

AMENDED IN SENATE MAY 23, 2025

AMENDED IN SENATE APRIL 24, 2025

SENATE BILL

No. 586

Introduced by Senator Jones

February 20, 2025

An act to amend Sections 38010 and 38012 of, and to add ~~Sections 312.8 and 38008 to~~, *Section 312.8 to*, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 586, as amended, Jones. Off-highway motor vehicles: eMotos.

Existing law regulates the operation of bicycles, motorized scooters, and electric personal assistive mobility devices, as defined.

This bill would define the term “eMoto” as an electric two-wheeled device built on a bicycle infrastructure that does not have pedals or an engine number and is not subject to registration under the Vehicle Code.

Existing law defines an off-highway motor vehicle as a motor vehicle that operates on lands, other than a highway, that are open and accessible to the public, as specified. Existing law establishes rules for the operation of an off-highway vehicle and imposes specified safety requirements, including, among other things, a requirement that a person operating an off-highway vehicle wear a safety helmet. Existing law requires every off-highway motor vehicle that is not registered under the Vehicle Code to display an identification plate or device issued by the Department of Motor Vehicles, except as specified. A violation of these rules and requirements is a crime.

This bill would classify an eMoto as an off-highway motor vehicle, thereby subjecting eMotos to the rules and regulations relating to off-highway motor vehicles, including requiring eMotos to be subject

to identification. ~~The bill would require the Department of the California Highway Patrol, in consultation with local law enforcement, to implement a program to educate the public on the proper use and operation of eMotos as off-highway vehicles and to promote the compliance of eMotos with the rules and regulations described above. By expanding the scope of existing crimes with respect to eMotos, this bill would impose a state-mandated local program.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 312.8 is added to the Vehicle Code, to
2 read:

3 312.8. An “eMoto” is an electric two-wheeled device built on
4 a bicycle infrastructure that does not have pedals or an engine
5 number and is not subject to registration under this code.

6 ~~SEC. 2. Section 38008 is added to the Vehicle Code, to read:~~

7 ~~38008. The Department of the California Highway Patrol, in~~
8 ~~consultation with local law enforcement, shall implement a~~
9 ~~program to educate the public on the proper use and operation of~~
10 ~~eMotos, as defined in Section 312.8, as off-highway vehicles and~~
11 ~~to promote the compliance of eMotos with the provisions of this~~
12 ~~division.~~

13 ~~SEC. 3.~~

14 SEC. 2. Section 38010 of the Vehicle Code is amended to read:

15 38010. (a) Except as otherwise provided in subdivision (b), a
16 motor vehicle specified in Section 38012, including an eMoto as
17 defined in Section 312.8, that is not registered under this code
18 because it is to be operated or used exclusively off the highways,
19 except as provided in this division, shall display an identification
20 plate or device issued by the department.

21 (b) Subdivision (a) does not apply to any of the following:

22 (1) Motor vehicles specifically exempted from registration under
23 this code, including, but not limited to, motor vehicles exempted

pursuant to Sections 4006, 4010, 4012, 4013, 4015, 4018, and 4019.

(2) Implements of husbandry.

(3) Motor vehicles owned by the state, or any county, city, district, or political subdivision of the state, or the United States.

(4) Motor vehicles owned or operated by, or operated under contract with a utility, whether privately or publicly owned, when used as specified in Section 22512.

(5) Special construction equipment described in Section 565, regardless of whether those motor vehicles are used in connection with highway or railroad work.

(6) A motor vehicle with a currently valid special permit issued under Section 38087.5 that is owned or operated by a nonresident of this state and the vehicle is not identified or registered in a foreign jurisdiction. For the purposes of this paragraph, a person who holds a valid driver's license issued by a foreign jurisdiction is presumed to be a nonresident.

(7) Commercial vehicles weighing more than 6,000 pounds unladen.

(8) A motorcycle manufactured in the year 1942 or prior.

(9) Four-wheeled motor vehicles operated solely in organized racing or competitive events upon a closed course when those events are conducted under the auspices of a recognized sanctioning body or by permit issued by the local governmental authority having jurisdiction.

(10) A motor vehicle with a currently valid identification or registration permit issued by another state, if the other state recognizes an identification plate or device issued by the department pursuant to subdivision (a) as valid for use in that state.

~~SEC. 4.~~

SEC. 3. Section 38012 of the Vehicle Code is amended to read:

38012. (a) As used in this division, "off-highway motor vehicle subject to identification" means a motor vehicle subject to subdivision (a) of Section 38010.

(b) As used in this division, "off-highway motor vehicle" includes, but is not limited to, the following:

(1) A motorcycle or motor-driven cycle, except for any motorcycle that is eligible for a special transportation identification device issued pursuant to Section 38088.

1 (2) A snowmobile or other vehicle designed to travel over snow
2 or ice, as defined in Section 557.

3 (3) A motor vehicle commonly referred to as a sand buggy,
4 dune buggy, or all-terrain vehicle.

5 (4) A motor vehicle commonly referred to as a jeep.

6 (5) A recreational off-highway vehicle as defined in Section
7 500.

8 (6) An eMoto as defined in Section 312.8.

9 ~~SEC. 5.~~

10 *SEC. 4.* No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district will be incurred because this act creates a new crime or
14 infraction, eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section 17556 of
16 the Government Code, or changes the definition of a crime within
17 the meaning of Section 6 of Article XIII B of the California
18 Constitution.