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HEALTH AND SAFETY CODE - HSC

DIVISION 20. MISCELLANEOUS HEALTH AND SAFETY PROVISIONS [24000 - 27007] (*Division 20 enacted by Stats. 1939, Ch. 60.*)

CHAPTER 23. Battery Standards for Electric Bicycles, Powered Mobility Devices, and Storage Batteries [26300 - 26305] (*Chapter 23 added by Stats. 2024, Ch. 791, Sec. 1.*)

26300. For purposes of this chapter, the following terms have the following meanings:

- (a) "Accredited testing laboratory" means an independent laboratory accredited by an accreditation body to ISO 17025 or ISO 17065, or a Nationally Recognized Testing Laboratory (NRTL).
- (b) "Certification" means the attestation by an accredited testing laboratory that the equipment, device, or product has been evaluated and tested and found to conform to the standards specified in this chapter.
- (c) "Charging system" means dedicated chargers used for charging an electric bicycle, a powered mobility device, or storage batteries that are either in place or removed from electric bicycles or powered mobility devices for charging.
- (d) "Complete electrical system" means all electric components of an electric bicycle or powered mobility device, including, but not limited to, drive units, batteries, battery management systems, interconnected wiring, charging systems, and power inlets.
- (e) (1) "Electric bicycle" means a bicycle with electric assistance as defined in Section 312.5 of the Vehicle Code.
(2) Devices advertised as "e-bikes," "e-bicycles," "electric bikes," or other variations that are substantially similar to an electric bicycle are subject to the same standards as an electric bicycle.
- (f) "Nationally recognized testing laboratory" (NRTL) means an organization that meets the qualifications provided in Section 1910(b) of Title 29 of the Code of Federal Regulations and is recognized as an NRTL by the United States Department of Labor, Occupational Safety and Health Administration's (OSHA) Nationally Recognized Testing Laboratory Program.
- (g) "Office" means the Office of the State Fire Marshal.
- (h) (1) "Powered mobility device" includes any of the following:
 - (A) A motorized scooter as defined in subdivision (a) of Section 407.5 of the Vehicle Code.
 - (B) A motorized bicycle or moped as defined in subdivision (a) of Section 406 of the Vehicle Code.
 - (C) An off-highway motorcycle as defined in Section 436 of the Vehicle Code.
 - (D) Any other personal mobility device powered by a lithium-ion storage battery.(2) "Powered mobility device" does not include electric bicycles, wheelchairs, or other mobility devices designed for use by persons with disabilities, a vehicle that is powered by an internal combustion engine, or a vehicle required to be registered with the Department of Motor Vehicles.
- (i) "Storage battery" means any of the following:
 - (1) A rechargeable lithium-ion traction battery that supplies electrical power to the motor that propels an electric bicycle or powered mobility device, and includes a replacement original equipment traction battery for those devices.
 - (2) A battery sold as part of a kit intended to convert a bicycle into an electric bicycle or powered mobility device.
 - (3) A lithium-ion battery advertised as suitable for use with an electric bicycle or powered mobility device.

26301. The State Fire Marshal shall prepare and adopt regulations in the California Fire Code (Part 9 of Title 24 of the California Code of Regulations) in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) that promote the fire and electrical safety of electric bicycles, powered mobility devices, and storage batteries.

(Added by Stats. 2024, Ch. 791, Sec. 1. (SB 1271) Effective January 1, 2025. Operative January 1, 2026, pursuant to Section 26305.)

26302. (a) A person shall not distribute, sell, lease, or offer for sale or lease an electric bicycle unless the storage battery for the electric bicycle has been tested by an accredited testing laboratory for compliance with a standard referenced in ANSI/CAN/UL 2849 or EN 15194, or other safety standard for electric bicycles as the office has established by rule.

(b) A person shall not distribute, sell, lease, or offer for sale or lease a powered mobility device unless the battery for the powered mobility device has been tested by an accredited testing laboratory for compliance with ANSI/CAN/UL 2272.

(c) A person shall not distribute, sell, lease, or offer for sale or lease a storage battery unless the storage battery meets either of the following:

(1) The storage battery is designed for a powered mobility device and has been tested by an accredited testing laboratory for compliance with ANSI/CAN/UL 2271 or other safety standard for powered mobility devices as the office has established by rule.

(2) The storage battery is designed for an electric bicycle and has been tested by an accredited testing laboratory for compliance with a battery standard referenced in ANSI/CAN/UL 2849, EN 15194, or other safety standard as the office has established by rule, or is part of a complete electrical system for an electric bicycle that has been tested by an accredited laboratory for compliance with ANSI/CAN/UL 2849, EN 15194, or other safety standard as the office has established by rule.

(d) Charging systems advertised, distributed, sold, leased, or offered for sale or lease for use with a particular electric bicycle, powered mobility device, or storage battery shall be certified for use with that electric bicycle, powered mobility device, or storage battery.

(e) (1) A person shall not distribute, sell, lease, or offer for sale or lease an electric bicycle, powered mobility device, charging system, or storage battery unless the logo, wordmark, label, or name of an accredited testing laboratory and the applicable certification standard used to show compliance is permanently affixed directly on the electric bicycle or its electrical system, the powered mobility device, the charging system, or the battery of the electric bicycle or powered mobility device.

(2) A person shall not be required to display the logo, wordmark, label, or name of an accredited testing laboratory if the electric bicycle, powered mobility device, charging system, or storage battery is being sold or leased secondhand.

(Added by Stats. 2024, Ch. 791, Sec. 1. (SB 1271) Effective January 1, 2025. Operative January 1, 2026, pursuant to Section 26305.)

26303. (a) A person shall not rent or offer for rental an electric bicycle unless the battery for the electric bicycle has been tested by an accredited testing laboratory for compliance with a standard referenced in ANSI/CAN/UL 2849, EN 15194, or other safety standard for electric bicycles the office has established by rule.

(b) A person shall not rent or offer for rental an electric bicycle charging system unless the charging system has been tested by an accredited testing laboratory for compliance with a standard referenced in ANSI/CAN/UL 2849, EN 15194, or other safety standard for electric bicycle charging systems the office has established by rule, and, if it is being rented for use with a specific electric bicycle, it is certified for use with that electric bicycle's battery.

(c) A person shall not rent or offer for rental a powered mobility device unless the powered mobility device has been tested by an accredited testing laboratory for compliance with ANSI/CAN/UL 2272.

(d) A person shall not rent or offer for rental a powered mobility device charging system unless the charging system has been tested by an accredited testing laboratory for compliance with ANSI/CAN/UL 2272 and, if it is being rented for use with a specific powered mobility device, it is certified for use with that powered mobility device's battery.

(e) A person shall not rent or offer for rental a storage battery unless the storage battery meets either of the following:

(1) The storage battery is designed for a powered mobility device and has been tested by an accredited testing laboratory for compliance with ANSI/CAN/UL 2271.

(2) The storage battery is designed for an electric bicycle and has been tested by an accredited testing laboratory for compliance with a battery standard referenced in ANSI/CAN/UL 2849, EN 15194, or other safety standard as the office has established by rule, or is part of a complete electrical system for an electric bicycle that has been tested by an accredited laboratory for compliance with ANSI/CAN/UL 2849, EN 15194, or other safety standard as the office has established by rule.

(f) A person shall not rent or offer for rental a storage battery charging system unless the charging system has been tested by an accredited testing laboratory for compliance with a charger standard referenced in UL 2272, UL 2849, EN 15194, or other safety standard for storage battery charging systems the office has established by rule and, if it is being rented for use with a specific storage battery, it is certified for use with that storage battery.

(g) A person shall not be required to display the logo, wordmark, label, or name of an accredited testing laboratory if the electric bicycle, powered mobility device, or storage battery is being rented.

(h) This section shall become operative on January 1, 2028.

(Added by Stats. 2024, Ch. 791, Sec. 1. (SB 1271) Effective January 1, 2025. Operative January 1, 2028, by its own provisions.)

26304. A manufacturer, importer, distributor, or retailer of an electric bicycle, powered mobility device, charging system, or storage battery subject to testing under this chapter shall provide, upon request, a true and accurate copy of the test report for the product issued by the accredited testing laboratory.

(Added by Stats. 2024, Ch. 791, Sec. 1. (SB 1271) Effective January 1, 2025. Operative January 1, 2026, pursuant to Section 26305.)

26305. This chapter, except Section 26303, shall become operative on January 1, 2026.

(Added by Stats. 2024, Ch. 791, Sec. 1. (SB 1271) Effective January 1, 2025.)