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**SB-1271 Electric bicycles, powered mobility devices, and storage batteries.** (2023-2024)

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**Senate Bill No. 1271**

**CHAPTER 791**

An act to add Chapter 23 (commencing with Section 26300) to Division 20 of the Health and Safety Code, and to amend Section 312.5 of the Vehicle Code, relating to public safety.

[ Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1271, Min. Electric bicycles, powered mobility devices, and storage batteries.

Existing law defines an electric bicycle as a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and classifies electric bicycles into 3 classes with different restrictions for various purposes, including the requirement that manufacturers and distributors of electric bicycles apply a label that is permanently affixed to each electric bicycle that contains, among other things, the classification number of the electric bicycle, as specified. Existing law defines "class 1 electric bicycle" as 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, and defines "class 3 electric bicycle" as 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. A violation of the Vehicle Code is a crime.

This bill would clarify that an electric bicycle is a bicycle equipped with fully operable pedals and an electric motor that does not exceed 750 watts of power. The bill would also clarify the definitions of "class 1 electric bicycle" and "class 3 electric bicycle" by providing that the motor on a class 1 electric bicycle is not capable of exclusively propelling the bicycle, except as specified, nor providing assistance to reach speeds greater than 20 miles per hour and the motor on a class 3 electric bicycle is not capable of exclusively propelling the bicycle, except as specified. The bill would prohibit specified vehicles from being advertised, sold, offered for sale, or labeled as electric bicycles, as specified. Because the bill would impose new requirements for electric bicycles, the violation of which would be a crime, the bill would impose a state-mandated local program.

Existing law establishes the Office of the State Fire Marshal in the Department of Forestry and Fire Protection. Existing law requires the State Fire Marshal to, among other things, adopt and administer regulations and standards to control the servicing, charging, and testing of portable fire extinguishers and to control the sale and marketing of these devices with respect to conformance with standards of their use, capacity, and effectiveness. Existing law prohibits a person from marketing, distributing, or selling portable fire extinguishers unless it complies with the regulations and standards adopted by the State Fire Marshal.

Commencing January 1, 2026, this bill would require the State Fire Marshal to adopt regulations that promote the fire and electrical safety of electric bicycles, powered mobility devices, and storage batteries, as specified.

Commencing January 1, 2026, this bill would prohibit a person from distributing, selling, leasing, or offering for sale or lease, an electric bicycle or powered mobility device, as defined, unless the storage battery for the electric bicycle or powered mobility device has been tested by an accredited testing laboratory for compliance with a specified standard. Commencing January 1,

2026, the bill would prohibit a person from distributing, selling, leasing, or offering for sale or lease a storage battery unless the battery meets specified requirements. Commencing January 1, 2026, the bill would prohibit a person from distributing, selling, leasing, or offering for sale or lease, an electric bicycle, powered mobility device, or storage battery unless the logo, wordmark, label, or name of an accredited testing laboratory and the applicable test standard used to show compliance is displayed, as specified. Commencing January 1, 2028, the bill would prohibit a person from renting or offering for rental an electric bicycle, powered mobility device, charging system, or storage battery unless it has been tested for compliance with a specified standard. Commencing January 1, 2026, the bill would require a manufacturer, importer, distributor, or retailer of an electric bicycle, powered mobility device, charging system, or storage battery subject to testing under these provisions to provide, upon request, a true and accurate copy of the test report for the product issued by the accredited testing laboratory.

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 Local Program: yes

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

**SECTION 1.** Chapter 23 (commencing with Section 26300) is added to Division 20 of the Health and Safety Code, to read:

### **CHAPTER 23. Battery Standards for Electric Bicycles, Powered Mobility Devices, and Storage Batteries**

**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.

**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.

**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.

**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.

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

**SEC. 2.** Section 312.5 of the Vehicle Code is amended to read:

**312.5.** (a) An "electric bicycle" is a bicycle equipped with fully operable pedals and an electric motor that does not exceed 750 watts of power.

(1) A "class 1 electric bicycle," or "low-speed pedal-assisted electric bicycle," is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, except as provided in paragraph (4), that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour, and that is not capable of providing assistance to reach speeds greater than 20 miles per hour.

(2) A "class 2 electric bicycle," or "low-speed throttle-assisted 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.

(3) A "class 3 electric bicycle," or "speed pedal-assisted electric bicycle," is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, except as provided in paragraph (4), and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and equipped with a speedometer.

(4) A class 1 or class 3 electric bicycle may have start assistance or a walk mode that propels the electric bicycle on motor power alone, up to a maximum speed of 3.7 miles per hour.

(b) A person riding an electric bicycle, as defined in this section, is subject to Article 4 (commencing with Section 21200) of Chapter 1 of Division 11.

(c) On and after January 1, 2017, manufacturers and distributors of electric bicycles shall apply a label that is permanently affixed, in a prominent location, to each electric bicycle. The label shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle, and shall be printed in Arial font in at least 9-point type.

(d) The following vehicles are not electric bicycles under this code and shall not be advertised, sold, offered for sale, or labeled as electric bicycles:

(1) A vehicle with two or three wheels powered by an electric motor that is intended by the manufacturer to be modifiable to attain a speed greater than 20 miles per hour on motor power alone or to attain more than 750 watts of power.

(2) A vehicle that is modified to attain a speed greater than 20 miles per hour on motor power alone or to have motor power of more than 750 watts.

(3) A vehicle that is modified to have its operable pedals removed.

**SEC. 3.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.