforcement is proportional, with warnings, educational campaigns, safety-course diversion, and escalating payments.
- **Signage supports enforcement.** Location-specific rules and shared use path or sidewalk speed limits are enforceable only where signs give notice.
- **Realistic administration.** Law enforcement agencies have limited resources and implement many behavioral regulations, so provisions should be workable in practice.
- **Shared data.** Jurisdictions coordinate on collecting collision and enforcement information so that the county can see patterns no single city could. Jurisdictions that opt in to the Assembly Bill 2595 pilot (See Section 5. Minimum Age for Class 1 and Class 2 Electric Bicycles) must collect specific data for the County's report to the Legislature, due January 1, 2030. This includes traffic stops under the age rule and their outcomes, the perceived demographics of people stopped, searches and seizures, safety course completions, and crashes involving riders under 12 that resulted in serious injury or death before and after adoption. Separately, Section 8(f) of the model ordinance recommends that every jurisdiction track e-bike collisions, citations, warnings, complaints, and education participation, whether or not it opts in to the pilot. C/CAG makes this recommendation because consistent local data is the only way to know whether ordinances, education, and infrastructure are reducing injuries, and a common baseline lets the county compare results across jurisdictions. Jurisdictions that later opt in to the pilot can also build on these same systems to meet the state reporting requirements. While state law provides guidance on metrics, C/CAG is exploring additional performance indicators that will be finalized as part of the draft strategies. C/CAG is also considering a role in coordinating common data definitions and a standardized reporting template, compiling information across jurisdictions, and reporting countywide trends. Data and evaluation will be covered further in Data, Evaluation, and Community Safety Outcomes (Document F).

Local ordinances are only one tool. Before adopting new regulations, jurisdictions should consider whether a concern is best addressed through local legislation, public education, infrastructure improvements, operational changes, or enforcement of existing state law. Companion documents in the C/CAG's E-Bike Strategy address these other tools, including Design and Operations Guidance (Document D) and the Enforcement and Education Guidebook (Document E). The E-Bike Policy Decision Matrix for Local Agencies (Document C) helps jurisdictions identify which tools fit specific conditions. Additional documents are expected to be released in early 2027.

Understanding State and Local Authority

California law establishes the baseline framework for e-bike definitions, classes, and many operating rules. As a result, local ordinances do not need to restate state law unless doing so supports public understanding or local implementation. Jurisdictions should also consider that duplicating state language may create maintenance challenges if state law changes over time. Instead, local ordinances are most valuable where they address issues not covered by state law, target issues in specific geographic areas or circumstances, or establish local enforcement and implementation procedures.

Many of the behaviors that create safety concerns are already restricted under state law, even if those requirements are not commonly understood by riders, families, or the broader public. The CVC establishes e-bike classes, equipment requirements, age and helmet rules for certain devices, and operating rules related to reckless riding, reasonable speeds, direction of travel, passengers, and attaching to moving vehicles. In many cases, the most important implementation need may not be new local regulation, but improved public education and awareness of existing laws. E-Bike Safety and Operations Guidance (Document A) provides a fuller overview of state law.

Local agencies should consider whether a proposed ordinance addresses a gap in state law, whether an existing requirement can be communicated more clearly, or how local funding decisions around infrastructure, education, and enforcement can focus on the behaviors that present the greatest safety risks.

Three 2026 state laws are reflected in the model ordinance:

- **Assembly Bill 2346** (Chapter [842], Statutes of 2026) sets a prima facie speed limit of 10 miles per hour on sidewalks and authorizes local authorities to set speed limits of 10, 15, or 20 miles per hour on bicycle paths and shared use paths, subject to signage requirements. The provisions are effective January 1, 2027.

- **Assembly Bill 2595** (Chapter [843], Statutes of 2026) establishes the San Mateo Electric Bicycle Safety Pilot Program. Until January 1, 2031, the pilot program provides local authority in jurisdictions within San Mateo County to prohibit a person under 12 from operating a Class 1 or Class 2 e-bike. It requires a 60-day warning period, then a $25 fine, and a public information campaign of at least 30 days before enactment. Each jurisdiction must adopt an ordinance to participate. Participating jurisdictions must comply with specific data collection and reporting requirements.

- **Senate Bill 1167** (Chapter [804], Statutes of 2026) is aimed at devices that exceed California's e-bike classes being marketed as electric bicycles, and takes effect January 1, 2027. It also strengthens labeling requirements, so that e-bikes display their class and maximum speed.

The County of San Mateo has also updated its own e-bike regulations. The Board of Supervisors amended Chapter 7.80 of the County Ordinance Code (also known as Ayden's Law). The County ordinance goes into effect on January 1, 2027, and applies only in unincorporated San Mateo County. It is enforced by the Sheriff's Office. It covers all "e-micromobility devices," including e-bikes, motorized scooters, electric skateboards, and mopeds, and creates a new category of "illegal motorcycles" for electric devices that do not qualify as e-bikes and are not registered as motor vehicles. The ordinance prohibits riding illegal motorcycles in public places and riding any device in

an unsafe manner, such as doing stunts or carrying items that limit control. Violations are subject to infractions or graduated administrative fines.

The County ordinance and the C/CAG model ordinance share the goal of improving e-bike safety and are largely complementary. The County ordinance places particular emphasis on addressing the growth of e-motos and other devices that do not meet the state's e-bike definition, as it was adopted before recent state legislation targeted on this issue. It also clarifies the Sheriff's Office's enforcement practices. The model ordinance, designed for adoption by cities, takes a similar approach, with added emphasis on the mobility benefits e-bikes provide, especially for youth, older adults, and people without access to a car, and seeks to balance those benefits against safety concerns. To do so, it clarifies where and how e-bikes can be ridden safely.

Table 1 compares the provisions in the two ordinances. Unlike the County ordinance, this model ordinance focuses on bicycles and e-bikes. Both ordinances allow sidewalk riding with a speed limit, but the details differ. The County ordinance allows sidewalk riding at up to 5 miles per hour wherever it is not otherwise prohibited. The model ordinance allows sidewalk riding only along higher-speed roads without bike facilities, and applies the state's 10 mile per hour speed limit. To apply the under-12 age limit in unincorporated areas, the County would need to amend Chapter 7.80.

Table 1. Comparison of the C/CAG Model Ordinance and County Ordinance Code Chapter 7.80

Provision	C/CAG Model Ordinance	County Chapter 7.80
Covers e-scooters, e-skateboards, and other e-micromobility devices		X
General operating rules, such as rights and duties and traffic control devices (Section 3)	X	
Prohibition on unsafe or reckless operation (Section 4)	X	X
Passenger restrictions (Section 4)	X	X
Under-12 age limit for Class 1 and 2 e-bikes (Section 5)	X	
Sidewalk riding with a speed limit (Section 6)	X	X
Yield and audible signal when passing on sidewalks (Section 6)	X	X
Pedestrian-only areas (Section 6)	X	
Shared use path speed limits (Section 6)	X	
Temporary and special event restrictions (Section 7)	X	
Graduated fine schedule (Section 8)	X	X
Education alternative to fines (Section 8)	X	X
Appeal process that considers ability to pay (Section 8)	X	X
Parent or guardian joint liability for a minor's fine (Section 8)	X	X
Data monitoring and reporting (Section 8)	X	
Impound of devices ridden by cited minors	X	X
Impound of devices that do not meet state definitions	X	

Civil action against parents for property damage caused by minors		X
Prohibition on riding illegal motorcycles (e-motos)	X	X
Prohibition on parking that blocks sidewalks		X
Prohibition on altering serial numbers		X

Source: Fehr & Peers, 2026.

How to Use This Guidance

C/CAG has included each provision of the model ordinance because it would help increase safety across San Mateo County. For the ordinance to be most effective, the provisions would be consistent across jurisdictions, to create a countywide approach to e-bikes that is clear and consistent for residents. Therefore, C/CAG recommends that jurisdictions adopt the full ordinance as-is, unless a jurisdiction's legal counsel has concerns about any specific provisions due to local conditions. Two sections need additional review before adoption. Legal counsel should review Section 4 (Standards of Safe Operation). Jurisdictions should also discuss Section 5 (Minimum Age for Class 1 and Class 2 Electric Bicycles) internally because it comes with data collection and reporting requirements. The considerations for each section are described below. Once the model ordinance has been reviewed by legal counsel, you should move toward preparing for adoption, as described in the next section.

The following section summarizes the rationale behind each section and what jurisdictions should weigh before moving forward. In many instances, brackets, e.g. [], in the model ordinance indicate items to be updated by jurisdictions.

Section 1. Findings and Purpose

The findings lead with the benefits of e-bikes before describing the safety concerns, so the ordinance reads as supporting e-bike use and managing its risks. They also cite the state authority behind the local rules, which supports the ordinance if it is challenged.

Considerations

Findings are strongest when they rest on local evidence. If the jurisdiction lacks data, a modest statement is better than an unsupported one. Section 8(f) is designed to build that evidence over time.

Section 2. Definitions

Terms are tied to the California Vehicle Code and the Streets and Highways Code, so the ordinance follows state definitions as device classes change.

Considerations

Restated definitions can drift from state law, so a "the statute controls" clause is worth keeping. The device list overlaps with state marketing rules, and SB 1167 expands those rules and takes effect January 1, 2027, so jurisdictions that keep the list should check it against the amended CVC 312.5.

Section 3. General Operating Rules

Riders on a roadway have a driver's rights and duties under state law. The same expectations carry onto sidewalks and paths, and everyone must follow posted signs. The rest of the model builds on this section.

Considerations

This section creates the framework for the subsequent sections. Duplicating state language can create a maintenance burden and may raise a duplication question, so the City Attorney or counsel should confirm the language as part of their review. In many instances, education about existing state law may be more effective than repeating it in the code.

Section 4. Standards of Safe Operation

This section restates existing rules for rider behavior, such as reckless riding or wrong-way riding. These are often the issues or concerns reported by members of the public.

Considerations

Restating state law in a local ordinance can create a maintenance burden if state law changes. Some jurisdictions' counsel may also view this section as preempted, because the California Vehicle Code generally bars local rules on matters it already covers unless expressly authorized (California Vehicle Code Section 21). Counsel may also conclude that violations can be enforced only as infractions, not through administrative citations (California Vehicle Code Section 40000.1). C/CAG recommends this section, but the City Attorney or counsel should review it before adoption to confirm it is not preempted and to determine how it would be enforced. In many instances, education about existing state law may be more effective than repeating it in the code.

Section 5. Minimum Age for Class 1 and Class 2 Electric Bicycles

This section lets a jurisdiction adopt the state pilot (Assembly Bill 2595) that prohibits riders under 12 from operating Class 1 and Class 2 e-bikes. State law sets the terms, effective January 1, 2027, and jurisdictions can opt-in to the pilot only until January 1, 2031, unless further modified by state law. Because adopting the pilot comes with data collection, reporting, and other requirements, jurisdictions should discuss it internally with agency and department stakeholders before including it in their local ordinance.

Considerations

The age rule targets the youngest riders and those who are the least trained on rules of the road, however, it includes several obligations for education, data collection and reporting. Authorization of the state law pilot expires, so the ordinance will need to be revised in the future. Jurisdictions that adopt this section are specifically required to review and consider the forthcoming report from the San Diego Electric Bicycle Safety Pilot Program (California Vehicle Code Section 21214.7). When a jurisdiction must consider the report depends on when it adopts. The San Diego County report is due to the Legislature by January 1, 2028, so San Mateo County jurisdictions adopting in 2027 will likely adopt before it is released. Those San Mateo County jurisdictions don't need to wait for the report, but they must hold a public meeting to consider it within 90 days after it is released. Jurisdictions that adopts after the San Diego County report is released must consider it at the public hearing on

the ordinance. In either case, jurisdictions do not need to prepare their own report. They do need to give the County of San Mateo or other countywide agency the enforcement and crash data needed for the report to the Legislature by January 1, 2030.

Section 6. Location-Specific Rules

This section covers where and how riders may operate on sidewalks and shared use paths, which are often the subject of issues or concerns reported by members of the public.

Considerations

Encouraging bicycles traveling at speeds greater than pedestrians onto sidewalks presents a trade-off, but without low-stress infrastructure, such as separated bikeways, shared use paths, and streets with low vehicle volumes and speeds, sidewalks become the only option for riders of all ages and abilities. Vehicle Code Section 21206 allows local authorities, by ordinance, to regulate the operation of bicycles on pedestrian or bicycle facilities, as long as the regulation does not conflict with the Vehicle Code. Beginning January 1, 2027, Assembly Bill 2346 (Chapter 842, Statutes of 2026) adds Vehicle Code Section 21214.8, which allows a local authority to set, by ordinance, a speed limit of 15 or 20 miles per hour on a bicycle path or multiuse trail, or 10 miles per hour in limited areas with high pedestrian volumes or sight distance challenges. It also adds Section 22352.1, which sets a prima facie speed limit of 10 miles per hour on sidewalks. The section provides specifics on when and how riders may operate on sidewalks, however, the section also includes posting rules. Areas near schools, and other places where many e-bike riders are expected, are usually better addressed by providing low-stress bicycle infrastructure than by adding a local restriction. Design and Operations Guidance (Document D) provides more detail on designing bikeways, shared use paths, and streets for e-bikes.

Section 7. Temporary and Special Events Rules

Designates an official staff person to restrict riding temporarily for events, construction, or other short-term conditions without amending the ordinance. It is limited to temporary conditions on purpose, so it is not a way to impose standing rules.

Considerations

Enforcement depends on posted signs, and delegating authority to staff is a policy choice for each council or board.

Section 8. Enforcement, Penalties, and Monitoring

The goal of enforcement is to change rider behavior, not to punish. Riders typically receive a warning or education first, and fines start low and increase only for repeat violations. Riders can take a safety course instead of paying a fine, and anyone who cannot afford a fine can request a reduction. Violations are handled through administrative citations rather than criminal court, and officers may impound out-of-class devices ridden by unlicensed riders and Class 3 e-bikes ridden by children under 16, as authorized by state law. Vehicles are released after 48 hours once any removal and storage costs are paid.

Considerations

Jurisdictions Police or Sheriff's Department may prefer infractions because that process already exists, so enforcement agencies should help make this decision. Offering education in lieu of citation requires establishing an approved course. The fine amounts in Section 8(c) match the administrative fines in the County's ordinance (County Ordinance Code Chapter 7.80). Section 8(g) restates Assembly Bill 875 (Chapter 168, Statutes of 2025), which authorizes peace officers to remove out-of-class devices operated by unlicensed riders and Class 3 e-bikes operated by children under 16. Charging removal and storage costs is optional and requires staff to calculate actual costs and adopt a fee schedule. Data sharing also takes staff time and needs privacy protections. City Attorney or legal counsel should confirm the fine amounts, parental liability against state limits, that hardship relief is permitted, and that the storage hearing process applies.

Summary of Model Ordinance Provisions

Table 2 summarizes the operative provisions of the model ordinance (Sections 3 through 8). For each provision, it notes whether the provision restates existing state law or creates a new local rule, and the key considerations. The sections above provide more detail.

Table 2. Summary of Model Ordinance Provisions

Provision	Restates State Law or New Local Rule	Considerations
Section 3. General Operating Rules		
3(a) Rights and duties. Riders on a roadway have the rights and duties of a vehicle driver.	Restates state law	Creates the framework for later sections. Counsel should decide whether restating state law is necessary.
3(b) Sidewalks and shared use paths. Applies roadway safe-operation standards to riders on sidewalks and shared use paths.	New local rule	Links sidewalk and path riding to the standards in Section 4 and the rules in Section 6.
3(c) Traffic control devices. Riders must obey posted signs, pavement markings, and other traffic control devices.	Restates state law	Same as 3(a). Education about existing state law may be more effective than repeating it.
Section 4. Standards of Safe Operation		
4(a) Reckless operation. Prohibits riding in willful or wanton disregard for safety.	Restates state law	Recommended if safety challenges are present, but counsel should review before adoption. Restating state law creates a maintenance burden if state law changes. Some counsel may view this section as preempted (Vehicle Code Section 21) or enforceable only as an infraction (Vehicle Code Section 40000.1).
4(b) Speed. Prohibits riding faster than is reasonable or prudent for conditions.	Restates state law	Same as 4(a).
4(c) Direction of travel. Prohibits wrong-way riding on a roadway or shoulder.	Restates state law	Same as 4(a).

Provision	Restates State Law or New Local Rule	Considerations
4(d) Passengers and attachment. Limits carrying passengers and attaching to other vehicles.	Restates state law	Same as 4(a).
Section 5. Minimum Age for Class 1 and Class 2 Electric Bicycles		
5(a) Authority. Adopts the section under Vehicle Code Section 21214.9 and ends it when that authority expires.	New local rule (enabled by AB 2595)	Recommended, but discuss internally before including. Comes with education, data, and reporting obligations. Jurisdictions must also consider the San Diego pilot report detailed below. Additionally, state authority expires January 1, 2031, so the ordinance will need to be revised.
5(b) Minimum age. Prohibits riders under 12 from operating Class 1 and Class 2 e-bikes.	New local rule (enabled by AB 2595)	Creates new age requirements for e-bike classifications. Provisions will be most effective when and if all San Mateo County agencies participate, particularly because several jurisdictions share law enforcement services.
5(c) Warning period. Warnings only for the first 60 days.	New local rule (enabled by AB 2595)	Required by state law.
5(d) Penalty. $25 fine after the warning period, waived if the rider completes a safety course within 120 days.	New local rule (enabled by AB 2595)	Separate from the Section 8 fine schedule.
5(e) Parent or guardian liability. Parents or guardians are jointly and severally liable for the fine.	New local rule (enabled by AB 2595)	Required by state law.
5(f) Public information campaign. At least 30 days of public outreach before the section takes effect.	New local rule (enabled by AB 2595)	Plan outreach early so the effective date can follow the campaign.
5(g) Data. Police / Sheriff collect the data required by state law and provide it to the County.	New local rule (enabled by AB 2595)	The Countywide report to the Legislature is due January 1, 2030. Data collection and coordination takes staff time.
Section 6. Location-Specific Rules		

Provision	Restates State Law or New Local Rule	Considerations
6(a) Sidewalk riding where no bikeway is provided. Allows sidewalk riding along roads without a bike lane or separated bikeway, unless prohibited.	New local rule	Sidewalk riding is a trade-off. Without low-stress infrastructure, sidewalks may be the only option for riders of all ages and abilities.
6(b) Sidewalk operating standards. Requires yielding to pedestrians, a 10 mph limit, keeping distance, signaling before passing, slowing at intersections, and dismounting when needed.	New local rule	The 10 mph limit is set by Vehicle Code Section 22352.1 starting January 1, 2027. Bracketed distances are local choices. It's unclear if Assembly Bill 2346, which prompted this CVC change, allows for establishing a speed limit lower than 10 mph and jurisdictions should discuss interpretation with their counsel.
6(c) Pedestrian-only areas. Prohibits riding in designated pedestrian-only areas.	New local rule	Enforceable only where signs are posted.
6(d) Shared use path speed limit. Sets a 15 mph limit on shared use paths.	New local rule	Vehicle Code Section 21214.8 allows 15 or 20 mph, or 10 mph in limited areas. Signs are required.
Section 7. Temporary and Special Events Rules		
7(a) Authority. Allows a designated official to set temporary restrictions for events, construction, or other short-term conditions.	New local rule	Delegating authority to staff is a policy choice for each council or board. Limited to temporary conditions.
7(b) Notice and enforcement. Restrictions are enforceable only where signs are posted.	New local rule	Each restriction needs temporary signs.
Section 8. Enforcement, Penalties, and Monitoring		
8(a) Enforcement authority. Names the officials who may enforce the ordinance.	New local rule	Identify which local officials will enforce, such as police, sheriff or code enforcement officers.
8(b) Enforcement approach. Allows warnings, administrative citations, infractions, and education-based diversion.	New local rule	Police or Sheriff's departments may prefer infractions because that process already exists. Enforcement agencies should help decide.
8(c) Administrative fines. Up to $100, $200, and $500 for first, second, and additional violations within one year.	New local rule	These match the administrative fines in the County's ordinance (Chapter 7.80). Counsel should confirm the amounts are fair and defensible.

Provision	Restates State Law or New Local Rule	Considerations
8(d) Education alternative. A safety course in lieu of all or part of a fine, with parent liability if a cited minor does not complete it.	New local rule	Requires establishing an approved course. Jurisdictions should coordinate with local bicycle coalitions on establishing or identifying safety course. Counsel should confirm parental liability against state limits.
8(e) Citation information and appeal. Citations include appeal rights and an ability-to-pay determination.	New local rule	Ability-to-pay protections support the education-first approach.
8(f) Monitoring, data collection, and coordination. Tracks collisions, citations, and other data, coordinates across departments, and reports at least annually.	New local rule	Data sharing takes staff time and needs privacy protections. The data also builds local evidence for future findings.
8(g) Removal, storage, and release of vehicles. Restates state rules on removing out-of-class devices and Class 3 e-bikes ridden by under-16s, the 48-hour release, and storage hearings. Allows the jurisdiction to charge removal, seizure, and storage costs, offer hardship relief, and require a safety course before releasing a Class 3 e-bike.	Restates state law, with optional local rules	Based on Vehicle Code §§ 22651.08 and 22852. Covers unlicensed riders of devices that don't meet the state e-bike definition, and under-16 riders of Class 3 e-bikes. The state allows but doesn't require jurisdictions to charge actual costs for removal, seizure, and storage, so this is optional. Charges can't exceed actual costs. Staff will need to calculate costs and adopt the schedule. The state also allows jurisdictions to require a safety course, including a local one if available. Counsel should confirm hardship relief, storage hearing, and how this intersections with new provisions in SB 1167.

Source: Fehr & Peers, 2026

Preparing for Adoption

Ordinance Adoption Process

In California, local ordinances typically move through a formal adoption process before taking effect. This process includes introduction of the ordinance (a first reading), consideration by the city council or board of supervisors at a public meeting, adoption of the ordinance (a second reading) at a later regular meeting, publication or posting of the ordinance or summary, and an effective date. Under state law, non-urgency ordinances generally cannot be passed within five days of introduction and generally take effect 30 days after final passage. Codification may occur after adoption and publication, depending on the jurisdiction s municipal code update process.

Staff Training

Before bringing an ordinance to the council or board for consideration, jurisdictions should convene a staff working group to review the proposed language, share knowledge across departments, and identify implementation questions. This working group should include representatives from public works, planning, development services, code enforcement, law enforcement, and the city attorney or county counsel. The purpose of this review is to confirm how the ordinance will be interpreted, who will enforce it, what staff training is needed, what public outreach and education will be needed (see Public Communication below), whether signs or public materials will need to be updated, and whether the ordinance creates any operational issues for streets, trails, schools, parks, or other public spaces. This process can also help staff develop a shared understanding of local safety concerns, existing enforcement practices, facility conditions, school or community needs, and lessons learned from prior education or enforcement efforts.

Public Communication

Once adopted, the ordinance should be supported by a sustained public education campaign. Clear communication will be essential to changing rider behavior, helping families understand the rules, and supporting consistent enforcement. Jurisdictions should create a webpage that summarizes the rules, explains who they apply to, identifies key locations or restrictions, and links to the adopted code language.

If a jurisdiction is adopting Chapter / Section 5 Minimum Age for Class 1 and Class 2 Electric Bicycles, as allowable by Assembly Bill 2595, an education campaign compliant with the legislation is required.

Public communication should be coordinated with schools, law enforcement, community groups, and local news outlets so that riders and families understand the rules before enforcement begins. This outreach should not be treated as a one-time effort. Because new residents, students, visitors, and riders will continue to enter the system over time, jurisdictions should plan for recurring education through school-year reminders, seasonal campaigns, community events, updated web materials, and visible field communication. The Enforcement and Education Guidebook (Document E) provides further guidance on education and outreach, including school-based programs.

Where rules vary by location, jurisdictions should also use frequent signs, maps, pavement markings, and other visible materials to make the rules clear in the field. Clear and frequent signage is especially important because it translates the ordinance into real-time guidance at the places where behavior

needs to change. Without visible reminders in the field, even a well-written ordinance may have limited effect on day-to-day rider behavior. Design and Operations Guidance (Document D) addresses signage and pavement markings.

Legal Review and Disclaimer

Jurisdictions should consult legal counsel regarding standard ordinance provisions, including severability, CEQA findings, publication, codification, and effective date. These provisions are typically tailored to the jurisdiction's existing ordinance format and adoption procedures.

This guidance and the model ordinance in **Attachment A** are provided for informational purposes to support local decision-making. Each jurisdiction is responsible for reviewing, adapting, and adopting any ordinance with the advice of its own city attorney or legal counsel.

State law on electric bicycles is changing, and several of the statutes referenced in this document were recently enacted and may be amended, interpreted, or clarified. Code section numbers, dates, fine amounts, and other citations should be verified against the current text of the California Vehicle Code, the Streets and Highways Code, and other applicable authority before adoption. Information in this document is believed to be accurate as of its date of preparation but is not guaranteed to be complete or current.

Adoption of any provision is voluntary and is a decision of each jurisdiction's governing body. The City/County Association of Governments of San Mateo County (C/CAG), its member agencies, and the preparers of this document make no warranty regarding the legal sufficiency, enforceability, or consequences of any provision, and are not responsible for the outcome of any jurisdiction's adoption or enforcement of an ordinance based on this guidance.

Attachment A: Model Ordinance Template

Ordinance Regulating the Safe Operation of Electric Bicycles

Chapter / Section 1. Findings and Purpose

WHEREAS, electric bicycles are increasingly used in [*Jurisdiction*] for transportation, recreation, work commutes, school travel, errands, and first- and last-mile connections to transit; and

WHEREAS, electric bicycles can expand access to bicycling by reducing barriers related to distance, hills, travel time, physical exertion, and carrying cargo or passengers, while also providing an important transportation option for people who cannot drive and a lower-cost travel option for people who choose to use an electric bicycle instead of driving, taking transit, or using ride-hail services; and

WHEREAS, replacing vehicle trips with electric bicycle trips can reduce traffic congestion, parking demand, greenhouse gas emissions, and air pollution, and supports [Jurisdiction]'s [climate action, Vision Zero, Safe Routes to School, and active transportation] goals; and

WHEREAS, as electric bicycle use grows, [Jurisdiction] has also experienced [insert local collision, injury, or complaint data] and [reported] conflicts among people walking, bicycling, driving, and using other public spaces, particularly on sidewalks, shared paths, and near schools; and

WHEREAS, the California Vehicle Code establishes statewide definitions and requirements for electric bicycles, including Class 1, Class 2, and Class 3 electric bicycles; and provides that a person riding a bicycle or electric bicycle on a roadway has the rights and duties of a driver of a vehicle; and

WHEREAS, Vehicle Code Section 21206 authorizes local authorities to regulate the operation of bicycles on pedestrian or bicycle facilities, provided the regulation does not conflict with the Vehicle Code; and

WHEREAS, where a roadway does not provide a Class II or Class IV bikeway, some riders may reasonably choose to use the sidewalk, and clear operating standards that prioritize pedestrian safety can allow that use while protecting people walking; and

WHEREAS, Assembly Bill 2346 (Chapter 842, Statutes of 2026) establishes a prima facie speed limit of 10 miles per hour on sidewalks and authorizes local authorities to establish speed limits on bike paths and shared use paths; and

WHEREAS, Assembly Bill 2595 (Chapter 843, Statutes of 2026), the San Mateo Electric Bicycle Safety Pilot Program, authorizes local authorities in San Mateo County to prohibit persons under 12 years of age from operating Class 1 and Class 2 electric bicycles until January 1, 2031; and

WHEREAS, some devices marketed or sold as electric bicycles do not meet the definition of an electric bicycle under California Vehicle Code Section 312.5 because they exceed its limits on motor power or speed or lack operable pedals; these devices, commonly referred to as e-motos, are regulated under state law as motor vehicles, mopeds, motor-driven cycles, or off-highway vehicles and are generally not legal for use on public roads or require licensing and registration; and

WHEREAS, Senate Bill 1167 (Chapter 846, Statutes of 2026) strengthens state restrictions on marketing and selling such "e-moto" devices as electric bicycles and requires clearer labeling of electric bicycles' class and maximum assisted speed; and

WHEREAS, this [Chapter / Section] applies to bicycles and electric bicycles as defined under state law and does not apply to those other "e-moto" devices; and

WHEREAS, Assembly Bill 875 (Chapter 168, Statutes of 2025) added Vehicle Code Section 22651.08, which authorizes peace officers to remove certain out-of-class electric vehicles operated by unlicensed riders and Class 3 electric bicycles operated by persons under 16, and authorizes local jurisdictions to recover their administrative costs for removal, seizure, and storage; and

WHEREAS, clear local rules help riders, families, schools, law enforcement, and staff understand where and how electric bicycles may be operated, and because manufacturers' owner's manuals commonly specify minimum operator ages and whether a device is designed to carry a passenger, consumers and families should review those instructions; and

WHEREAS, [Jurisdiction] intends to emphasize education, proportional enforcement, and ability-to-pay protections in implementing this [Chapter / Section]; and

WHEREAS, jurisdictions in San Mateo County benefit from consistent definitions, expectations, and enforcement approaches and from coordinated collection of safety data, while retaining the ability to address local conditions and facility-specific concerns; and

WHEREAS, the [City Council / Board of Supervisors] finds that this [Chapter / Section] is necessary to protect public health, safety, and welfare while supporting the safe and convenient use of electric bicycles.

NOW, THEREFORE, THE [CITY COUNCIL / BOARD OF SUPERVISORS] OF [JURISDICTION] DOES ORDAIN AS FOLLOWS:

Purpose. The purpose of this [Chapter / Section] is to support safe, comfortable, and convenient use of bicycles and electric bicycles within [Jurisdiction]. This [Chapter / Section] is intended to supplement, and not conflict with, the California Vehicle Code, and to clarify local operating expectations, address location-specific safety concerns, support consistent rules across neighboring jurisdictions, and establish enforcement procedures that are clear, proportional, and understandable.

Chapter / Section 2. Definitions

For purposes of this [*Chapter / Section*], the following definitions apply:

Bicycle" has the same meaning as in California Vehicle Code Section 231.

Electric bicycle" has the same meaning as in California Vehicle Code Section 312.5. The following vehicles are not electric bicycles and pursuant to state law, shall not be advertised, sold, offered for sale, or labeled as electric bicycles or e-bikes:

(a) A vehicle with motor power of more than 750 watts.

(b) A vehicle capable of attaining a speed greater than 20 miles per hour on motor power alone.

(c) A vehicle with a motor capable of providing assistance when the vehicle reaches a speed exceeding 28 miles per hour.

(d) A vehicle with no more than three wheels powered by an electric motor that is intended by the manufacturer to be modifiable to do any of the following:

1. Attain more than 750 watts of power.

(2. Attain a speed greater than 20 miles per hour on motor power alone.

(3. Provide assistance when the vehicle reaches a speed exceeding 28 miles per hour.

(e) A vehicle without operable pedals.

(f) Any **"motorcycle"** (California Vehicle Code Section 400), **"motor-driven cycle"** (California Vehicle Code Section 405), **"moped"** (California Vehicle Code Section 406), **"motorized scooter"** (California Vehicle Code Section 407.5), **"off-highway electric motorcycle"** (California Vehicle Code Section 407.5), **"pocket bike**" (California Vehicle Code Section 473), or **"recreational off-highway vehicle"** (California Vehicle Code Section 500).

Class 1 electric bicycle" has the same meaning as in California Vehicle Code Section 312.5.

Class 2 electric bicycle" has the same meaning as in California Vehicle Code Section 312.5.

Class 3 electric bicycle" has the same meaning as in California Vehicle Code Section 312.5.

"Roadway" has the same meaning as in California Vehicle Code Section 530.

"Sidewalk" has the same meaning as in California Vehicle Code Section 555.

"Class I bikeway" (bike path, shared use path, or multiuse trail) means a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians, with crossflows by motorists minimized. (California Streets and Highways Code Section 890.4(a)).

"Class II bikeway" (bike lane) means a restricted right-of-way designated for the exclusive or semi-exclusive use of bicycles, with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted. (California Streets and Highways Code Section 890.4(b)).

"Class IV bikeway" (cycle track or separated bikeway) means a right-of-way designated exclusively for bicycle travel adjacent to a roadway and separated from vehicular traffic. Types of separation include grade separation, flexible posts, inflexible physical barriers, and on-street parking. (California Streets and Highways Code Section 890.4(d)).

"Pedestrian-only area" means an area open to the public that is designated by [ordinance or resolution of the City Council] for exclusive pedestrian use and posted as closed to bicycles and electric bicycles.

For any term not defined in this [Chapter / Section], the applicable definition in the California Vehicle Code applies.

Chapter / Section 3. General Operating Rules

(a) Rights and duties. A person operating a bicycle or electric bicycle on a roadway has all of the rights and duties applicable to the driver of a vehicle, as provided in California Vehicle Code Section 21200, and shall comply with all applicable provisions of the California Vehicle Code and this [Chapter / Section].

(b) Sidewalks and shared use paths. A person operating a bicycle or electric bicycle on a sidewalk or shared use path shall comply with this [Chapter / Section] and shall operate in a manner consistent with the standards of safe operation that apply on a roadway.

(c) Traffic control devices. A person operating a bicycle or electric bicycle shall comply with posted signs, pavement markings, and other official traffic control devices wherever the person is operating.

Chapter / Section 4. Standards of Safe Operation

Because a person operating a bicycle or electric bicycle is subject to the same standards of safe operation as the driver of a vehicle, and consistent with California Vehicle Code Sections 21200, 312.5, and 21206, the following standards apply on highways, sidewalks, bikeways, and shared use paths:

(a) *Reckless operation.* No person shall operate a bicycle or electric bicycle in willful or wanton disregard for the safety of persons or property. (California Vehicle Code Section 23103)

(b) *Speed.* No person shall operate a bicycle or electric bicycle at a speed greater than is reasonable or prudent for conditions (California Vehicle Code Sections 21200(a)(1), 312.5, and 22350).

(c) *Direction of travel.* On a roadway or shoulder, no person shall operate a bicycle or electric bicycle in the wrong direction (California Vehicle Code Sections 21200(a)(1), 312.5, and 21650.1).

(d) *Passengers and attachment.* No person shall carry a passenger or attach a bicycle, electric bicycle, or rider to another vehicle except as permitted by California Vehicle Code Sections 21203, 21204 and 312.5.

Chapter / Section 5. Minimum Age for Class 1 and Class 2 Electric Bicycles

(a) *Authority.* This section is adopted under California Vehicle Code Section 21214.9 and does not alter the definitions of electric bicycle or electric bicycle class in California Vehicle Code Section 312.5. This section remains in effect only while that authority remains in effect [, and in any case not later than January 1, 2031].

(b) *Minimum age.* No person under 12 years of age shall operate a Class 1 or Class 2 electric bicycle within the [Jurisdiction].

(c) *Warning period.* For the first 60 days after the effective date of this section, a violation is punishable only by a warning notice.

(d) *Penalty.* After the warning period, a violation is punishable by a fine of $25, as provided in California Vehicle Code Section 21214.9. A record of the violation shall not be transmitted to the court

and a fee shall not be imposed upon the citation if the parent or legal guardian of the person cited delivers proof to the issuing agency within 120 days after the citation was issued that the person has completed an electric bicycle safety and training program, as provided in California Vehicle Code Section 21214.9. Section 8(c) [the administrative fine schedule] does not apply to a violation of this section.

(e) *Parent or guardian liability.* A parent or legal guardian with custody or control of an unemancipated minor who violates this section is jointly and severally liable with the minor for the fine.

(f) *Public information campaign.* The [Jurisdiction] shall conduct a public information campaign for at least 30 calendar days before this section takes effect.

(g) *Data.* The [Police / Sheriff Department] shall collect the information required by California Vehicle Code Section 21214.9 and provide it to the County of San Mateo by [date] for inclusion in the County's report to the Legislature, due January 1, 2030.

Chapter / Section 6. Location-Specific Rules

(a) *Sidewalk operation where no bikeway is provided.* Unless prohibited by subsection (c), posted signage, or other applicable law, a person may operate a bicycle or electric bicycle on a sidewalk where a Class II bikeway (Bike Lane) or Class IV bikeway (Separated Bikeway) is not provided on the adjacent roadway and the posted speed limit of the adjacent roadway exceeds 30 miles per hour.

(b) *Sidewalk operating standards.* Where sidewalk operation is authorized pursuant to subsections (a) and (c), a person operating a bicycle or electric bicycle on a sidewalk shall:

1. A person operating a bicycle or electric bicycle on a sidewalk shall not impede or endanger pedestrians or other sidewalk users, and shall yield to pedestrians.

2. While operating on a sidewalk or in a crosswalk, a person operating a bicycle or electric bicycle shall:

   (A) not exceed 10 miles per hour, the prima facie speed limit for sidewalks established by California Vehicle Code Section 22352.1, which shall serve as the sidewalk speed limit in the [Jurisdiction];

   (B) maintain a distance of at least [three feet] from pedestrians, other bicycle or electric bicycle operators, and other sidewalk users;

   (C) make an audible signal before overtaking a pedestrian, bicycle or electric bicycle operator, or other sidewalk user;

   (D) slow to a walking speed when approaching and entering intersections [and driveways]; and

   (E) dismount if conditions make it impossible to comply with subparagraph (B) or otherwise to respect pedestrians' right of way.

(c) *Pedestrian-only areas.* No person shall operate a bicycle or electric bicycle in a pedestrian-only area designated by [City Manager / designated official]. This subsection is enforceable only where

signage giving notice of the prohibition is posted [at each entrance to the area and at reasonable intervals within it] and is reasonably visible to an ordinarily observant person.

(d) *Shared Use Path.* No person shall operate a bicycle or electric bicycle on a [shared use path] at a speed exceeding 15 miles per hour, as authorized by California Vehicle Code Section 21214.8. Signage giving notice of the speed limit shall be posted [at each entrance to the facility and at reasonable intervals along it] and be reasonably visible to an ordinarily observant person.

Chapter / Section 7. Temporary and Special Events Rules

(a) *Authority.* The [City Manager / designated official] may establish temporary or time-based restrictions on the operation of bicycles and electric bicycles in specified locations when necessary to protect public safety during special events, construction, or other temporary conditions. A restriction may prohibit operation, limit operation to certain times or speeds, or require riders to dismount.

(b) *Notice and enforcement.* A restriction established under this section is enforceable only where official signage giving notice of the restriction is posted and reasonably visible to approaching riders. [Notice by other means, such as website posting or event materials, may supplement but does not replace signage.]

Chapter / Section 8. Enforcement, Penalties, and Monitoring

(a) *Enforcement authority.* This [*Chapter / Section*] may be enforced by [*police officers / sheriffs officers / code enforcement officers / parking enforcement officers / park rangers / other designated officials*] as authorized by law.

(b) *Enforcement approach.* A violation may be enforced through warnings, administrative citations, infractions, fines, education-based diversion, or other enforcement mechanisms authorized by law. A warning does not count as a violation for purposes of subsection (c). [A violation of this [Chapter / Section] is subject to administrative fines and is not punishable as a misdemeanor or infraction.]

(c) *Administrative Fines.* A violation of this [Chapter / Section] is subject to an administrative fine not exceeding:

1. A violation of this [Chapter / Section], other than a violation of Section 5, is subject to an administrative fine not exceeding:

   (A) $50.00 for the first violation;

   (B) $200.00 for a second violation within one year of the first violation; and

   (C) $500.00 for each additional violation within one year of the first violation.

2. A violation of Section 5 (Minimum Age for Class 1 and Class 2 Electric Bicycles) is subject only to the warning and fine provided in that section. [A violation of Section 5 shall not be counted as a prior violation for purposes of paragraph 1.]

(d) *Education alternative.* A person cited for a [first violation within a 12-month period] may complete a bicycle and electric bicycle safety course approved by the [City Manager / designated official] in lieu of paying all or part of the fine. For a cited minor, the minor's parent or legal guardian may enroll the minor in the course. If a minor is directed to the education option and does not complete it, the applicable fine shall be issued, and the minor's parent or legal guardian [shall be jointly and severally liable for the fine]. The minor and the minor's parent or legal guardian may appeal the citation before enrolling in the course or paying the fine.

(e) *Citation information and appeal.* Each citation shall include notice of the right to appeal, how to file an appeal, the right to request an ability-to-pay determination, and [information on safe electric bicycle operation and available education programs]. An administrative citation may be appealed within [30] days to the [hearing officer / designated reviewer]. In reviewing an appeal, the [hearing officer] shall consider the person's ability to pay and may reduce the fine for financial hardship on sufficient evidence. If a person meets the criteria in California Government Code Section 68632(a) or (b), the [City] will accept 20% of the administrative fine in full satisfaction.

(f) *Monitoring, data collection, and coordination.*

1. *Coordination.* The [designated department or official] shall coordinate with the [Police / Sheriff Department], [Public Works / Transportation Department], [Fire / EMS], [Parks and Recreation], [school districts], [county public health], and [neighboring jurisdictions / regional agency] to share information on electric bicycle safety and to align enforcement, education, and infrastructure efforts.

2. *Data tracked.* The [designated department or official] shall track, to the extent data are available, electric bicycle collisions, citations, warnings, complaints, calls for service, removals and releases under subsection (g), [participation in education programs], and other relevant safety and enforcement data.

3. *Collision information.* Within [12] months of the effective date, the [Police / Sheriff Department], in coordination with the [designated department or official], shall develop procedures for collecting additional information on collisions involving electric bicycles, including, where available, the class, make, and model of the device, whether the device qualifies as an electric bicycle under the California Vehicle Code, and photographs of the device.

4. *Reporting.* The [designated department or official] shall report to the [City Council / Transportation Commission] at least [annually] on trends in the data and on recommended updates to regulations, education, enforcement, signage, or infrastructure.

5. *Privacy.* Reports and data shared outside the [City] shall be aggregated or de-identified and shall comply with applicable privacy law.

(g) Removal, storage, and release of vehicles.

1. *State authority.* A peace officer may remove a vehicle under the circumstances described in California Vehicle Code Section 22651.08, including (a) a vehicle with fewer than four wheels that does not meet the definition of an electric bicycle in Section 312.5, is powered by an electric motor capable of exclusively propelling the vehicle in excess of 20 miles per hour on a highway, and is operated by a person who is not licensed to operate the vehicle; and (b) a

Class 3 electric bicycle operated in violation of Section 21213. This subsection does not expand or limit that authority.

2. *Charges.* Pursuant to California Vehicle Code Section 22651.08(b), the [Jurisdiction] may impose charges equal to its administrative costs relating to the removal, seizure, and storage of a vehicle removed under paragraph (g)1. The charges shall not exceed the actual costs incurred for expenses directly related to removing, seizing, and storing the vehicle. The [City Council / Board of Supervisors] shall adopt the schedule of charges by [resolution] at a public meeting, and the [Jurisdiction] shall publicly and conspicuously post the schedule on its website.

3. *Release.* The [Police/ Sheriff Department] shall release a vehicle removed under paragraph 1 to the owner, violator, or their agent after a minimum of 48 hours if (a) the request is made during normal business hours, and (b) the applicable removal, seizure, and storage costs have been paid.

4. *[Hardship.* A person may request a reduction or waiver of the charges under paragraph (g)2 for financial hardship using the ability-to-pay process in subsection (e).]

5. *Safety course for certain Class 3 removals.* If a vehicle is removed under paragraph (g)1, the [Police / Sheriff Department] may, as a condition of release, require the owner, violator, or the parent or legal guardian of the owner or violator to deliver proof that the violator has completed an electric bicycle safety and training program as described in California Streets and Highways Code Section 894, or [a local bicycle safety course approved by the [City Manager / designated official] described in subsection (e), if one is available].

6. *Storage hearing.* The registered and legal owner of a vehicle removed under paragraph (g) 1 may request a hearing on the validity of the removal and storage as provided in California Vehicle Code Section 22852. The [Police / Sheriff Department] shall provide notice of the right to a hearing and how to request it at the time of removal or as soon as practicable afterward.

7. *Data.* The [Police / Sheriff Department] shall include removals under this subsection in the data tracked under subsection (f).