

e-Bikes

312.5(a) CVC / No License Required



Defined: A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts (1hp/15cc/0.750kw).

312.5 VC defines the 3 Classes of e-Bikes:

Class 1: is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

Class 2: is a bicycle equipped with a motor that may be used exclusively to propel the bicycle (with a throttle), and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

Class 3: is a bicycle equipped with 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, and equipped with a speedometer. Riders 16 years old or older can ride a class 3 e-bike...**21213(a) CVC**. Riders under 18 years old must wear a helmet...**21213(b) CVC**.

	CLASS 1	CLASS 2	CLASS 3
Pedal Assist	✓	✓	✓
Throttle		✓	
Max Speed	20 mph	20 mph	28 mph

e-Bikes (cont)

- 84.18(a) & (b) SDMC restricts where motorized e-bicycles/scooters can be operated on the boardwalks. Refer to the municipal code for specific locations as this code only applies to Northern & Western division.
- Class 1 & 2 e-Bikes are generally allowed on multiuse trails in open space parks and bike paths throughout the city of San Diego. Generally, at the entrance of a trail or bike path, there will be a sign stating what class of e-Bike may be used. Class 1 bikes are generally allowed anywhere an unpowered bicycle is allowed.



Enforcement

E-Bikes are bicycles and must abide by all applicable bicycle laws.

- Age** - Must be **16+** to operate a class 3 e-Bike...**21213(a) CVC**
- Bike Lane** - Ride within a Bike Lane if available...**21208(a) CVC**
- Helmet** - Req. if **under 18yrs old** on any e-Bike...**21212(a) CVC**
- Helmet** - Req. for passengers and operator on class 3 e-bike...**21213(b) CVC**
- Paths** - Class 3 e-Bikes shall not be operated on a bicycle path, trail, bikeway or equestrian trail unless a local ordinance allows it...**21207.5(a) CVC**
- Roadway** - Same direction as traffic...**21650.1 CVC**
- Roadway** - Right hand side...**21202(a) CVC**
- Sidewalk** - Must not leave e-bike on sidewalk that obstructs pedestrian traffic...**21210 CVC**
- Seat** - Must have a separate seat for passengers (applies to all bikes)...**21204(b) CVC**
- Tampering** - prohibits tampering with the speed capability of a class 1-3 e-Bike unless an appropriate label is attached defining the new class of the e-Bike (like cutting a wire or "jailbreaking" to increase power)...**24016(d) CVC**

Motor-Driven Cycles

405 CVC (Highway) & 436 CVC (OHV)



Defined: Any motorcycle with a motor less than 150cc (10hp/7.4kw/7457watts). A motor-driven cycle does not include a motorized bicycle (moped) as defined in 406 CVC.

Motor-Driven Cycles (cont)

Motor-Driven Cycles designed by the manufacturer to be used exclusively for off-road are not street legal. Therefore they are considered an "**Off-Highway Vehicle (OHV)**" and per the DMV "VIN 2003" (see picture on reverse side) cannot be converted for highway use. Common manufacturers of these Motor-Driven Cycles are **Sur-Ron, Talaria, Segway & E Ride Pro**. The Officer needs to confirm the manufactured purpose of the Motor-Driven Cycle in order to classify it as an "**OHV**" (**off-highway**) or as a "**Motorcycle**" (**highway**). This can be accomplished via official publication from the manufacturer.

There may be a **QR code** on the cycle's motor located near the foot pegs that can be scanned with a phone. The power rating/top speed is often also located on the motor.

Enforcement (Highway)

Motor-Driven Cycles manufactured **highway** use must abide by all applicable vehicle laws. This includes registration, insurance, licensing (**M1 Endorsement**) and required equipment. They can be towed if the driver is unlicensed per **22651(p) CVC** and unregistered per **22651(o)(1)(A) CVC** in our tow request system.

Enforcement (OHV)

Motor-Driven Cycles manufactured for **off-highway** use must abide by all applicable OHV laws (**38280-38321 CVC**) to include having current OHV registration plates or stickers (**38010 CVC**). OHVs can be towed if the vehicle is unregistered per **22651(o)(1)(A)(ii) CVC**.

Off-highway Motor-Driven Cycles are not required to be insured and drivers do not need a license if operating off-highway. However; if a driver has a suspended or revoked CA License (**14601(f) & 14601.2(j) CVC**), they are not allowed to drive regardless of location and the OHV can be towed per **22651(p) CVC**.

If an OHV is driven on a **highway**, the driver can be cited for **Unsafe Vehicle – 24002(a) CVC** and vehicle towed per **22651(o)(1)(A)(ii) CVC**.

Special Note: Motor-Driven Cycles do not have bicycles pedals. Sur-Ron offers aftermarket pedals for their cycles, but they do not actually provide any power and do not meet the requirements to be an "e-Bike".

For cycles designed for the highway, attempt to confirm engine power/size based off a sticker or stamp on the motor or frame. Confirm your findings with published information from the manufacturer. May have an optional "sport function" which increases the motor's power (i.e. from 3kwh to 6kwh).