

BILL: SB 1167 (Blakespear, D–Encinitas)
Amended March 26, 2026
Introduced February 18, 2026

SUBJECT: SB 1167 prohibits certain motorized vehicles from being marketed or sold as electric bicycles and establishes enhanced labeling, disclosure, and safety requirements

STATUS: Pending in Senate Committees on Transportation and Natural Resources and Water

SUMMARY AS OF MARCH 27, 2026:

SB 1167 would strengthen state law governing electric bicycles (e-bikes) by expanding restrictions on the types of vehicles that may be advertised, sold, or labeled as e-bikes and by establishing additional labeling, disclosure, and safety requirements.

Existing law defines e-bikes as bicycles equipped with fully operable pedals and an electric motor not exceeding 750 watts and establishes three classes of e-bikes with specific operational and equipment requirements. Current law also prohibits vehicles that do not meet this definition from being marketed or sold as e-bikes.

SB 1167 would expand these restrictions by explicitly prohibiting additional vehicle types, including vehicles capable of speeds over 20 miles per hour on motor power alone, a vehicle without operable pedals, mopeds, and other higher-powered electric devices, from being advertised or sold as e-bikes. The bill further provides that violations of these provisions constitute misleading advertising under state unfair competition and false advertising laws.

The bill also establishes additional requirements, including permanent labeling standards for e-bikes, mopeds, and motor-driven cycles; restrictions on the sale and installation of classification labels requiring retailer verification; and expanded disclosure requirements applicable to manufacturers, importers, and sellers across advertising platforms, including online and social media. The bill also includes new safety and enforcement provisions related to operation of certain high-speed electric devices on public roadways unless they meet defined vehicle classifications, certification requirements for electric vehicles in fire-prone areas, and reporting requirements for incidents involving e-bikes and similar devices.

EFFECTS ON ORANGE COUNTY:

SB 1167 may support improved safety outcomes for e-bike users and other roadway users in Orange County by clarifying vehicle classifications and addressing misleading marketing practices.

The rapid growth in e-bike usage, particularly among youth riders, has been accompanied by increased availability of higher-powered electric devices marketed as e-bikes that may not meet the legal definition of an e-bike. These devices may operate at higher speeds or power levels, creating potential safety risks on local streets, bikeways, and near schools and transit facilities. Misleading marketing of these devices may also result in consumers underestimating the safety requirements associated with higher-powered vehicles, including licensing, registration, and protective equipment standards typically required for motor vehicles.

By strengthening classification standards and prohibiting mislabeling of higher-powered vehicles as e-bikes, SB 1167 may help ensure that riders, parents, and consumers better understand the capabilities and legal requirements associated with different device types. This may improve compliance with traffic laws, reduce unsafe riding behavior, and minimize conflicts between users of various mobility modes.

The bill's enhanced labeling and incident reporting provisions may also improve data collection and understanding of safety trends, supporting more targeted policies to promote safe e-bike operation.

For the Orange County Transportation Authority (OCTA), improved clarity and enforcement related to e-bike classifications supports broader active transportation safety goals and complements ongoing efforts to promote safe and responsible use of e-bikes as part of a multimodal transportation system. A SUPPORT position is consistent with OCTA's 2025-26 State Legislative Platform principles to "Seek funding and support policies that enhance safety requirements related to the utilization of electric bicycles."

OCTA POSITION:

Staff recommends: SUPPORT

AMENDED IN SENATE MARCH 26, 2026

SENATE BILL

No. 1167

Introduced by Senator Blakespear
(Coauthors: Senators Gonzalez, Strickland, and Wiener)
(Coauthors: Assembly Members Davies and Dixon)

February 18, 2026

An act to amend *Section 26300 of the Health and Safety Code, and to amend Sections 312.5, 405, 406, 426, 472, 672, 4020, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 12500, 12509, 12509.5, 12804.9, 12814.6, 21113, 21201.3, 21203, 21207.5, 21209, 21712, 21960, 22651.08, 23103, 23135, 23330, 24015, 24951, 25650, 27800, 27802, 27803, 38012, 38366, 38505, and 38601 of, to amend the heading of Article 8.1 (commencing with Section 5030) of Chapter 1 of Division 3 of, ~~and~~ to add Section 21065 to, to add Article 9 (commencing with Section 21310) to Chapter 1 of Division 11 of, and to add Article 7.5 (commencing with Section 27850) to Chapter 5 of Division 12 of, the Vehicle Code, relating to vehicles.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1167, as amended, Blakespear. Vehicles: electric bicycles.

Existing law defines an electric bicycle as a bicycle equipped with fully operable pedals and an electric motor that does not exceed 750 watts of power. Existing law classifies electric bicycles into 3 classes with different restrictions for various purposes, and requires, among other things, a class 3 electric bicycle to be equipped with a speedometer. Existing law prohibits certain vehicles that do not meet the definition of an electric bicycle from being advertised, sold, offered for sale, or labeled as an electric bicycle, as specified. A violation of the Vehicle Code is a crime.

This bill would amend the type of vehicles that are prohibited from being advertised, sold, offered for sale, or labeled as electric bicycles, including, among others, motor-driven cycles and mopeds. The bill would additionally make a violation of this provision a misleading statement for purposes of *unfair competition and false advertising* provisions of the Business and Professions Code. By creating new crimes related to the advertisement, sale, offer, and labeling of electric bicycles, and by expanding the application of an existing crime, this bill would impose a state-mandated local program.

Existing law defines a motor-driven cycle as any motorcycle with a motor that displaces less than 150 cubic centimeters.

~~The~~

This bill would revise the definition of motor-driven cycle to mean any motorcycle propelled by an internal combustion engine that displaces less than 150 cubic centimeters, or by an electric motor of less than 3,750 watts that produces 5 brake horsepower or less, and is designed for highway use, complies with all applicable federal motor safety standards, and meets all of the equipment requirements of the Vehicle Code.

Existing law defines a motorized bicycle or moped as a two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor that produces less than 4 gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground.

This bill would delete references to motorized bicycle in the Vehicle Code and replace the term with “moped.” The bill would revise the definition of a moped to mean a two-wheeled or three-wheeled device that has an electric motor *of less than 3,000 watts* or an internal combustion engine that produces less than 4 gross brake horsepower, is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground, is designed for highway use, complies with all applicable federal motor safety standards, and meets all *of the equipment requirements of the Vehicle Code*. The bill would specify that a moped may be equipped with operable pedals for propulsion by human power.

Existing law requires every manufacturer of a motorized bicycle or moped to provide a specified disclosure to buyers.

~~The~~

*This bill would instead require every manufacturer, importer, or seller of a motor-driven ~~cycle or moped~~ cycle, moped, or electric off-road motorcycle that is powered by an electric motor to provide a specified disclosure to all potential buyers in any advertising, including any online advertising on internet websites or social media. The bill would additionally make a violation of this provision a misleading statement for purposes of *unfair competition and false advertising* provisions of the Business and Professions Code. By creating new crimes related to disclosure requirements on manufacturers, importers, or sellers of motor-driven ~~cycles and mopeds~~, cycles, mopeds, or electric off-road motorcycles, and by expanding the application of an existing crime, this bill would impose a state-mandated local program.*

Existing law requires manufacturers and distributors of electric bicycles to apply a label that is permanently affixed, in a prominent location, to each electric bicycle. Existing law requires the label to contain the classification number, top assisted speed, and motor wattage of the electric bicycle, as specified.

This bill would require manufacturers and distributors of mopeds and motor-driven cycles to apply a similar label. The bill would make it unlawful for a person to sell an electric bicycle, moped, or motor-driven cycle in violation of the labeling and disclosure requirements mentioned above. By expanding the application of an existing crime, this bill would impose a state-mandated local program.

This bill would prohibit a person from selling or installing an electric bicycle classification label unless the classification label is sold and installed in a physical retailer or bicycle repair shop. The bill would require a retailer and bicycle repair shop of electric bicycles to verify that the classification label matches the electric bicycle class before installing the classification label on an electric bicycle. By expanding the application of an existing crime, this bill would impose a state-mandated local program.

This bill would require any incident report filed by a peace officer for an injury or crash involving an electric bicycle, moped, and motor-driven cycle to include specified marking or label information affixed on the electric bicycle, moped, and motor-driven cycle or to indicate that a marking or label was not available. By increasing duties on local law enforcement, this bill would impose a state-mandated local program.

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. 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.

~~The~~

This bill would explicitly clarify that off-highway electric motorcycles are subject to identification as ~~an off-highway motor vehicle~~. vehicles. The bill would also prohibit the use, allowing to use, or ~~operating~~ operation of an off-highway electric motorcycle, motorcycle, motor-driven cycle, or moped powered by an electric motor on any forest-covered land, brush-covered land, or grass-covered land unless the vehicle has been certified by an accredited independent laboratory, as specified, and the name or mark of the certifying laboratory is permanently marked on the vehicle or on its drive system. By creating new crimes related to the operation of off-highway vehicles, this bill would impose a state-mandated local program.

Existing law makes a person who drives a vehicle upon a highway, or in an offstreet parking facility, in willful or wanton disregard for the safety of persons or property guilty of reckless driving, which is punishable, upon conviction, by imprisonment in the county jail, payment of a fine, or both the imprisonment and fine, as specified.

This bill would make a person who operates a bicycle, including an electric bicycle, upon a highway, or in an offstreet parking facility, in willful or wanton disregard for the safety of persons or property guilty of reckless driving. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

Existing law authorizes a peace officer to remove a vehicle that (1) has fewer than 4 wheels, but that does not meet the definition of an electric bicycle, if that vehicle is powered by an electric motor capable of exclusively propelling the vehicle in excess of 20 miles per hour on a highway and is being operated by an operator without a current license to operate the vehicle, or (2) is a class 3 electric bicycle being operated by a person under 16 years of age.

This bill would additionally prohibit a person from operating a 2-wheeled or 3-wheeled device powered by an electric motor that is capable of propelling the device at a speed greater than 20 miles per hour on level ground on a highway or public right-of-way when powered solely by the motor unless the device meets the definition of a device that is explicitly defined in, and authorized for use on a highway or

public right-of-way by, the Vehicle Code. The bill would authorize a peace officer to remove the vehicle if the vehicle is a 2-wheeled or 3-wheeled unauthorized device being operated by a person on a highway or public right-of-way. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program.

~~The~~

This bill would make other clarifying and conforming changes.

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. The Legislature finds and ~~declare~~ *declares* all of
2 the following:

3 (a) Electric bicycles not only offer a solution to car dependency
4 and transportation poverty, but also help reduce our carbon
5 footprint. As California moves away from its dependence on fossil
6 fuels, we will continue to see a rise in zero-emission modes of
7 transportation, including, but not limited to, electric bicycles.

8 (b) Electric bicycles reduce barriers in encouraging more people
9 to ride bicycles and play a significant factor in replacing car trips
10 in order to meet our goals of shifting to alternative modes of
11 transportation, reducing the number of motor vehicle miles
12 traveled, and improving our climate.

13 (c) Other electric cycles, including motor-driven cycles, mopeds,
14 and “e-motos” are not legal electric bicycles because of their
15 excessive speed and power, are designed and marketed as “e-bikes”
16 to children on social media, and are gaining popularity. Nearly 90
17 percent of electric devices observed at the ~~bike~~ *bicycle* racks of
18 local schools in Counties of San Mateo and Marin in 2025 were
19 “e-motos,” not legal electric bicycles.

20 (d) Many devices are being deceptively marketed as class 2 or
21 class 3 electric bicycles and do not fit into the legal classification
22 of either class because the equipped motor is more powerful than
23 the legally authorized 750 watts or because the advertised *and*

1 *actual* top assisted speed is above the legal limit of 20 or 28 miles
2 per hour, respectively.

3 (e) “E-motos” are causing increased safety issues on the streets
4 of many California communities, based on evidence in a report
5 issued by the Mineta Transportation Institute in 2025.

6 (f) It is the intent of the Legislature to improve the safe
7 movement and expanded usage of electric bicycles as a net-zero
8 transportation mode in the context of California’s existing
9 multimodal transportation system.

10 (g) It is the intent of the Legislature to protect consumers from
11 deceptive marketing tactics while ensuring the safety of our
12 roadways.

13 *SEC. 2. Section 26300 of the Health and Safety Code is*
14 *amended to read:*

15 26300. For purposes of this chapter, the following terms have
16 the following meanings:

17 (a) “Accredited testing laboratory” means an independent
18 laboratory accredited by an accreditation body to ISO 17025 or
19 ISO 17065, or a Nationally Recognized Testing Laboratory
20 (NRTL).

21 (b) “Certification” means the attestation by an accredited testing
22 laboratory that the equipment, device, or product has been
23 evaluated and tested and found to conform to the standards
24 specified in this chapter.

25 (c) “Charging system” means dedicated chargers used for
26 charging an electric bicycle, a powered mobility device, or storage
27 batteries that are either in place or removed from electric bicycles
28 or powered mobility devices for charging.

29 (d) “Complete electrical system” means all electric components
30 of an electric bicycle or powered mobility device, including, but
31 not limited to, drive units, batteries, battery management systems,
32 interconnected wiring, charging systems, and power inlets.

33 (e) (1) “Electric bicycle” means a bicycle with electric
34 assistance as defined in Section 312.5 of the Vehicle Code.

35 (2) Devices advertised as “e-bikes,” “e-bicycles,” “electric
36 bikes,” or other variations that are substantially similar to an
37 electric bicycle are subject to the same standards as an electric
38 bicycle.

39 (f) “Nationally recognized testing laboratory” (NRTL) means
40 an organization that meets the qualifications provided in Section

1 1910(b) of Title 29 of the Code of Federal Regulations and is
2 recognized as an NRTL by the United States Department of Labor,
3 Occupational Safety and Health Administration's (OSHA)
4 Nationally Recognized Testing Laboratory Program.

5 (g) "Office" means the Office of the State Fire Marshal.

6 (h) (1) "Powered mobility device" includes any of the
7 following:

8 (A) A motorized scooter as defined in subdivision (a) of Section
9 407.5 of the Vehicle Code.

10 (B) A motorized bicycle or moped as defined in subdivision (a)
11 of Section 406 of the Vehicle Code.

12 (C) An off-highway *electric* motorcycle as defined in Section
13 ~~436~~ 436.1 of the Vehicle Code.

14 (D) Any other personal mobility device powered by a
15 lithium-ion storage battery.

16 (2) "Powered mobility device" does not include electric bicycles,
17 wheelchairs, or other mobility devices designed for use by persons
18 with disabilities, a vehicle that is powered by an internal
19 combustion engine, or a vehicle required to be registered with the
20 Department of Motor Vehicles.

21 (i) "Storage battery" means any of the following:

22 (1) A rechargeable lithium-ion traction battery that supplies
23 electrical power to the motor that propels an electric bicycle or
24 powered mobility device, and includes a replacement original
25 equipment traction battery for those devices.

26 (2) A battery sold as part of a kit intended to convert a bicycle
27 into an electric bicycle or powered mobility device.

28 (3) A lithium-ion battery advertised as suitable for use with an
29 electric bicycle or powered mobility device.

30 ~~SEC. 2.~~

31 *SEC. 3.* Section 312.5 of the Vehicle Code is amended to read:

32 312.5. (a) An "electric bicycle" is a bicycle equipped with
33 fully operable pedals and an electric motor that does not exceed
34 750 watts of power.

35 (1) A "class 1 electric bicycle," or "low-speed pedal-assisted
36 electric bicycle," is a bicycle equipped with a motor that provides
37 assistance only when the rider is pedaling, that is not capable of
38 exclusively propelling the bicycle, except as provided in paragraph
39 (4), that ceases to provide assistance when the bicycle reaches the

1 speed of 20 miles per hour, and that is not capable of providing
2 assistance to reach speeds greater than 20 miles per hour.

3 (2) A “class 2 electric bicycle,” or “low-speed throttle-assisted
4 electric bicycle,” is a bicycle equipped with a motor that may be
5 used exclusively to propel the bicycle, and that is not capable of
6 providing assistance when the bicycle reaches the speed of 20
7 miles per hour.

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

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

17 (b) A person riding an electric bicycle, as defined in this section,
18 is subject to Article 4 (commencing with Section 21200) of Chapter
19 1 of Division 11.

20 (c) The following vehicles are not electric bicycles under this
21 code and shall not be advertised, sold, offered for sale, or labeled
22 as electric bicycles or “~~e-bikes~~”: “*e-bikes*.”

23 (1) A vehicle with motor power of more than 750 watts.

24 (2) A vehicle capable of attaining a speed greater than 20 miles
25 per hour on motor power alone.

26 (3) A vehicle with a motor capable of providing assistance when
27 the vehicle reaches a speed exceeding 28 miles per hour.

28 (4) A vehicle with no more than three wheels powered by an
29 electric motor that is intended by the manufacturer to be modifiable
30 to do any of the following:

31 (A) Attain more than 750 watts of power.

32 (B) Attain a speed greater than 20 miles per hour on motor
33 power alone.

34 (C) Provide assistance when the vehicle reaches a speed
35 exceeding 28 miles per hour.

36 (5) A vehicle without operable pedals.

37 (6) Any motorcycle, moped, motorized scooter, off-highway
38 electric motorcycle, pocket bike, or recreational off-highway
39 vehicle.

1 (d) In addition to any penalties imposed under this code,
2 advertising or selling a device listed in subdivision ~~(d)~~ (c) as an
3 “e-bike” or any class of electric bicycle shall constitute a
4 misleading statement within the meaning of ~~Section~~ *Sections 17200*
5 *and 17500* of the Business and Professions Code.

6 ~~SEC. 3.~~

7 *SEC. 4.* Section 405 of the Vehicle Code is amended to read:

8 405. (a) A “motor-driven cycle” is any motorcycle propelled
9 by an internal combustion engine that displaces less than 150 cubic
10 centimeters, or by an electric motor of less than 3,750 watts that
11 produces 5 brake horsepower or ~~less~~ *less, and is designed for*
12 *highway use, complies with all applicable federal motor safety*
13 *standards contained in Part 571 (commencing with Section 571.1)*
14 *of Title 49 of the Code of Federal Regulations, or any successor*
15 *regulation, and is equipped in accordance with the requirements*
16 *of this code.* A motor-driven cycle does not include a moped.

17 (b) An electric bicycle, moped, motorized scooter, pocket bike,
18 or recreational off-highway vehicle is not a motor-driven cycle
19 and shall not be advertised, sold, offered for sale, or labeled as a
20 motor-driven cycle.

21 (c) In addition to any penalties imposed under this code,
22 advertising or selling a motor-driven cycle as an “e-bike” or any
23 class of electric bicycle shall constitute a misleading statement
24 within the meaning of ~~Section~~ *Sections 17200 and 17500* of the
25 Business and Professions Code.

26 ~~SEC. 4.~~

27 *SEC. 5.* Section 406 of the Vehicle Code is amended to read:

28 406. (a) (1) A “moped” is a two-wheeled or three-wheeled
29 device that has an electric motor *of less than 3,000 watts* or an
30 internal combustion engine that produces less than 4 gross brake
31 horsepower, is capable of propelling the device at a maximum
32 speed of not more than 30 miles per hour on level ground, is
33 designed for highway use, complies with all applicable federal
34 motor safety standards contained in Part 571 (commencing with
35 Section 571.1) of Title 49 of the Code of Federal Regulations, and
36 is equipped in accordance with the requirements of this code.

37 (2) A moped does not include an electric bicycle, motor-driven
38 cycle, motorized scooter, pocket bike, or off-highway electric
39 motorcycle.

1 (3) A moped may be equipped with operable pedals for
2 propulsion by human power.

3 (b) In addition to any penalties imposed under this code,
4 advertising or selling a moped as an “e-bike” or any class of electric
5 bicycle shall constitute a misleading statement within the meaning
6 of ~~Section~~ *Sections 17200 and 17500* of the Business and
7 Professions Code.

8 (c) A moped is formerly also referred to as a “motorized bicyele”
9 *bicycle.*”

10

11 ~~“YOUR INSURANCE POLICIES MAY NOT PROVIDE~~
12 ~~COVERAGE FOR ACCIDENTS INVOLVING THE USE OF~~
13 ~~THIS BICYCLE. TO DETERMINE IF COVERAGE IS~~
14 ~~PROVIDED YOU SHOULD CONTACT YOUR INSURANCE~~
15 ~~COMPANY OR AGENT.”~~

16

17 ~~SEC. 5.~~

18 *SEC. 6.* Section 426 of the Vehicle Code is amended to read:

19 426. “New motor vehicle dealer” is a dealer who, in addition
20 to the requirements of that section, either acquires for resale new
21 and unregistered motor vehicles from manufacturers or distributors
22 of those motor vehicles or acquires for resale new off-highway
23 motorcycles, off-highway electric motorcycles, or all-terrain
24 vehicles from manufacturers or distributors of the vehicles. A
25 distinction shall not be made, nor any different construction be
26 given to the definition of “new motor vehicle dealer” and “dealer”
27 except for the application of the provisions of Chapter 6
28 (commencing with Section 3000) of Division 2 and Sections 4456,
29 4750.6, and 11704.5. Sections 3001 and 3003 do not, however,
30 apply to a dealer who deals exclusively in motorcycles, all-terrain
31 vehicles, or recreational vehicles, as defined in subdivision (a) of
32 Section 18010 of the Health and Safety Code.

33 ~~SEC. 6.~~

34 *SEC. 7.* Section 472 of the Vehicle Code is amended to read:

35 472. A “pilot car” is a motor vehicle, except a motorcycle,
36 moped, or motorized quadricycle, which is used to escort one or
37 more other vehicles, when required, due to the vehicles’ size or
38 character of load, in accordance with conditions set forth in a
39 permit issued by the appropriate state agency or by a local
40 authority.

1 ~~SEC. 7.~~

2 *SEC. 8.* Section 672 of the Vehicle Code is amended to read:

3 672. (a) "Vehicle manufacturer" is any person who produces
4 from raw materials or new basic components a vehicle of a type
5 subject to registration under this code, off-highway motorcycles,
6 off-highway electric motorcycles, or all-terrain vehicles subject
7 to identification under this code, or trailers subject to identification
8 pursuant to Section 5014.1, or who permanently alters, for purposes
9 of retail sales, new commercial vehicles by converting the vehicles
10 into house cars that display the insignia of approval required by
11 Section 18056 of the Health and Safety Code and any regulations
12 issued pursuant thereto by the Department of Housing and
13 Community Development. As used in this section, "permanently
14 alters" does not include the permanent attachment of a camper to
15 a vehicle.

16 (b) A vehicle manufacturer that produces a vehicle of a type
17 subject to registration that consists of used or reconditioned parts,
18 for the purposes of the code, is a remanufacturer, as defined in
19 Section 507.8.

20 (c) Unless a vehicle manufacturer either grants franchises to
21 franchisees in this state, or issues vehicle warranties directly to
22 franchisees in this state or consumers in this state, the manufacturer
23 shall have an established place of business or a representative in
24 this state.

25 (d) The scope and application of this section are limited to
26 Division 2 (commencing with Section 1500) and Division 5
27 (commencing with Section 11100).

28 ~~SEC. 8.~~

29 *SEC. 9.* Section 4020 of the Vehicle Code is amended to read:

30 4020. A moped operated upon a highway is exempt from
31 registration.

32 ~~SEC. 9.~~

33 *SEC. 10.* The heading of Article 8.1 (commencing with Section
34 5030) of Chapter 1 of Division 3 of the Vehicle Code is amended
35 to read:

36
37 Article 8.1. mopeds
38

39 ~~SEC. 10.~~

40 *SEC. 11.* Section 5030 of the Vehicle Code is amended to read:

1 5030. A moped is required to display a special license plate
2 issued by the department.

3 ~~SEC. 11.~~

4 *SEC. 12.* Section 5031 of the Vehicle Code is amended to read:

5 5031. An application by a person other than a manufacturer or
6 dealer for a license plate for a moped shall include all the
7 following:

8 (a) The true, full name and the driver's license or identification
9 card number, if any, of the owner.

10 (b) A description of the moped, including any distinctive marks
11 or features.

12 (c) Other information as may reasonably be required by the
13 department to determine whether a license plate shall be issued
14 for the moped.

15 ~~SEC. 12.~~

16 *SEC. 13.* Section 5032 of the Vehicle Code is amended to read:

17 5032. (a) The application for a special license plate for a moped
18 shall be made before the moped is operated or moved upon a
19 highway, except that, upon the retail sale of a moped when there
20 is no license plate, the operator may operate the moped for a period
21 of five days from and including the date of sale, at which time
22 application shall be made to the department for a special license
23 plate. If the fifth day should fall on Saturday, Sunday, or a holiday,
24 the application shall be made on the first business day thereafter.

25 (b) The five-day operating provision set forth in subdivision (a)
26 shall apply only if the operator has in their immediate possession
27 evidence that the moped was purchased within the last five days
28 including the date of sale.

29 ~~SEC. 13.~~

30 *SEC. 14.* Section 5033 of the Vehicle Code is amended to read:

31 5033. Upon proper application and payment of the fees
32 specified in Section 5036, the department shall issue a special
33 license plate and an identification card for the moped for which
34 application was made. Applications may be submitted by mail
35 unless the department determines that it is not feasible to complete
36 the identification process by such method.

37 ~~SEC. 14.~~

38 *SEC. 15.* Section 5034 of the Vehicle Code is amended to read:

39 5034. (a) The department may issue a special license plate or
40 other suitable device to a manufacturer or dealer of mopeds upon

1 payment of the fee specified in Section 5036. The license plate
2 shall be of a size, color and configuration determined by the
3 department. The form of the application shall also be determined
4 by the department.

5 (b) A manufacturer or dealer of mopeds may operate or move
6 a moped upon the highways during the delivery of, or during the
7 demonstration for the sale of, the moped if the moped displays
8 thereon a license plate or other suitable device issued to the
9 manufacturer or dealer.

10 ~~SEC. 15.~~

11 *SEC. 16.* Section 5035 of the Vehicle Code is amended to read:

12 5035. Each license plate issued under Section 5033 shall bear
13 a distinctive number to identify the moped for which it is issued
14 and shall bear a symbol, letter, or word to distinguish license plates
15 issued under this article from license plates issued for motorcycles
16 and motor-driven cycles. The owner, upon being issued a license
17 plate, shall attach it to the moped for which it is issued and shall
18 carry the identification card issued by the department as provided
19 in Section 4454. It shall be unlawful for any person to attach or
20 use the license plate upon any other moped or vehicle. If the moped
21 is destroyed, the owner shall destroy the license plate and shall
22 within 10 days notify the department on a form approved by the
23 department that the moped and license plate have been destroyed.

24 If the ownership of the moped is transferred to another person,
25 that person shall submit, within 10 days, proper application as
26 provided in Section 5031. The license plate shall remain with the
27 moped

28 ~~SEC. 16.~~

29 *SEC. 17.* Section 5036 of the Vehicle Code is amended to read:

30 5036. A service fee of fifteen dollars (\$15) shall be paid for
31 the issuance or transfer of a special license plate for mopeds.
32 Publicly-owned mopeds are exempt from the fee.

33 ~~SEC. 17.~~

34 *SEC. 18.* Section 5037 of the Vehicle Code is amended to read:

35 5037. (a) A moped first sold on or after July 1, 1981, shall not
36 be moved or operated upon a highway unless the owner first makes
37 application for a license plate and, when received, attaches it to
38 the moped as provided in this article.

39 (b) Mopeds first sold prior to July 1, 1981, shall not be moved
40 or operated upon a highway after January 1, 1982, unless the owner

1 makes application for a license plate and, when received, attaches
2 it to the moped as provided in this article.

3 ~~SEC. 18.~~

4 *SEC. 19.* Section 5038 of the Vehicle Code is amended to read:
5 5038. The department shall establish a record system that
6 provides for identification of stolen mopeds.

7 ~~SEC. 19.~~

8 *SEC. 20.* Section 5039 of the Vehicle Code is amended to read:
9 5039. Notwithstanding any other provision of law, no dealer,
10 manufacturer, salesman, or representative of mopeds exclusively
11 is required to be licensed or permitted pursuant to Chapter 4
12 (commencing with Section 11700) of Division 5.

13 ~~SEC. 20.~~

14 *SEC. 21.* Section 12500 of the Vehicle Code is amended to
15 read:

16 12500. (a) A person may not drive a motor vehicle upon a
17 highway, unless the person then holds a valid driver's license
18 issued under this code, except those persons who are expressly
19 exempted under this code.

20 (b) A person may not drive a motorcycle, motor-driven cycle,
21 or moped upon a highway, unless the person then holds a valid
22 driver's license or endorsement issued under this code for that
23 class, except those persons who are expressly exempted under this
24 code, or those persons specifically authorized to operate mopeds
25 or motorized scooters with a valid driver's license of any class, as
26 specified in subdivision (h) of Section 12804.9.

27 (c) A person may not drive a motor vehicle in or upon any
28 offstreet parking facility, unless the person then holds a valid
29 driver's license of the appropriate class or certification to operate
30 the vehicle. As used in this subdivision, "offstreet parking facility"
31 means any offstreet facility held open for use by the public for
32 parking vehicles and includes any publicly owned facilities for
33 offstreet parking, and privately owned facilities for offstreet parking
34 where no fee is charged for the privilege to park and which are
35 held open for the common public use of retail customers.

36 (d) A person may not drive a motor vehicle or combination of
37 vehicles that is not of a type for which the person is licensed.

38 (e) A motorized scooter operated on public streets shall at all
39 times be equipped with an engine that complies with the applicable
40 State Air Resources Board emission requirements.

1 ~~SEC. 21.~~

2 *SEC. 22.* Section 12509 of the Vehicle Code is amended to
3 read:

4 12509. (a) Except as otherwise provided in subdivision (f) of
5 Section 12514, the department, for good cause, may issue an
6 instruction permit to a physically and mentally qualified person
7 who meets one of the following requirements and who applies to
8 the department for an instruction permit:

9 (1) Is 15 years and 6 months of age or older, and has successfully
10 completed approved courses in automobile driver education and
11 driver training as provided in paragraph (3) of subdivision (a) of
12 Section 12814.6.

13 (2) Is 15 years and 6 months of age or older, and has successfully
14 completed an approved course in automobile driver education and
15 is taking driver training as provided in paragraph (3) of subdivision
16 (a) of Section 12814.6.

17 (3) Is 15 years and 6 months of age and enrolled and
18 participating in an integrated automobile driver education and
19 training program as provided in subparagraph (B) of paragraph
20 (3) of subdivision (a) of Section 12814.6.

21 (4) Is over 16 years of age and is applying for a restricted
22 driver's license pursuant to Section 12814.7.

23 (5) Is over 17 years and 6 months of age.

24 (b) The applicant shall qualify for, and be issued, an instruction
25 permit within 12 months from the date of the application.

26 (c) An instruction permit issued pursuant to subdivision (a) shall
27 entitle the applicant to operate a vehicle, subject to the limitations
28 imposed by this section and any other provisions of law, upon the
29 highways for a period not exceeding 24 months from the date of
30 the application.

31 (d) Except as provided in Section 12814.6, a person, while
32 having in their immediate possession a valid permit issued pursuant
33 to paragraphs (1) to (3), inclusive, of, and paragraph (5) of,
34 subdivision (a), may operate a motor vehicle, other than a
35 motorcycle, motorized scooter, or a moped, when accompanied
36 by, and under the immediate supervision of, a California-licensed
37 driver with a valid license of the appropriate class who is 18 years
38 of age or over and whose driving privilege is not subject to
39 probation. An accompanying licensed driver at all times shall
40 occupy a position within the driver's compartment that would

1 enable the accompanying licensed driver to assist the person in
 2 controlling the vehicle as may be necessary to avoid a collision
 3 and to provide immediate guidance in the safe operation of the
 4 vehicle.

5 (e) A person, while having in their immediate possession a valid
 6 permit issued pursuant to paragraph (4) of subdivision (a), may
 7 only operate a government-owned motor vehicle, other than a
 8 motorcycle, motorized scooter, or a moped, when taking driver
 9 training instruction administered by the California National Guard.

10 (f) The department may also issue an instruction permit to a
 11 person who has been issued a valid driver's license to authorize
 12 the person to obtain driver training instruction and to practice that
 13 instruction in order to obtain another class of driver's license or
 14 an endorsement.

15 (g) The department may further restrict permits issued under
 16 subdivision (a) as it may determine to be appropriate to ensure the
 17 safe operation of a motor vehicle by the permittee.

18 ~~SEC. 22.~~

19 *SEC. 23.* Section 12509.5 of the Vehicle Code is amended to
 20 read:

21 12509.5. (a) A person shall obtain an instruction permit issued
 22 pursuant to this section before operating, or being issued a class
 23 M1 or M2 driver's license to operate, a two-wheel motorcycle,
 24 motor-driven cycle, moped, or bicycle with an attached motor.
 25 The person shall meet the following requirements to obtain an
 26 instruction permit for purposes of this section:

27 (1) If age 15 years and 6 months or older, but under the age of
 28 18 years, the applicant shall meet all of the following requirements:

29 (A) Have a valid class C license or complete driver education
 30 and training pursuant to paragraph (3) of subdivision (a) of Section
 31 12814.6.

32 (B) Successfully complete a motorcyclist safety program that
 33 is operated pursuant to Article 2 (commencing with Section 2930)
 34 of Chapter 5 of Division 2.

35 (C) Pass the motorcycle driver's written exam.

36 (2) If 18 years of age or older, but under 21 years of age, the
 37 applicant shall meet both of the following requirements:

38 (A) Successfully complete a motorcyclist safety program that
 39 is operated pursuant to Article 2 (commencing with Section 2930)
 40 of Chapter 5 of Division 2.

1 (B) Pass the motorcycle driver's written exam.
 2 (3) If 21 years of age or older, pass the motorcycle driver's
 3 written exam.

4 (b) A person described in paragraph (1) or (2) of subdivision
 5 (a) shall hold an instruction permit issued pursuant to this section
 6 for a minimum of six months before being issued a class M1 or
 7 M2 license.

8 (c) A person issued an instruction permit pursuant to this section
 9 shall not operate a two-wheel motorcycle, motor-driven cycle,
 10 moped, or bicycle with an attached motor during the hours of
 11 darkness, shall stay off any freeways that have full control of access
 12 and have no crossings at grade, and shall not carry any passenger
 13 except an instructor licensed under Chapter 1 (commencing with
 14 Section 11100) of Division 5 or a qualified instructor as defined
 15 in Section 41907 of the Education Code.

16 (d) An instruction permit issued pursuant to this section shall
 17 be valid for a period not exceeding 24 months from the date of
 18 application.

19 (e) The department may perform, during regularly scheduled
 20 computer system maintenance and upgrades, any necessary
 21 software updates related to the changes made by the addition,
 22 during the 2009–10 Regular Session, of this section.

23 ~~SEC. 23.~~

24 *SEC. 24.* Section 12804.9 of the Vehicle Code, as amended by
 25 Section 3 of Chapter 16 of the Statutes of 2025, is amended to
 26 read:

27 12804.9. (a) (1) The examination shall include all of the
 28 following:

29 (A) A test of the applicant's knowledge and understanding of
 30 the provisions of this code governing the operation of vehicles
 31 upon the highways.

32 (B) A test of the applicant's ability to read and understand
 33 simple English used in highway traffic and directional signs.

34 (C) A test of the applicant's understanding of traffic signs and
 35 signals, including the bikeway signs, markers, and traffic control
 36 devices established by the Department of Transportation.

37 (D) An actual demonstration of the applicant's ability to exercise
 38 ordinary and reasonable control in operating a motor vehicle by
 39 driving it under the supervision of an examining officer. The
 40 applicant shall submit to an examination appropriate to the type

1 of motor vehicle or combination of vehicles the applicant desires
2 a license to drive, except that the department may waive the driving
3 test part of the examination for any applicant who submits a license
4 issued by another state, territory, or possession of the United States,
5 the District of Columbia, or the Commonwealth of Puerto Rico if
6 the department verifies through any acknowledged national driver
7 record data source that there are no stops, holds, or other
8 impediments to its issuance. The examining officer may request
9 to see evidence of financial responsibility for the vehicle before
10 supervising the demonstration of the applicant's ability to operate
11 the vehicle. The examining officer may refuse to examine an
12 applicant who is unable to provide proof of financial responsibility
13 for the vehicle, unless proof of financial responsibility is not
14 required by this code.

15 (E) A test of the hearing and eyesight of the applicant, and of
16 other matters that may be necessary to determine the mental and
17 physical fitness of the applicant to operate a motor vehicle upon
18 the highways, and whether any grounds exist for refusal of a license
19 under this code.

20 (2) (A) Before a class A or class B driver's license, or class C
21 driver's license with a commercial endorsement, may be issued
22 or renewed, the applicant shall have in the applicant's driver record
23 a valid report of a medical examination of the applicant given not
24 more than two years before the date of the application by a health
25 care professional. As used in this paragraph, "health care
26 professional" means a person who is licensed, certified, or
27 registered in accordance with applicable state laws and regulations
28 to practice medicine and perform physical examinations in the
29 United States. Health care professionals are doctors of medicine,
30 doctors of osteopathy, physician assistants, and registered advanced
31 practice nurses, or doctors of chiropractic who are clinically
32 competent to perform the medical examination presently required
33 of motor carrier drivers by the United States Department of
34 Transportation. The report shall be on a form approved by the
35 department. In establishing the requirements, consideration may
36 be given to the standards presently required of motor carrier drivers
37 by the Federal Motor Carrier Safety Administration.

38 (B) The department may accept a federal waiver of one or more
39 physical qualification standards if the waiver is accompanied by
40 a report of a nonqualifying medical examination for a class A or

1 class B driver's license, or class C driver's license with a
2 commercial endorsement, pursuant to Section 391.41(a)(3)(ii) of
3 Subpart E of Part 391 of Title 49 of the Code of Federal
4 Regulations.

5 (3) A physical defect of the applicant that, in the opinion of the
6 department, is compensated for to ensure safe driving ability, shall
7 not prevent the issuance of a license to the applicant.

8 (b) In accordance with the following classifications, an applicant
9 for a driver's license shall be required to submit to an examination
10 appropriate to the type of motor vehicle or combination of vehicles
11 the applicant desires a license to drive:

12 (1) Class A includes the following:

13 (A) Except as provided in subparagraph (H) of paragraph (3),
14 a combination of vehicles, if a vehicle being towed has a gross
15 vehicle weight rating or gross vehicle weight of more than 10,000
16 pounds.

17 (B) A vehicle towing more than one vehicle.

18 (C) A trailer bus.

19 (D) The operation of all vehicles under class B and class C.

20 (2) Class B includes the following:

21 (A) Except as provided in subparagraph (H) of paragraph (3),
22 a single vehicle with a gross vehicle weight rating or gross vehicle
23 weight of more than 26,000 pounds.

24 (B) A single vehicle with three or more axles, except any
25 three-axle vehicle weighing less than 6,000 pounds.

26 (C) A bus with a gross vehicle weight rating or gross vehicle
27 weight of more than 26,000 pounds, except a trailer bus.

28 (D) A farm labor vehicle.

29 (E) A single vehicle with three or more axles or a gross vehicle
30 weight rating or gross vehicle weight of more than 26,000 pounds
31 towing another vehicle with a gross vehicle weight rating or gross
32 vehicle weight of 10,000 pounds or less.

33 (F) A house car over 40 feet in length, excluding safety devices
34 and safety bumpers.

35 (G) The operation of all vehicles covered under class C.

36 (3) Class C includes the following:

37 (A) A two-axle vehicle with a gross vehicle weight rating or
38 gross vehicle weight of 26,000 pounds or less, including when the
39 vehicle is towing a trailer or semitrailer with a gross vehicle weight
40 rating or gross vehicle weight of 10,000 pounds or less.

1 (B) Notwithstanding subparagraph (A), a two-axle vehicle
2 weighing 4,000 pounds or more unladen when towing a trailer
3 coach not exceeding 9,000 pounds gross.

4 (C) A house car of 40 feet in length or less.

5 (D) A three-axle vehicle weighing 6,000 pounds gross or less.

6 (E) A house car of 40 feet in length or less or a vehicle towing
7 another vehicle with a gross vehicle weight rating of 10,000 pounds
8 or less, including when a tow dolly is used. A person driving a
9 vehicle may not tow another vehicle in violation of Section 21715.

10 (F) (i) A two-axle vehicle weighing 4,000 pounds or more
11 unladen when towing either a trailer coach or a fifth-wheel travel
12 trailer not exceeding 10,000 pounds gross vehicle weight rating,
13 when the towing of the trailer is not for compensation.

14 (ii) A two-axle vehicle weighing 4,000 pounds or more unladen
15 when towing a fifth-wheel travel trailer exceeding 10,000 pounds,
16 but not exceeding 15,000 pounds, gross vehicle weight rating,
17 when the towing of the trailer is not for compensation, and if the
18 person has passed a specialized written examination provided by
19 the department relating to the knowledge of this code and other
20 safety aspects governing the towing of recreational vehicles upon
21 the highway.

22 (iii) The authority to operate combinations of vehicles under
23 this subparagraph may be granted by endorsement on a class C
24 license upon completion of that written examination.

25 (G) A vehicle or combination of vehicles with a gross
26 combination weight rating or a gross vehicle weight rating, as
27 those terms are defined in subdivisions (j) and (k), respectively,
28 of Section 15210, of 26,000 pounds or less, if all of the following
29 conditions are met:

30 (i) Is operated by a farmer, an employee of a farmer, or an
31 instructor credentialed in agriculture as part of an instructional
32 program in agriculture at the high school, community college, or
33 university level.

34 (ii) Is used exclusively in the conduct of agricultural operations.

35 (iii) Is not used in the capacity of a for-hire carrier or for
36 compensation.

37 (H) Firefighting equipment, provided that the equipment is
38 operated by a person who holds a firefighter endorsement pursuant
39 to Section 12804.11.

40 (I) A motorized scooter.

1 (J) A bus with a gross vehicle weight rating or gross vehicle
2 weight of 26,000 pounds or less, except a trailer bus.

3 (K) Class C does not include a two-wheel motorcycle or a
4 two-wheel motor-driven cycle.

5 (4) Class M1. A two-wheel motorcycle or a motor-driven cycle.
6 Authority to operate a vehicle included in a class M1 license may
7 be granted by endorsement on a class A, B, or C license upon
8 completion of an appropriate examination.

9 (5) (A) Class M2 includes a moped or a bicycle with an attached
10 motor, except an electric bicycle as described in subdivision (a)
11 of Section 312.5.

12 (B) Authority to operate vehicles included in class M2 may be
13 granted by endorsement on a class A, B, or C license upon
14 completion of an appropriate examination. Persons holding a class
15 M1 license or endorsement may operate vehicles included in class
16 M2 without further examination.

17 (c) A driver's license or driver certificate is not valid for
18 operating a commercial motor vehicle, as defined in subdivision
19 (b) of Section 15210, any other motor vehicle listed in paragraph
20 (1) or (2) of subdivision (b), or any other vehicle requiring a driver
21 to hold any driver certificate or any driver's license endorsement
22 under Section 15275, unless a medical certificate approved by the
23 department that has been issued within two years of the date of
24 the operation of that vehicle and a copy of the medical examination
25 report from which the certificate was issued is on file with the
26 department. Otherwise, the license is valid only for operating class
27 C vehicles that are not commercial vehicles, as defined in
28 subdivision (b) of Section 15210, and for operating class M1 or
29 M2 vehicles, if so endorsed, that are not commercial vehicles, as
30 defined in subdivision (b) of Section 15210.

31 (d) A license or driver certificate issued before the enactment
32 of Chapter 7 (commencing with Section 15200) is valid to operate
33 the class or type of vehicles specified under the law in existence
34 before that enactment until the license or certificate expires or is
35 otherwise suspended, revoked, or canceled. Upon application for
36 renewal or replacement of a driver's license, endorsement, or
37 certificate required to operate a commercial motor vehicle, a valid
38 medical certificate on a form approved by the department shall be
39 submitted to the department.

1 (e) The department may accept a certificate of driving skill that
2 is issued by an employer, authorized by the department to issue a
3 certificate under Section 15250, of the applicant, in lieu of a driving
4 test, on class A or B applications, if the applicant has first qualified
5 for a class C license and has met the other examination
6 requirements for the license for which the applicant is applying.
7 The certificate may be submitted as evidence of the applicant's
8 skill in the operation of the types of equipment covered by the
9 license for which the applicant is applying.

10 (f) The department may accept a certificate of competence in
11 lieu of a driving test on class M1 or M2 applications, when the
12 certificate is issued by a law enforcement agency for its officers
13 who operate class M1 or M2 vehicles in their duties, if the applicant
14 has met the other examination requirements for the license for
15 which the applicant is applying.

16 (g) The department may accept a certificate of satisfactory
17 completion of a motorcyclist training program approved by the
18 commissioner pursuant to Section 2932 in lieu of a driving test on
19 class M1 or M2 applications, if the applicant has met the other
20 examination requirements for the license for which the applicant
21 is applying. The department shall review and approve the written
22 and driving test used by a program to determine whether the
23 program may issue a certificate of completion.

24 (h) Notwithstanding subdivision (b), a person holding a valid
25 California driver's license of any class may operate a short-term
26 rental moped without taking any special examination for the
27 operation of a moped, and without having a class M2 endorsement
28 on that license. As used in this subdivision, "short-term" means
29 48 hours or less.

30 (i) A person under 21 years of age shall not be issued a class
31 M1 or M2 license or endorsement unless the person provides
32 evidence satisfactory to the department of completion of a novice
33 motorcycle safety training program that is operated pursuant to
34 Article 2 (commencing with Section 2930) of Chapter 5 of Division
35 2.

36 (j) A driver of a vanpool vehicle may operate with a class C
37 license but shall possess evidence of a medical examination
38 required for a class B license when operating vanpool vehicles. In
39 order to be eligible to drive the vanpool vehicle, the driver shall
40 keep in the vanpool vehicle a statement, signed under penalty of

1 perjury, that the driver has not been convicted of reckless driving,
2 drunk driving, or a hit-and-run offense in the last five years.

3 (k) This section shall remain in effect only until January 1, 2029,
4 and as of that date is repealed.

5 ~~SEC. 24.~~

6 *SEC. 25.* Section 12804.9 of the Vehicle Code, as amended by
7 Section 4 of Chapter 16 of the Statutes of 2025, is amended to
8 read:

9 12804.9. (a) (1) The examination shall include all of the
10 following:

11 (A) A test of the applicant's knowledge and understanding of
12 the provisions of this code governing the operation of vehicles
13 upon the highways.

14 (B) A test of the applicant's ability to read and understand
15 simple English used in highway traffic and directional signs.

16 (C) A test of the applicant's understanding of traffic signs and
17 signals, including the bikeway signs, markers, and traffic control
18 devices established by the Department of Transportation.

19 (D) An actual demonstration of the applicant's ability to exercise
20 ordinary and reasonable control in operating a motor vehicle by
21 driving it under the supervision of an examining officer. The
22 applicant shall submit to an examination appropriate to the type
23 of motor vehicle or combination of vehicles the applicant desires
24 a license to drive, except that the department may waive the driving
25 test part of the examination for any applicant who submits a license
26 issued by another state, territory, or possession of the United States,
27 the District of Columbia, or the Commonwealth of Puerto Rico if
28 the department verifies through any acknowledged national driver
29 record data source that there are no stops, holds, or other
30 impediments to its issuance. The examining officer may request
31 to see evidence of financial responsibility for the vehicle before
32 supervising the demonstration of the applicant's ability to operate
33 the vehicle. The examining officer may refuse to examine an
34 applicant who is unable to provide proof of financial responsibility
35 for the vehicle, unless proof of financial responsibility is not
36 required by this code.

37 (E) A test of the hearing and eyesight of the applicant, and of
38 other matters that may be necessary to determine the mental and
39 physical fitness of the applicant to operate a motor vehicle upon

1 the highways, and whether any grounds exist for refusal of a license
2 under this code.

3 (2) (A) Before a class A or class B driver's license, or class C
4 driver's license with a commercial endorsement, may be issued
5 or renewed, the applicant shall have in the applicant's driver record
6 a valid report of a medical examination of the applicant given not
7 more than two years before the date of the application by a health
8 care professional. As used in this paragraph, "health care
9 professional" means a person who is licensed, certified, or
10 registered in accordance with applicable state laws and regulations
11 to practice medicine and perform physical examinations in the
12 United States. Health care professionals are doctors of medicine,
13 doctors of osteopathy, physician assistants, and registered advanced
14 practice nurses, or doctors of chiropractic who are clinically
15 competent to perform the medical examination presently required
16 of motor carrier drivers by the United States Department of
17 Transportation. The report shall be on a form approved by the
18 department. In establishing the requirements, consideration may
19 be given to the standards presently required of motor carrier drivers
20 by the Federal Motor Carrier Safety Administration.

21 (B) The department may accept a federal waiver of one or more
22 physical qualification standards if the waiver is accompanied by
23 a report of a nonqualifying medical examination for a class A or
24 class B driver's license, or class C driver's license with a
25 commercial endorsement, pursuant to Section 391.41(a)(3)(ii) of
26 Subpart E of Part 391 of Title 49 of the Code of Federal
27 Regulations.

28 (3) A physical defect of the applicant that, in the opinion of the
29 department, is compensated for to ensure safe driving ability, shall
30 not prevent the issuance of a license to the applicant.

31 (b) In accordance with the following classifications, an applicant
32 for a driver's license shall be required to submit to an examination
33 appropriate to the type of motor vehicle or combination of vehicles
34 the applicant desires a license to drive:

35 (1) Class A includes the following:

36 (A) Except as provided in subparagraph (H) of paragraph (3),
37 a combination of vehicles, if a vehicle being towed has a gross
38 vehicle weight rating or gross vehicle weight of more than 10,000
39 pounds.

40 (B) A vehicle towing more than one vehicle.

- 1 (C) A trailer bus.
2 (D) The operation of all vehicles under class B and class C.
3 (2) Class B includes the following:
4 (A) Except as provided in subparagraph (H) of paragraph (3),
5 a single vehicle with a gross vehicle weight rating or gross vehicle
6 weight of more than 26,000 pounds.
7 (B) A single vehicle with three or more axles, except any
8 three-axle vehicle weighing less than 6,000 pounds.
9 (C) A bus with a gross vehicle weight rating or gross vehicle
10 weight of more than 26,000 pounds, except a trailer bus.
11 (D) A farm labor vehicle.
12 (E) A single vehicle with three or more axles or a gross vehicle
13 weight rating or gross vehicle weight of more than 26,000 pounds
14 towing another vehicle with a gross vehicle weight rating or gross
15 vehicle weight of 10,000 pounds or less.
16 (F) A house car over 40 feet in length, excluding safety devices
17 and safety bumpers.
18 (G) The operation of all vehicles covered under class C.
19 (3) Class C includes the following:
20 (A) A two-axle vehicle with a gross vehicle weight rating or
21 gross vehicle weight of 26,000 pounds or less, including when the
22 vehicle is towing a trailer or semitrailer with a gross vehicle weight
23 rating or gross vehicle weight of 10,000 pounds or less.
24 (B) Notwithstanding subparagraph (A), a two-axle vehicle
25 weighing 4,000 pounds or more unladen when towing a trailer
26 coach not exceeding 9,000 pounds gross.
27 (C) A house car of 40 feet in length or less.
28 (D) A three-axle vehicle weighing 6,000 pounds gross or less.
29 (E) A house car of 40 feet in length or less or a vehicle towing
30 another vehicle with a gross vehicle weight rating of 10,000 pounds
31 or less, including when a tow dolly is used. A person driving a
32 vehicle may not tow another vehicle in violation of Section 21715.
33 (F) (i) A two-axle vehicle when towing a trailer exceeding
34 10,000 pounds, but not exceeding 15,000 pounds gross vehicle
35 weight rating or gross vehicle weight, if all of the following
36 conditions are met:
37 (I) The towing of the trailer is not for compensation or
38 commercial purposes.

- 1 (II) The trailer is coupled to the towing vehicle by a
2 bed-mounted gooseneck hitch or a fifth-wheel and kingpin
3 connection.
- 4 (III) The trailer is used exclusively for recreational purposes.
- 5 (IV) The trailer is used for the transportation of property or
6 human habitation, or both.
- 7 (V) The person has passed a specialized written examination
8 provided by the department relating to the knowledge of this code
9 and other safety aspects governing the towing of recreational
10 vehicles upon the highway.
- 11 (ii) A vehicle towing a fifth-wheel travel trailer exceeding
12 10,000 pounds, but not exceeding 15,000 pounds, gross vehicle
13 weight rating or gross vehicle weight, when the towing of the
14 trailer is not for compensation, and if the person has passed a
15 specialized written examination provided by the department
16 relating to the knowledge of this code and other safety aspects
17 governing the towing of recreational vehicles upon the highway.
- 18 (iii) The authority to operate combinations of vehicles under
19 this subparagraph may be granted by endorsement on a class C
20 license upon completion of that written examination.
- 21 (G) A vehicle or combination of vehicles with a gross
22 combination weight rating or a gross vehicle weight rating, as
23 those terms are defined in subdivisions (j) and (k), respectively,
24 of Section 15210, of 26,000 pounds or less, if all of the following
25 conditions are met:
- 26 (i) Is operated by a farmer, an employee of a farmer, or an
27 instructor credentialed in agriculture as part of an instructional
28 program in agriculture at the high school, community college, or
29 university level.
- 30 (ii) Is used exclusively in the conduct of agricultural operations.
- 31 (iii) Is not used in the capacity of a for-hire carrier or for
32 compensation.
- 33 (H) Firefighting equipment, provided that the equipment is
34 operated by a person who holds a firefighter endorsement pursuant
35 to Section 12804.11.
- 36 (I) A motorized scooter.
- 37 (J) A bus with a gross vehicle weight rating or gross vehicle
38 weight of 26,000 pounds or less, except a trailer bus.
- 39 (K) Class C does not include a two-wheel motorcycle or a
40 two-wheel motor-driven cycle.

1 (4) Class M1. A two-wheel motorcycle or a motor-driven cycle.
2 Authority to operate a vehicle included in a class M1 license may
3 be granted by endorsement on a class A, B, or C license upon
4 completion of an appropriate examination.

5 (5) (A) Class M2 includes a moped or a bicycle with an attached
6 motor, except an electric bicycle as described in subdivision (a)
7 of Section 312.5.

8 (B) Authority to operate vehicles included in class M2 may be
9 granted by endorsement on a class A, B, or C license upon
10 completion of an appropriate examination. Persons holding a class
11 M1 license or endorsement may operate vehicles included in class
12 M2 without further examination.

13 (c) A driver's license or driver certificate is not valid for
14 operating a commercial motor vehicle, as defined in subdivision
15 (b) of Section 15210, any other motor vehicle listed in paragraph
16 (1) or (2) of subdivision (b), or any other vehicle requiring a driver
17 to hold any driver certificate or any driver's license endorsement
18 under Section 15275, unless a medical certificate approved by the
19 department that has been issued within two years of the date of
20 the operation of that vehicle and a copy of the medical examination
21 report from which the certificate was issued is on file with the
22 department. Otherwise, the license is valid only for operating class
23 C vehicles that are not commercial vehicles, as defined in
24 subdivision (b) of Section 15210, and for operating class M1 or
25 M2 vehicles, if so endorsed, that are not commercial vehicles, as
26 defined in subdivision (b) of Section 15210.

27 (d) A license or driver certificate issued before the enactment
28 of Chapter 7 (commencing with Section 15200) is valid to operate
29 the class or type of vehicles specified under the law in existence
30 before that enactment until the license or certificate expires or is
31 otherwise suspended, revoked, or canceled. Upon application for
32 renewal or replacement of a driver's license, endorsement, or
33 certificate required to operate a commercial motor vehicle, a valid
34 medical certificate on a form approved by the department shall be
35 submitted to the department.

36 (e) The department may accept a certificate of driving skill that
37 is issued by an employer, authorized by the department to issue a
38 certificate under Section 15250, of the applicant, in lieu of a driving
39 test, on class A or B applications, if the applicant has first qualified
40 for a class C license and has met the other examination

1 requirements for the license for which the applicant is applying.
2 The certificate may be submitted as evidence of the applicant's
3 skill in the operation of the types of equipment covered by the
4 license for which the applicant is applying.

5 (f) The department may accept a certificate of competence in
6 lieu of a driving test on class M1 or M2 applications, when the
7 certificate is issued by a law enforcement agency for its officers
8 who operate class M1 or M2 vehicles in their duties, if the applicant
9 has met the other examination requirements for the license for
10 which the applicant is applying.

11 (g) The department may accept a certificate of satisfactory
12 completion of a motorcyclist training program approved by the
13 commissioner pursuant to Section 2932 in lieu of a driving test on
14 class M1 or M2 applications, if the applicant has met the other
15 examination requirements for the license for which the applicant
16 is applying. The department shall review and approve the written
17 and driving test used by a program to determine whether the
18 program may issue a certificate of completion.

19 (h) Notwithstanding subdivision (b), a person holding a valid
20 California driver's license of any class may operate a short-term
21 rental moped without taking any special examination for the
22 operation of a moped, and without having a class M2 endorsement
23 on that license. As used in this subdivision, "short-term" means
24 48 hours or less.

25 (i) A person under 21 years of age shall not be issued a class
26 M1 or M2 license or endorsement unless the person provides
27 evidence satisfactory to the department of completion of a novice
28 motorcycle safety training program that is operated pursuant to
29 Article 2 (commencing with Section 2930) of Chapter 5 of Division
30 2.

31 (j) A driver of a vanpool vehicle may operate with a class C
32 license but shall possess evidence of a medical examination
33 required for a class B license when operating vanpool vehicles. In
34 order to be eligible to drive the vanpool vehicle, the driver shall
35 keep in the vanpool vehicle a statement, signed under penalty of
36 perjury, that the driver has not been convicted of reckless driving,
37 drunk driving, or a hit-and-run offense in the last five years.

38 (k) This section shall become operative on January 1, 2029.

1 ~~SEC. 25.~~

2 *SEC. 26.* Section 12814.6 of the Vehicle Code is amended to
3 read:

4 12814.6. (a) Except as provided in Section 12814.7, a driver's
5 license issued to a person at least 16 years of age but under 18
6 years of age shall be issued pursuant to the provisional licensing
7 program contained in this section. The program shall consist of
8 all of the following components:

9 (1) Upon application for an original license, the applicant shall
10 be issued an instruction permit pursuant to Section 12509. A person
11 who has in their immediate possession a valid permit issued
12 pursuant to Section 12509 may operate a motor vehicle, other than
13 a motorcycle or moped, only when the person is either taking the
14 driver training instruction referred to in paragraph (3) or practicing
15 that instruction, provided the person is accompanied by, and is
16 under the immediate supervision of, a California-licensed driver
17 25 years of age or older whose driving privilege is not on probation.
18 The age requirement of this paragraph does not apply if the licensed
19 driver is the parent, spouse, or guardian of the permitholder or is
20 a licensed or certified driving instructor.

21 (2) The person shall hold an instruction permit for not less than
22 six months prior to applying for a provisional driver's license.

23 (3) The person shall have complied with one of the following:

24 (A) Satisfactory completion of approved courses in automobile
25 driver education and driver training maintained pursuant to
26 provisions of the Education Code in any secondary school of
27 California, or equivalent instruction in a secondary school of
28 another state.

29 (B) Satisfactory completion of an integrated driver education
30 and training program that is approved by the department and
31 conducted by a driving instructor licensed under Chapter 1
32 (commencing with Section 11100) of Division 5. The program
33 shall utilize segmented modules, whereby a portion of the
34 educational instruction is provided by, and then reinforced through,
35 specific behind-the-wheel training before moving to the next phase
36 of driver education and training. The program shall contain a
37 minimum of 30 hours of classroom instruction and 6 hours of
38 behind-the-wheel training.

39 (C) Satisfactory completion of six hours or more of
40 behind-the-wheel instruction by a driving school or an independent

1 driving instructor licensed under Chapter 1 (commencing with
2 Section 11100) of Division 5 and either an accredited course in
3 automobile driver education in any secondary school of California
4 pursuant to provisions of the Education Code or satisfactory
5 completion of equivalent professional instruction acceptable to
6 the department. To be acceptable to the department, the
7 professional instruction shall meet minimum standards to be
8 prescribed by the department, and the standards shall be at least
9 equal to the requirements for driver education and driver training
10 contained in the rules and regulations adopted by the State Board
11 of Education pursuant to the Education Code. A person who has
12 complied with this subdivision shall not be required by the
13 governing board of a school district to comply with subparagraph
14 (A) in order to graduate from high school.

15 (D) Except as provided under subparagraph (B), a student may
16 not take driver training instruction, unless the student has
17 successfully completed driver education.

18 (4) The person shall complete 50 hours of supervised driving
19 practice prior to the issuance of a provisional license, which is in
20 addition to any other driver training instruction required by law.
21 Not less than 10 of the required practice hours shall include driving
22 during darkness, as defined in Section 280. Upon application for
23 a provisional license, the person shall submit to the department
24 the certification of a parent, spouse, guardian, or licensed or
25 certified driving instructor that the applicant has completed the
26 required amount of driving practice and is prepared to take the
27 department's driving test. A person without a parent, spouse,
28 guardian, or who is an emancipated minor, may have a licensed
29 driver 25 years of age or older or a licensed or certified driving
30 instructor complete the certification. This requirement does not
31 apply to motorcycle practice.

32 (5) The person shall successfully complete an examination
33 required by the department. Before retaking a test, the person shall
34 wait for not less than one week after failure of the written test and
35 for not less than two weeks after failure of the driving test.

36 (b) Except as provided in Section 12814.7, the provisional
37 driver's license shall be subject to all of the following restrictions:

38 (1) Except as specified in paragraph (2), during the first 12
39 months after issuance of a provisional license the licensee may
40 not do any of the following unless accompanied and supervised

1 by a licensed driver who is the licensee's parent or guardian, a
2 licensed driver who is 25 years of age or older, or a licensed or
3 certified driving instructor:

4 (A) Drive between the hours of 11 p.m. and 5 a.m.

5 (B) Transport passengers who are under 20 years of age.

6 (2) A licensee may drive between the hours of 11 p.m. and 5
7 a.m. or transport an immediate family member without being
8 accompanied and supervised by a licensed driver who is the
9 licensee's parent or guardian, a licensed driver who is 25 years of
10 age or older, or a licensed or certified driving instructor, in the
11 following circumstances:

12 (A) Medical necessity of the licensee when reasonable
13 transportation facilities are inadequate and operation of a vehicle
14 by a minor is necessary. The licensee shall keep in their possession
15 a signed statement from a physician familiar with the condition,
16 containing a diagnosis and probable date when sufficient recovery
17 will have been made to terminate the necessity.

18 (B) Schooling or school-authorized activities of the licensee
19 when reasonable transportation facilities are inadequate and
20 operation of a vehicle by a minor is necessary. The licensee shall
21 keep in their possession a signed statement from the school
22 principal, dean, or school staff member designated by the principal
23 or dean, containing a probable date that the schooling or
24 school-authorized activity will have been completed.

25 (C) Employment necessity of the licensee when reasonable
26 transportation facilities are inadequate and operation of a vehicle
27 by a minor is necessary. The licensee shall keep in their possession
28 a signed statement from the employer, verifying employment and
29 containing a probable date that the employment will have been
30 completed.

31 (D) Necessity of the licensee or the licensee's immediate family
32 member when reasonable transportation facilities are inadequate
33 and operation of a vehicle by a minor is necessary to transport the
34 licensee or the licensee's immediate family member. The licensee
35 shall keep in their possession a signed statement from a parent or
36 legal guardian verifying the reason and containing a probable date
37 that the necessity will have ceased.

38 (E) The licensee is an emancipated minor.

1 (c) A law enforcement officer shall not stop a vehicle for the
2 sole purpose of determining whether the driver is in violation of
3 the restrictions imposed under subdivision (b).

4 (d) A law enforcement officer shall not stop a vehicle for the
5 sole purpose of determining whether a driver who is subject to the
6 license restrictions in subdivision (b) is in violation of Article 2.5
7 (commencing with Section 118947) of Chapter 4 of Part 15 of
8 Division 104 of the Health and Safety Code.

9 (e) (1) Upon a finding that any licensee has violated paragraph
10 (1) of subdivision (b), the court shall impose one of the following:

11 (A) Not less than 8 hours nor more than 16 hours of community
12 service for a first offense and not less than 16 hours nor more than
13 24 hours of community service for a second or subsequent offense.

14 (B) A fine of not more than thirty-five dollars (\$35) for a first
15 offense and a fine of not more than fifty dollars (\$50) for a second
16 or subsequent offense.

17 (2) If the court orders community service, the court shall retain
18 jurisdiction until the hours of community service have been
19 completed.

20 (3) If the hours of community service have not been completed
21 within 90 days, the court shall impose a fine of not more than
22 thirty-five dollars (\$35) for a first offense and not more than fifty
23 dollars (\$50) for a second or subsequent offense.

24 (f) A conviction of paragraph (1) of subdivision (b), when
25 reported to the department, may not be disclosed as otherwise
26 specified in Section 1808 or constitute a violation point count value
27 pursuant to Section 12810.

28 (g) Any term of restriction or suspension of the driving privilege
29 imposed on a person pursuant to this subdivision shall remain in
30 effect until the end of the term even though the person becomes
31 18 years of age before the term ends.

32 (1) The driving privilege shall be suspended when the record
33 of the person shows one or more notifications issued pursuant to
34 former Section 40509 or former Section 40509.5. The suspension
35 shall continue until any notification issued pursuant to former
36 Section 40509 or former Section 40509.5 has been cleared.

37 (2) A 30-day restriction shall be imposed when a driver's record
38 shows a violation point count of two or more points in 12 months,
39 as determined in accordance with Section 12810. The restriction
40 shall require the licensee to be accompanied by a licensed parent,

1 spouse, guardian, or other licensed driver 25 years of age or older,
2 except when operating a class M vehicle, or so licensed, with no
3 passengers aboard.

4 (3) A 6-month suspension of the driving privilege and a one-year
5 term of probation shall be imposed whenever a licensee's record
6 shows a violation point count of three or more points in 12 months,
7 as determined in accordance with Section 12810. The terms and
8 conditions of probation shall include, but not be limited to, both
9 of the following:

10 (A) The person shall violate no law that, if resulting in
11 conviction, is reportable to the department under Section 1803.

12 (B) The person shall remain free from accident responsibility.

13 (h) Whenever action by the department under subdivision (g)
14 arises as a result of a motor vehicle accident, the person may, in
15 writing and within 10 days, demand a hearing to present evidence
16 that they were not responsible for the accident upon which the
17 action is based. Whenever action by the department is based upon
18 a conviction reportable to the department under Section 1803, the
19 person has no right to a hearing pursuant to Article 3 (commencing
20 with Section 14100) of Chapter 3.

21 (i) The department shall require a person whose driving privilege
22 is suspended or revoked pursuant to subdivision (g) to submit proof
23 of financial responsibility as defined in Section 16430. The proof
24 of financial responsibility shall be filed on or before the date of
25 reinstatement following the suspension or revocation. The proof
26 of financial responsibility shall be maintained with the department
27 for three years following the date of reinstatement.

28 (j) (1) Notwithstanding any other provision of this code, the
29 department may issue a distinctive driver's license, that displays
30 a distinctive color or a distinctively colored stripe or other
31 distinguishing characteristic, to persons at least 16 years of age
32 and older but under 18 years of age, and to persons 18 years of
33 age and older but under 21 years of age, so that the distinctive
34 license feature is immediately recognizable. The features shall
35 clearly differentiate between driver's licenses issued to persons at
36 least 16 years of age or older but under 18 years of age and to
37 persons 18 years of age or older but under 21 years of age.

38 (2) If changes in the format or appearance of driver's licenses
39 are adopted pursuant to this subdivision, those changes may be

1 implemented under any new contract for the production of driver's
2 licenses entered into after the adoption of those changes.

3 (k) The department shall include, on the face of the provisional
4 driver's license, the original issuance date of the provisional
5 driver's license in addition to any other issuance date.

6 (l) This section shall be known and may be cited as the
7 Brady-Jared Teen Driver Safety Act of 1997.

8 *SEC. 27. Section 21065 is added to the Vehicle Code, to read:*

9 *21065. Any incident report filed by a peace officer for an injury*
10 *or crash involving an electric bicycle, moped, or motor-driven*
11 *cycle shall include all of the information provided in subdivision*
12 *(a) or (b) of Section 27850. If the electric bicycle, moped, or*
13 *motor-driven cycle does not have the marking or label, the incident*
14 *report shall indicate that a marking or label was not available.*

15 ~~SEC. 26.~~

16 *SEC. 28. Section 21113 of the Vehicle Code is amended to*
17 *read:*

18 21113. (a) (1) Except as provided in paragraph (2), a person
19 shall not drive a vehicle or animal, or stop, park, or leave standing
20 a vehicle or animal, whether attended or unattended, upon the
21 driveways, paths, parking facilities, or the grounds of any of the
22 following:

23 (A) A public school, state university, state college, or an
24 educational institution exempted, in whole or in part, from taxation.

25 (B) A unit of the state park system.

26 (C) A county park.

27 (D) A municipal airport.

28 (E) A rapid transit district, transit development board, transit
29 district, public transportation agency, county transportation
30 commission created pursuant to Section 130050 of the Public
31 Utilities Code, or a joint powers agency operating or managing a
32 commuter rail system.

33 (F) Any property under the direct control of the legislative body
34 of a municipality.

35 (G) A state, county, or hospital district institution or building.

36 (H) Any harbor improvement district or harbor district formed
37 pursuant to Part 2 (commencing with Section 5800) or Part 3
38 (commencing with Section 6000) of Division 8 of the Harbors and
39 Navigation Code.

1 (I) A district organized pursuant to Part 3 (commencing with
2 Section 27000) of Division 16 of the Streets and Highways Code.

3 (J) State grounds served by the Department of the California
4 Highway Patrol.

5 (K) Any property under the possession or control of a housing
6 authority formed pursuant to Article 2 (commencing with Section
7 34240) of Chapter 1 of Part 2 of Division 24 of the Health and
8 Safety Code.

9 (2) The activities described in paragraph (1) may be performed
10 with the permission of, and upon and subject to any condition or
11 regulation that may be imposed by, the legislative body of the
12 municipality, or the governing board or officer of the public school,
13 state university, state college, county park, municipal airport, rapid
14 transit district, transit development board, transit district, public
15 transportation agency, county transportation commission, joint
16 powers agency operating or managing a commuter rail system, or
17 state, county, or hospital district institution or building, or
18 educational institution, or harbor district, or a district organized
19 pursuant to Part 3 (commencing with Section 27000) of Division
20 16 of the Streets and Highways Code, or housing authority, or the
21 Director of Parks and Recreation regarding units of the state park
22 system or the state agency with jurisdiction over the grounds served
23 by the Department of the California Highway Patrol.

24 (b) A governing board, legislative body, or officer shall erect
25 or place appropriate signs giving notice of any special conditions
26 or regulations that are imposed under this section and the governing
27 board, legislative body, or officer shall also prepare and keep
28 available at the principal administrative office of the governing
29 board, legislative body, or officer, for examination by all interested
30 persons, a written statement of all those special conditions and
31 regulations adopted pursuant to this section.

32 (c) When a governing board, legislative body, or officer permits
33 public traffic upon the driveways, paths, parking facilities, or
34 grounds under their control then, except for those conditions
35 imposed or regulations enacted by the governing board, legislative
36 body, or officer applicable to the traffic, all the provisions of this
37 code relating to traffic upon the highways shall be applicable to
38 the traffic upon the driveways, paths, parking facilities, or grounds.

39 (d) A public transportation agency that imposes any condition
40 or regulation upon a person who parks or leaves standing a vehicle,

1 pursuant to subdivision (a), is authorized to do either of the
2 following:

3 (1) Enforce that condition or regulation in the manner provided
4 in Article 3 (commencing with Section 40200) of Chapter 1 of
5 Division 17 of this code. The public transportation agency shall
6 be considered the issuing agency for that purpose.

7 (2) Designate regularly employed and salaried employees, who
8 are engaged in directing traffic or enforcing parking laws and
9 regulations, for the purpose of removing any vehicle in the same
10 manner as a city, county, or jurisdiction of a state agency pursuant
11 to Chapter 10 (commencing with Section 22650) of Division 11
12 of this code.

13 (e) With respect to the permitted use of vehicles or animals on
14 property under the direct control of the legislative body of a
15 municipality, no change in the use of vehicles or animals on the
16 property, that had been permitted on January 1, 1976, shall be
17 effective unless and until the legislative body, at a meeting open
18 to the general public, determines that the use of vehicles or animals
19 on the property should be prohibited or regulated.

20 (f) A transit development board may adopt ordinances, rules,
21 or regulations to restrict, or specify the conditions for, the use of
22 bicycles, mopeds, electric bicycles, skateboards, electrically
23 motorized boards, and roller skates on property under the control
24 of, or any portion of property used by, the board.

25 (g) A public agency, including, but not limited to, the Regents
26 of the University of California and the Trustees of the California
27 State University, may adopt rules or regulations to restrict, or
28 specify the conditions for, the use of bicycles, mopeds, electric
29 bicycles, skateboards, electrically motorized boards, and roller
30 skates on public property under the jurisdiction of that agency.

31 (h) "Housing authority," for the purposes of this section, means
32 a housing authority located within a county with a population of
33 over 6,000,000 people, and any other housing authority that
34 complies with the requirements of this section.

35 (i) "Public transportation agency," for purposes of this section,
36 means a public agency that provides public transportation as
37 defined in paragraph (1) of subdivision (f) of Section 1 of Article
38 XIX A of the California Constitution or a county transportation
39 commission created pursuant to Section 130050 of the Public
40 Utilities Code.

1 ~~SEC. 27.~~

2 *SEC. 29.* Section 21201.3 of the Vehicle Code is amended to
3 read:

4 21201.3. (a) A bicycle or moped used by a peace officer, as
5 defined in Section 830.1 of, subdivision (a), (b), (c), (d), (e), (f),
6 (g), or (i) of Section 830.2 of, subdivision (b) or (d) of Section
7 830.31 of, subdivision (a) or (b) of Section 830.32 of, Section
8 830.33 of, subdivision (a) of Section 830.36 of, subdivision (a) of
9 Section 830.4 of, or Section 830.6 of, the Penal Code, in the
10 performance of the peace officer's duties, may display a steady or
11 flashing blue warning light that is visible from the front, sides, or
12 rear of the bicycle or moped.

13 (b) No person shall display a steady or flashing blue warning
14 light on a bicycle or moped except as authorized under subdivision
15 (a).

16 ~~SEC. 28.~~

17 *SEC. 30.* Section 21203 of the Vehicle Code is amended to
18 read:

19 21203. No person riding upon any motorcycle, moped, bicycle,
20 coaster, roller skates, sled, or toy vehicle shall attach the same or
21 themselves to any streetcar or vehicle on the roadway.

22 ~~SEC. 29.~~

23 *SEC. 31.* Section 21207.5 of the Vehicle Code is amended to
24 read:

25 21207.5. (a) Notwithstanding Sections 21207 and 23127 of
26 this code, or any other law, a moped shall not be operated on a
27 bicycle path or trail, bikeway, bicycle lane established pursuant
28 to Section 21207, equestrian trail, or hiking or recreational trail,
29 unless it is within or adjacent to a roadway or unless the local
30 authority or the governing body of a public agency having
31 jurisdiction over the path or trail permits, by ordinance, that
32 operation.

33 (b) The local authority or governing body of a public agency
34 having jurisdiction over an equestrian trail, or hiking or recreational
35 trail, may prohibit, by ordinance, the operation of an electric
36 bicycle or any class of electric bicycle on that trail.

37 (c) The Department of Parks and Recreation may prohibit the
38 operation of an electric bicycle or any class of electric bicycle on
39 any bicycle path or trail within the department's jurisdiction.

1 ~~SEC. 30.~~

2 SEC. 32. Section 21209 of the Vehicle Code is amended to
3 read:

4 21209. (a) No person shall drive a motor vehicle in a bicycle
5 lane established on a roadway pursuant to Section 21207 except
6 as follows:

- 7 (1) To park where parking is permitted.
- 8 (2) To enter or leave the roadway.
- 9 (3) To prepare for a turn within a distance of 200 feet from the
10 intersection.

11 (b) This section does not prohibit the use of a moped in a bicycle
12 lane, pursuant to Section 21207.5, at a speed no greater than is
13 reasonable or prudent, having due regard for visibility, traffic
14 conditions, and the condition of the roadway surface of the bicycle
15 lane, and in a manner which does not endanger the safety of
16 bicyclists.

17 SEC. 33. *Article 9 (commencing with Section 21310) is added*
18 *to Chapter 1 of Division 11 of the Vehicle Code, to read:*

19
20 *Article 9. Unauthorized Devices*

21
22 21310. (a) *Notwithstanding any other law, a person shall not*
23 *operate a two-wheeled or three-wheeled device powered by an*
24 *electric motor that is capable of propelling the device at a speed*
25 *greater than 20 miles per hour on level ground on a highway or*
26 *public right-of-way when powered solely by the motor unless the*
27 *device meets a definition of a class of motor vehicle device that is*
28 *explicitly defined in Division 1 (commencing with Section 100),*
29 *complies with all applicable requirements for that motor vehicle,*
30 *and is explicitly authorized for use on a highway or public*
31 *right-of-way pursuant to this code.*

32 (b) *A vehicle described in subdivision (a) includes, without*
33 *limitation, any device that has multiple speed modes or settings,*
34 *notwithstanding that one or more of the settings limit the maximum*
35 *speed of the device to 20 miles per hour when powered solely by*
36 *the motor, and devices that are designed or designated by the*
37 *manufacturer for off-road use or for use on private land.*

38 ~~SEC. 31.~~

39 SEC. 34. Section 21712 of the Vehicle Code is amended to
40 read:

1 21712. (a) A person driving a motor vehicle shall not
2 knowingly permit a person to ride on a vehicle or upon a portion
3 of a vehicle that is not designed or intended for the use of
4 passengers.

5 (b) A person shall not ride on a vehicle or upon a portion of a
6 vehicle that is not designed or intended for the use of passengers.

7 (c) A person driving a motor vehicle shall not knowingly permit
8 a person to ride in the trunk of that motor vehicle.

9 (d) A person shall not ride in the trunk of a motor vehicle.

10 (e) A person violating subdivision (c) or (d) shall be punished
11 as follows:

12 (1) By a fine of one hundred dollars (\$100).

13 (2) For a second violation occurring within one year of a prior
14 violation that resulted in a conviction, a fine of two hundred dollars
15 (\$200).

16 (3) For a third or a subsequent violation occurring within one
17 year of two or more prior violations that resulted in convictions,
18 a fine of two hundred fifty dollars (\$250).

19 (f) Subdivisions (a) and (b) do not apply to an employee engaged
20 in the necessary discharge of their duty or in the case of persons
21 riding completely within or upon vehicle bodies in the space
22 intended for a load on the vehicle.

23 (g) A person shall not drive a motor vehicle that is towing a
24 trailer coach, camp trailer, or trailer carrying a vessel, containing
25 a passenger, except when a trailer carrying or designed to carry a
26 vessel is engaged in the launching or recovery of the vessel.

27 (h) A person shall not knowingly drive a motor vehicle that is
28 towing a person riding upon a motorcycle, moped, bicycle, coaster,
29 roller skates, sled, skis, or toy vehicle.

30 (i) Subdivision (g) does not apply to a trailer coach that is towed
31 with a fifth-wheel device if the trailer coach is equipped with safety
32 glazing materials wherever glazing materials are used in windows
33 or doors, with an audible or visual signaling device that a passenger
34 inside the trailer coach can use to gain the attention of the motor
35 vehicle driver, and with at least one unobstructed exit capable of
36 being opened from both the interior and exterior of the trailer
37 coach.

38 ~~SEC. 32.~~

39 *SEC. 35.* Section 21960 of the Vehicle Code is amended to
40 read:

1 21960. (a) The Department of Transportation and local
2 authorities, by order, ordinance, or resolution, with respect to
3 freeways, expressways, or designated portions thereof under their
4 respective jurisdictions, to which vehicle access is completely or
5 partially controlled, may prohibit or restrict the use of the freeways,
6 expressways, or any portion thereof by pedestrians, bicycles or
7 other nonmotorized traffic or by any person operating a
8 motor-driven cycle, moped, motorized scooter, or electrically
9 motorized board. A prohibition or restriction pertaining to bicycles,
10 motor-driven cycles, motorized scooters, or electrically motorized
11 boards shall be deemed to include mopeds. A person shall not
12 operate a moped wherever that prohibition or restriction is in force.
13 Notwithstanding any order, ordinance, or resolution to the contrary,
14 the driver or passengers of a disabled vehicle stopped on a freeway
15 or expressway may walk to the nearest exit, in either direction, on
16 that side of the freeway or expressway upon which the vehicle is
17 disabled, from which telephone or motor vehicle repair services
18 are available.

19 (b) The prohibitory regulation authorized by subdivision (a)
20 shall be effective when appropriate signs giving notice thereof are
21 erected upon any freeway or expressway and the approaches
22 thereto. If any portion of a county freeway or expressway is
23 contained within the limits of a city within the county, the county
24 may erect signs on that portion as required under this subdivision
25 if the ordinance has been approved by the city pursuant to
26 subdivision (b) of Section 1730 of the Streets and Highways Code.

27 (c) No ordinance or resolution of local authorities shall apply
28 to any state highway until the proposed ordinance or resolution
29 has been presented to, and approved in writing by, the Department
30 of Transportation.

31 (d) An ordinance or resolution adopted under this section on or
32 after January 1, 2005, to prohibit pedestrian access to a county
33 freeway or expressway shall not be effective unless it is supported
34 by a finding by the local authority that the freeway or expressway
35 does not have pedestrian facilities and pedestrian use would pose
36 a safety risk to the pedestrian.

37 *SEC. 36. Section 22651.08 of the Vehicle Code is amended to*
38 *read:*

39 22651.08. (a) A peace officer, as defined in Chapter 4.5
40 (commencing with Section 830) of Title 3 of Part 2 of the Penal

1 Code, may remove a vehicle located within the territorial limits
2 in which the officer may act, under either of the following
3 circumstances:

4 (1) A person is operating a vehicle with fewer than four wheels
5 that does not meet the definition of an electric bicycle set forth in
6 Section 312.5 and is both of the following:

7 (A) Powered by an electric motor capable of exclusively
8 propelling the vehicle in excess of 20 miles per hour on a highway.

9 (B) Being operated by an operator who is not licensed to operate
10 the vehicle.

11 (2) A person is operating a vehicle that is a class 3 electric
12 bicycle in violation of subdivision (a) of Section 21213.

13 (3) *A person is operating an unauthorized device, pursuant to*
14 *Article 9 (commencing with Section 21310) of Chapter 1 of*
15 *Division 11, on a highway or public right-of-way.*

16 (b) (1) A city, county, or city and county may adopt at a public
17 meeting a regulation, ordinance, or resolution imposing charges
18 equal to its administrative costs relating to the removal, seizure,
19 and storage costs. The charges shall not exceed the actual costs
20 incurred for the expenses directly related to removing, seizing,
21 and storing the vehicle.

22 (2) A local jurisdiction that has adopted a regulation, ordinance,
23 or resolution pursuant to paragraph (1) shall publicly and
24 conspicuously post the schedule of charges on their internet
25 website.

26 (c) An agency shall release a seized vehicle to the owner,
27 violator, or their agent after a minimum of 48 hours, if both of the
28 following conditions are met:

29 (1) The owner, violator, or authorized agent's request is made
30 during normal business hours.

31 (2) The applicable removal, seizure, and storage costs have been
32 paid.

33 (d) If a peace officer removes a vehicle pursuant to paragraph
34 (2) of subdivision (a), an agency may, as a condition of release,
35 require the owner, violator, or the parent or legal guardian of the
36 owner or violator to deliver proof that the violator has completed
37 an electric bicycle safety and training program, as described in
38 Section 894 of the Streets and Highways Code, or a related local
39 bicycle safety course, if one is available, as prescribed by
40 authorities in the local jurisdiction.

1 *SEC. 37. Section 23103 of the Vehicle Code is amended to*
2 *read:*

3 23103. (a) A person who drives a vehicle upon a highway in
4 willful or wanton disregard for the safety of persons or property
5 is guilty of reckless driving.

6 (b) A person who drives a vehicle in an offstreet parking
7 facility, as defined in subdivision (c) of Section 12500, in willful
8 or wanton disregard for the safety of persons or property is guilty
9 of reckless driving.

10 (c) *A person who operates a bicycle, including an electric*
11 *bicycle, upon a highway in willful or wanton disregard for the*
12 *safety of persons or property is guilty of reckless driving.*

13 (d) *A person who operates a bicycle, including an electric*
14 *bicycle, in an offstreet parking facility, as defined in subdivision*
15 *(c) of Section 12500, in willful or wanton disregard for the safety*
16 *of persons or property is guilty of reckless driving.*

17 (e)

18 (e) Except as otherwise provided in Section 40008, persons
19 convicted of the offense of reckless driving shall be punished by
20 imprisonment in a county jail for not less than five days nor more
21 than 90 days or by a fine of not less than one hundred forty-five
22 dollars (\$145) nor more than one thousand dollars (\$1,000), or by
23 both that fine and imprisonment, except as provided in Section
24 23104 or 23105.

25 ~~SEC. 33.~~

26 *SEC. 38. Section 23135 of the Vehicle Code is amended to*
27 *read:*

28 23135. It is unlawful for any person to operate upon a highway
29 any vehicle which was originally manufactured as a moped, as
30 defined in Section 406, and which has been modified in such a
31 manner that it no longer conforms to the definition of a moped.

32 ~~SEC. 34.~~

33 *SEC. 39. Section 23330 of the Vehicle Code is amended to*
34 *read:*

35 23330. Except where a special permit has been obtained from
36 the Department of Transportation under the provisions of Article
37 6 (commencing with Section 35780) of Chapter 5 of Division 15,
38 none of the following shall be permitted on any vehicular crossing:

39 (a) Animals while being led or driven, even though tethered or
40 harnessed.

1 (b) Bicycles, mopeds, or motorized scooters, unless the
2 department by signs indicates that bicycles, mopeds, or motorized
3 scooters, or any combination thereof, are permitted upon all or any
4 portion of the vehicular crossing.

5 (c) Vehicles having a total width of vehicle or load exceeding
6 102 inches.

7 (d) Vehicles carrying items prohibited by regulations
8 promulgated by the Department of Transportation.

9 ~~SEC. 35.~~

10 *SEC. 40.* Section 24015 of the Vehicle Code is amended to
11 read:

12 24015. (a) Mopeds shall comply with those federal motor
13 vehicle safety standards established pursuant to Chapter 301
14 (commencing with Section 30101) of Part A of Subtitle VI of Title
15 49 of the United States Code that apply to a motor-driven cycle,
16 as that term is defined in regulations adopted pursuant to those
17 provisions. These standards include, but are not limited to,
18 provisions requiring a headlamp, taillamp, stoplamp, side and rear
19 reflex reflectors, and adequate brakes.

20 (b) In addition to equipment required in subdivision (a), all
21 mopeds operated upon a highway shall be equipped with a mirror
22 as required in subdivision (a) of Section 26709, a horn as required
23 in Section 27000, and *mopeds powered by a liquid fuel shall be*
24 *equipped with an adequate muffler* as required in subdivision (a)
25 of Section 27150.

26 (c) Except as provided in subdivisions (a) and (b), none of the
27 provisions of this chapter relating to motorcycles and motor-driven
28 cycles, as defined in this code, shall apply to a moped.

29 ~~SEC. 36.~~

30 *SEC. 41.* Section 24951 of the Vehicle Code is amended to
31 read:

32 24951. (a) Any vehicle may be equipped with a lamp-type
33 turn signal system capable of clearly indicating any intention to
34 turn either to the right or to the left.

35 (b) The following vehicles shall be equipped with a lamp-type
36 turn signal system meeting the requirements of this chapter.

37 (1) Motortrucks, truck tractors, buses and passenger vehicles,
38 other than motorcycles, manufactured and first registered on or
39 after January 1, 1958.

1 (2) Trailers and semitrailers manufactured and first registered
2 between December 31, 1957, and January 1, 1969, having a gross
3 weight of 6,000 pounds or more.

4 (3) Trailers and semitrailers 80 or more inches in width
5 manufactured on or after January 1, 1969.

6 (4) Motorcycles manufactured and first registered on or after
7 January 1, 1973.

8 (5) Motor-driven cycles and mopeds propelled by an electric
9 motor and manufactured after January 1, 2027.

10 The requirements of this subdivision shall not apply to special
11 mobile equipment, or auxiliary dollies.

12 (c) Turn signal lamps on vehicles manufactured on or after
13 January 1, 1969, shall be mounted not lower than 15 inches.

14 ~~SEC. 37.~~

15 *SEC. 42.* Section 25650 of the Vehicle Code is amended to
16 read:

17 25650. Every motorcycle, motor-driven cycle, and moped
18 during darkness shall be equipped with at least one and not more
19 than two lighted headlamps which shall conform to the
20 requirements and limitations of this division.

21 ~~SEC. 38.~~

22 *SEC. 43.* Section 27800 of the Vehicle Code is amended to
23 read:

24 27800. It is unlawful for a driver of a motorcycle or a moped
25 to carry any other person thereon, except on a seat securely fastened
26 to the machine at the rear of the driver and provided with footrests,
27 or in a sidecar attached to a motorcycle and designed for the
28 purpose of carrying a passenger. Every passenger on a motorcycle
29 or a moped shall keep their feet on the footrests while such vehicle
30 is in motion.

31 ~~SEC. 39.~~

32 *SEC. 44.* Section 27802 of the Vehicle Code is amended to
33 read:

34 27802. (a) The department may adopt reasonable regulations
35 establishing specifications and standards for safety helmets offered
36 for sale, or sold, for use by drivers and passengers of motorcycles
37 and mopeds as it determines are necessary for the safety of those
38 drivers and passengers. The regulations shall include, but are not
39 limited to, the requirements imposed by Federal Motor Vehicle
40 Safety Standard No. 218 (49 C.F.R. Sec. 571.218) and may include

1 compliance with that federal standard by incorporation of its
2 requirements by reference. Each helmet sold or offered for sale
3 for use by drivers and passengers of motorcycles and mopeds shall
4 be conspicuously labeled in accordance with the federal standard
5 which shall constitute the manufacturer's certification that the
6 helmet conforms to the applicable federal motor vehicle safety
7 standards.

8 (b) No person shall sell, or offer for sale, for use by a driver or
9 passenger of a motorcycle or moped any safety helmet which is
10 not of a type meeting requirements established by the department.

11 ~~SEC. 40.~~

12 *SEC. 45.* Section 27803 of the Vehicle Code is amended to
13 read:

14 27803. (a) A driver and any passenger shall wear a safety
15 helmet meeting requirements established pursuant to Section 27802
16 when riding on a motorcycle, motor-driven cycle, or moped.

17 (b) It is unlawful to operate a motorcycle, motor-driven cycle,
18 or moped if the driver or any passenger is not wearing a safety
19 helmet as required by subdivision (a).

20 (c) It is unlawful to ride as a passenger on a motorcycle,
21 motor-driven cycles, or moped if the driver or any passenger is
22 not wearing a safety helmet as required by subdivision (a).

23 (d) This section applies to persons who are riding on
24 motorcycles, motor-driven cycles, or mopeds operated on the
25 highways.

26 (e) For the purposes of this section, "wear a safety helmet" or
27 "wearing a safety helmet" means having a safety helmet meeting
28 the requirements of Section 27802 on the person's head that is
29 fastened with the helmet straps and that is of a size that fits the
30 wearing person's head securely without excessive lateral or vertical
31 movement.

32 (f) This section does not apply to a person operating, or riding
33 as a passenger in, a fully enclosed three-wheeled motor vehicle
34 that is not less than seven feet in length and not less than four feet
35 in width, and has an unladen weight of 900 pounds or more, if the
36 vehicle meets or exceeds all of the requirements of this code, the
37 Federal Motor Vehicle Safety Standards, and the rules and
38 regulations adopted by the United States Department of
39 Transportation and the National Highway Traffic Safety
40 Administration.

1 (g) In enacting this section, it is the intent of the Legislature to
 2 ensure that all persons are provided with an additional safety
 3 benefit while operating or riding a motorcycle, motor-driven cycle,
 4 or mopeds.

5 ~~SEC. 41.~~

6 *SEC. 46.* Article 7.5 (commencing with Section 27850) is added
 7 to Chapter 5 of Division 12 of the Vehicle Code, to read:

8

9

Article 7.5. Electric Modes of Transportation

10

11 27850. (a) Manufacturers and distributors of electric bicycles
 12 shall securely affix the following information on or to the frame
 13 *or fork* of each electric bicycle, subject to the specifications
 14 described in subdivision ~~(b)~~: (c):

15 (1) The name of the brand.

16 (2) The manufacturer, importer, or distributor of the electric
 17 bicycle.

18 (3) The classification number of the electric bicycle.

19 (4) The top assisted speed and motor wattage of the electric
 20 bicycle.

21 *(b) Manufacturers and distributors of mopeds and motor-driven*
 22 *cycles shall securely affix the following information on or to the*
 23 *frame or fork of each moped or motor-driven cycle, subject to the*
 24 *specifications described in subdivision (c):*

25 *(1) The name of the brand.*

26 *(2) The manufacturer, importer, or distributor of the moped or*
 27 *motor-driven cycle.*

28 *(3) The word "moped" or "motor-driven cycle."*

29 *(4) The top assisted speed and motor wattage, if applicable, of*
 30 *the moped or motor-driven cycle.*

31 ~~(b)~~

32 *(c) The information required by ~~subdivision~~ subdivisions (a)*
 33 *and (b) shall be permanently affixed on or to the electric ~~bicycle~~*
 34 *bicycle, moped, or motor-driven cycle, by means of a marking or*
 35 *labeling that is readily visible without inverting the electric bicycle,*
 36 *moped, or motor-driven cycle, and that cannot be removed without*
 37 *the marking or labeling being defaced or destroyed. The*
 38 *information shall be printed in Arial font in at least 9-point type.*

1 (d) (1) A person shall not sell or install an electric bicycle
2 classification label unless the classification label is sold and
3 installed in a physical retailer or bicycle repair shop.

4 (2) A retailer and bicycle repair shop of electric bicycles shall
5 verify that the classification label matches the electric bicycle
6 class, pursuant to Section 312.5, before installing the classification
7 label on an electric bicycle.

8 27851. Every manufacturer, importer, or seller of a
9 motor-driven ~~eyele, as defined in Section 405, or cycle,~~ a moped,
10 ~~as defined in Section 406, or an off-highway electric motorcycle~~
11 that is powered by an electric motor shall provide a disclosure to
12 all potential buyers in any advertising, including any online
13 advertising on internet websites or social media, that advises buyers
14 that the vehicle is a motor vehicle subject to registration, their
15 existing insurance policies may not provide coverage for the
16 vehicle, and that they should contact their insurance company or
17 insurance agent to determine if coverage is provided.

18 (a) (1) A written disclosure shall be *provided to the buyer and*
19 *printed in not less than 14-point boldface type on a single sheet of*
20 *paper that contains no information other than the statement*
21 *specified in subdivision (d).*

22 (2) Any disclosure provided through online advertising or on a
23 website offering the vehicle for sale shall be in a font size no
24 smaller than the largest font size used in such advertising or website
25 content and require the buyer to affirmatively acknowledge having
26 had the opportunity to read the disclosure before completing the
27 purchase.

28 (b) The disclosure shall include the following language in capital
29 letters:

30 "THIS VEHICLE IS A MOTOR VEHICLE AND SUBJECT
31 TO APPLICABLE MOTOR VEHICLE LAWS INCLUDING
32 USE OF A DOT-APPROVED MOTORCYCLE HELMET,
33 REGISTRATION, OPERATOR LICENSE, AND INSURANCE
34 REQUIREMENTS IF USED ON A HIGHWAY. YOUR
35 INSURANCE POLICIES MAY NOT PROVIDE COVERAGE
36 FOR CRASHES INVOLVING THE USE OF THIS VEHICLE.
37 TO DETERMINE IF COVERAGE IS PROVIDED, YOU
38 SHOULD CONTACT YOUR INSURANCE COMPANY OR
39 AGENT."

1 (c) In addition to any penalties imposed under this code, a
 2 violation of the disclosure requirements described in this section
 3 by a manufacturer, importer, or seller of a motor-driven eyele
 4 *cycle, moped, or electric off-road motorcycle* shall constitute a
 5 misleading statement pursuant to ~~Section~~ *Sections 17200 and*
 6 *17500* of the Business and Professions Code.

7 *27852. It is unlawful for a person to sell an electric bicycle,*
 8 *moped, or motor-driven cycle in violation of the labeling and*
 9 *disclosure requirements of Sections 27850 and 27851.*

10 ~~SEC. 42.~~

11 *SEC. 47.* Section 38012 of the Vehicle Code is amended to
 12 read:

13 38012. (a) As used in this division, “off-highway motor vehicle
 14 subject to identification” means a motor vehicle subject to
 15 subdivision (a) of Section 38010.

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

18 (1) ~~A motorcycle~~ *moped, motorcycle, or motor-driven cycle,*
 19 including an off-highway electric motorcycle, except for any
 20 motorcycle that is eligible for a special transportation identification
 21 device issued pursuant to Section 38088.

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

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

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

27 (5) A recreational off-highway vehicle as defined in Section
 28 500.

29 (6) An off-highway electric motorcycle as defined in Section
 30 436.1.

31 ~~SEC. 43.~~

32 *SEC. 48.* Section 38366 of the Vehicle Code is amended to
 33 read:

34 38366. (a) Notwithstanding Section 4442 of the Public
 35 Resources Code, and except for vehicles with mufflers as provided
 36 in Article 2 (commencing with Section 27150) of Chapter 5 of
 37 Division 12, no person shall use, operate, or allow to be used or
 38 operated, any off-highway motor vehicle, as defined in Section
 39 38006, on any forest-covered land, brush-covered land, or

1 grass-covered land unless the vehicle is equipped with a spark
2 arrester maintained in effective working order.

3 (b) A spark arrester affixed to the exhaust system of a vehicle
4 subject to this section shall not be placed or mounted in such a
5 manner as to allow flames or heat from the exhaust system to ignite
6 any flammable material.

7 (c) A spark arrester is a device constructed of nonflammable
8 materials specifically for the purpose of removing and retaining
9 carbon and other flammable particles over 0.0232 of an inch in
10 size from the exhaust flow of an internal combustion engine or
11 which is qualified and rated by the United States Forest Service.

12 (d) Subdivision (a) is not applicable to an off-highway electric
13 motorcycle or to any vehicle being operated off the highway in an
14 organized racing or competitive event upon a closed course, which
15 is conducted under the auspices of a recognized sanctioning body
16 and by permit issued by the fire protection authority having
17 jurisdiction.

18 (e) A person shall not use, operate, or allow to be used or
19 operated, any off-highway electric motorcycle, or any motorcycle,
20 motor-driven cycle, or moped powered by an electric motor, on
21 any forest-covered land, brush-covered land, or grass-covered land
22 unless the vehicle has been certified by an accredited independent
23 laboratory for compliance with ~~ANSI/CAN/UL Standard 2272~~
24 *SAE J2929 or another applicable SAE, ISO, UNECE, IEC, or other*
25 *electrical safety standard* and the name or mark of the certifying
26 laboratory is permanently marked on the vehicle or on its drive
27 system.

28 ~~SEC. 44.~~

29 *SEC. 49.* Section 38505 of the Vehicle Code is amended to
30 read:

31 38505. A person shall not operate, ride, or be otherwise
32 propelled on an all-terrain vehicle on public lands, as described in
33 Section 38001, unless the person wears a safety helmet meeting
34 requirements established for motorcycles and mopeds, pursuant
35 to Section 27802.

36 ~~SEC. 45.~~

37 *SEC. 50.* Section 38601 of the Vehicle Code is amended to
38 read:

39 38601. A person shall not operate, or allow a passenger in, a
40 recreational off-highway vehicle on public lands, as described in

1 Section 38001, unless the person and the passenger are wearing
2 safety helmets meeting the requirements established for
3 motorcycles and mopeds pursuant to Section 27802.

4 ~~SEC. 46.~~

5 *SEC. 51.* No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 the only costs that may be incurred by a local agency or school
8 district will be incurred because this act creates a new crime or
9 infraction, eliminates a crime or infraction, or changes the penalty
10 for a crime or infraction, within the meaning of Section 17556 of
11 the Government Code, or changes the definition of a crime within
12 the meaning of Section 6 of Article XIII B of the California
13 Constitution.

O