

[Home](#)[Bill Information](#)[California Law](#)[Publications](#)[Other Resources](#)[My Subscriptions](#)[My Favorites](#)

AB-1778 Vehicles: electric bicycles. (2023-2024)

SHARE THIS:



Date Published: 09/30/2024 09:00 PM

Assembly Bill No. 1778

CHAPTER 1005

An act to add and repeal Section 21214.5 of the Vehicle Code, relating to vehicles.

[Approved by Governor September 30, 2024. Filed with Secretary of State
September 30, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1778, Connolly. Vehicles: electric bicycles.

Existing law defines an electric bicycle and classifies electric bicycles into 3 classes with different restrictions. Under existing law, a "class 2 electric bicycle" is 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 miles per hour. Under existing law, a "class 3 electric bicycle" is a bicycle equipped with a speedometer and a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour. Existing law prohibits a person under 16 years of age from operating a class 3 electric bicycle. Existing law requires a person operating, or riding upon, a class 3 electric bicycle to wear a helmet, as specified.

This bill would establish the Marin Electric Bicycle Safety Pilot Program that would, until January 1, 2029, authorize a local authority within the County of Marin, or the County of Marin in unincorporated areas, to adopt an ordinance or resolution that would prohibit a person under 16 years of age from operating a class 2 electric bicycle or require a person operating a class 2 electric bicycle to wear a bicycle helmet, as specified. The bill would require an ordinance or resolution that is adopted for this purpose to make a violation punishable by warning notices for the first 60 days after the prohibition comes into effect. After the 60-day period, the bill would require a violation to be an infraction punishable by a fine of \$25. The bill would prohibit a record of the action from being transmitted to the court and a fee from being imposed if the person who violates the ordinance or resolution delivers proof to the issuing agency within 120 days after the citation was issued that the person has completed specified requirements. The bill would, if an ordinance or resolution is adopted, require the county to, by January 1, 2028, submit a report to the Legislature that includes, among other things, the total number of traffic stops initiated for violations, the results of the traffic stops, and the actions taken by peace officers during the traffic stops, as specified. The bill would require the local authority or county to administer a public information campaign for at least 30 calendar days prior to the enactment of the ordinance or resolution, as specified.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 21214.5 is added to the Vehicle Code, to read:

21214.5. (a) This section shall be known, and may be cited, as the Marin Electric Bicycle Safety Pilot Program.

(b) A local authority within the County of Marin, or the County of Marin in unincorporated areas, may, by ordinance or resolution, prohibit a person under 16 years of age from operating a class 2 electric bicycle.

(c) A local authority within the County of Marin, or the County of Marin in unincorporated areas, may, by ordinance or resolution, require a person operating a class 2 electric bicycle to wear a bicycle helmet, as described in subdivision (b) of Section 21213.

(d) (1) An ordinance or resolution adopted pursuant to this section shall make a violation punishable by warning notices for the first 60 days after the prohibition comes into effect.

(2) An ordinance or resolution prohibiting a person under 16 years of age from operating a class 2 electric bicycle shall make, after the first 60 days the prohibition has been in effect, a violation an infraction punishable by a fine of twenty-five dollars (\$25). A record of the action shall not be transmitted to the court and a fee shall not be imposed upon a citation of this infraction if the parent or legal guardian of the person who violated the prohibition 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 course pursuant to Section 894 of the Streets and Highways Code.

(3) An ordinance or resolution requiring a person operating a class 2 electric bicycle to wear a bicycle helmet shall make, after the first 60 days the prohibition has been in effect, a violation an infraction punishable by a fine of twenty-five dollars (\$25). A record of the action shall not be transmitted to the court and a fee shall not be imposed upon a citation of this infraction if the person who violated the requirement, or if that person is an unemancipated minor, their parent or guardian, delivers proof to the issuing agency within 120 days after the citation was issued that the person has a helmet meeting the requirements specified in subdivision (a) of Section 21212 and the person has completed a local bicycle safety course or a related safety course, if one is available, as prescribed by authorities in the local jurisdiction.

(4) If the person who violates an ordinance or resolution adopted pursuant to this section is an unemancipated minor, the parent or legal guardian having control or custody of the minor shall be jointly and severally liable with the minor for the amount of any fine imposed pursuant to this subdivision.

(e) (1) If an ordinance or resolution is adopted pursuant to this section, the county shall, by January 1, 2028, submit a report to the Legislature that includes all of the following:

(A) The total number of traffic stops initiated for violations.

(B) The results of the traffic stops, including whether a warning or citation was issued, property was seized, or an arrest was made.

(C) The number of times a person was stopped for allegedly operating a class 2 electric bicycle while under 16 years of age but was found to be over the age limit.

(D) If a warning or citation was issued, a description of the warning or the violation cited.

(E) If an arrest or traffic stop was made, the offense cited by the officer for the arrest or traffic stop and the perceived race or ethnicity, gender, and approximate age of the person stopped, provided that the identification of these characteristics is solely based on the observation and perception of the peace officer who initiated the traffic stop.

(F) The actions taken by a peace officer during the traffic stops, including, but not limited to, all of the following:

(i) Whether the peace officer asked for consent to search the person, and, if so, whether consent was provided.

(ii) Whether the peace officer searched the person or any property, and, if so, the basis for the search and the type of contraband or evidence discovered.

(iii) Whether the peace officer seized any property and, if so, the type of property that was seized and the basis for seizing the property.

(G) The number of times that a person under 16 years of age was operating an electric bicycle and was involved in a crash that resulted in a permanent, serious injury, as defined in Section 20001, or a fatality in the six months prior to the adoption of the ordinance or resolution, the cause of the crash, and the class of the electric bicycle that was being operated at the time of the crash.

(H) The number of times that a person under 16 years of age was operating an electric bicycle and was involved in a crash that resulted in a permanent, serious injury, as defined in Section 20001, or a fatality after the adoption of the ordinance or resolution, the cause of the crash, and the class of the electric bicycle that was being operated at the time of the crash.

(2) A report submitted pursuant to this section shall be submitted in compliance with Section 9795 of the Government Code.

(f) A local authority or the County of Marin shall administer a public information campaign for at least 30 calendar days prior to the enactment of an ordinance or resolution pursuant to this section, including public announcements in major media outlets and press releases.

(g) This section shall become inoperative on January 1, 2029, and as of that date is repealed.