



CALIFORNIA'S NEW E-BIKE LAW: GUIDANCE FOR AGENCIES

Q&A / ELECTRIC BICYCLE

» WHAT'S AN E-BIKE?

An electric bike (e-bike) boosts a cyclist's human power with electric power thanks to the help of an electric motor. Some do this using pedals only ("pedal-assist"), while some are equipped with hand throttles. They come in as many shapes, sizes, and types as regular bikes, with the motor ceasing to provide power at 20 or 28 mph.

» WHAT'S THE NEW E-BIKE LAW?

The California e-bike law defines an e-bike as a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, specifies three types of e-bikes (see below), and establishes how and where to legally ride them in California.

» HOW DOES THE NEW E-BIKE LAW (AB1096) CHANGE HOW E-BIKES ARE REGULATED?

Before 2016, in California, e-bikes were regulated like mopeds and only had access to public streets and roads. E-bikes are much closer in performance and usage to bicycles, so the new e-bike law grants riders access to other California bikeways (see page 2).

» WILL ALL E-BIKES BE REGULATED IN THE SAME WAY?

No. The California e-bike law defines three types of electric bicycles based on speed and power control.

- » **TYPE 1** Bikes with a top assisted speed of 20 mph that must be pedaled to operate.
- » **TYPE 2** Bikes with a top assisted speed of 20 mph that can be operated without pedaling by using a handlebar-mounted throttle.
- » **TYPE 3** Bikes with a top assisted speed of 28 mph that must be pedaled to operate.

Because of their speed and power control differences, their access to bike infrastructure is also different. The table on page 2 demonstrates where each type of e-bike can be ridden and other user requirements.

» HOW CAN LAW ENFORCEMENT TELL THE DIFFERENCE BETWEEN DIFFERENT TYPES OF E-BIKES?

Starting January 1, 2017, AB 1096 requires that all e-bike manufacturers apply a label to each e-bike being distributed in California that specifies its type and wattage. This helps law enforcement agencies determine if an e-bike has access to a particular bikeway. Each manufacturer may have slightly different labels.



» DO THE SAME BICYCLE "RULES OF THE ROAD" APPLY TO E-BIKE RIDERS?

Yes. E-bike riders are subject to the same rules and legal requirements that apply to people riding traditional bicycles when it comes to speed, proper passing, following local traffic laws, obeying posted speed limits, and other state and local ordinances. Motorists are required to give electric bicycles at least three feet of clearance when passing. All bicycle and electric bicycle riders 17 and under in California must wear a helmet. Like bicyclists, e-bike riders don't require a license, and their e-bikes don't need to be registered.



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» ARE THERE ANY ADDITIONAL SAFETY CONCERNS WITH THE NEW E-BIKE LAW?

Since **Type 1 and 2 e-bike** performance and usage are very similar to bicycles, they pose similar safety concerns. **Type 3 e-bikes** may pose additional safety concerns, particularly if used in an inappropriate street or trail environment. For this reason, **Type 3 e-bikes** are restricted from Class 1 and 4 bikeways. Under this new law, local authorities and public agencies with jurisdiction over bicycle paths or trails may also prohibit the operation of any type of electric bicycle on a particular path or trail.

» WHAT SPECIFIC REGULATIONS APPLY TO TYPE 3 ELECTRIC BICYCLES?






Type 3 e-bikes are prohibited on Class I and IV bikeways, 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 such path or trail permits such operation.

The e-bike type model allows local level agencies, by local ordinance, to permit e-bikes on paths or bikeways where they are traditionally not allowed, in the event that the alternative route is considered hazardous. This is a local jurisdictional decision. Anyone

operating, riding as a passenger on, in a restraining seat attached to, or in a trailer towed by a Type 3 electric bicycle must be at least 16 years of age and must wear a properly fitted bicycle helmet.

» For more information visit:
<http://www.peopleforbikes.org/pages/e-bikes>.



| VEHICLE TYPE | VEHICLE | | USER | | | | BIKEWAY ACCESS | | | |
|--|----------------|------------------------------------|---------------------|------------------|---------------|--------------|-------------------|--------------------|----------------------|-------------------------|
| | PEDAL OPERATED | MAXIMUM MOTOR-ASSISTED SPEED (MPH) | MINIMUM AGE (YEARS) | DRIVER'S LICENSE | LICENSE PLATE | HELMET | CLASS I BIKE PATH | CLASS II BIKE LANE | CLASS III BIKE ROUTE | CLASS IV PROTECTED LANE |
| BICYCLE  | YES | N/A | N/A | NO | NO | 17 AND UNDER | YES | YES | YES | YES |
| TYPE 1 E-BIKE  | YES | 20 | N/A | NO | NO | 17 AND UNDER | YES | YES | YES | YES |
| TYPE 2 E-BIKE  | NO | 20 | N/A | NO | NO | 17 AND UNDER | YES | YES | YES | YES |
| TYPE 3 E-BIKE  | YES | 28 | 16 | NO | NO | YES | NO | YES | YES | NO |
| MOPED  | NO | N/A | 16 | YES | YES | YES | NO | YES | YES | NO |