

Policy At A Glance:

SB 1167: Clear Labeling and Regulation of Electric Bicycles

Injuries from electric bicycles have drastically risen in the past year, especially for the adolescent population. SB 1167 aims to address the issue by ensuring label fixation for classification and making much needed updates to current rules and regulations.

Introduction

Electric bicycles (e-bikes) are becoming more common in the United States. Recent data suggests an exponential increase, with 1.7 million of electric bicycles sold in 2024, compared to 325,000 in 2018.¹ California specifically has seen a drastic rise in use of electric bicycles, partly due to the California E-bike Incentive Program that ran from 2022-2024, which was designed to give low-income families vouchers of up to \$2,000 towards purchase of an e-bike.² California promotes the use of e-bikes for solving the problem of transportation difficulties, while also offering an environmentally friendly option.³

With the rising popularity of e-bikes, parents have discovered that having their children utilize e-bikes alleviates dependence on them for driving to and from school, avoids heavy-congestion areas, and provides cost-savings.^{4,5,6} As a result, the average age of an e-bike rider compared to a traditional bicyclist has become much younger.⁷ Children 14 years old and under account for 14% of the e-bike demographic.⁸ While this number appears to be small, according to a recent study in *Trauma Surgery and Acute Care Open*, “[E-bike] injuries are disproportionately centered among children aged ≤14 years, and occur more frequently in less socioeconomically deprived areas.”⁹ In response, California’s Senate introduced SB 1167 to address the issue of e-bike safety. The bill passed out of the Senate on May 26, 2026, and passed in the Assembly on August 25, 2026.¹⁰

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E-bike Classification¹²

- | | |
|----------------|---|
| Class 1 | Power: < 750 Watts
Assist: Pedal Assist
Max Speed: 20 mph
Minimal Restrictions
Visually like Class 3 |
| Class 2 | Power: < 750 Watts
Assist: Throttle + Pedal
Max Speed: 20 mph
Moderate Restrictions
Visually like e-moto |
| Class 3 | Power: < 750 Watts
Assist: Pedal Assist
Max Speed: 28 mph
Many Restrictions |



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Current Policy Landscape for E-Bikes

Though production and marketing continue to steamroll ahead, safety and regulatory policy for e-bikes has been slowly limping forward. Initial and current policy has adopted the classification of electric bikes as bicycles.¹¹ Therefore, in this framework, electric bicycles still do not require license, registration, or insurance in the state of California, though their speeds can be equivalent to other regulated motorized vehicles, such as mopeds.¹² This had led to children having access to electrical vehicles that are moped-like without regulations to govern their safety.

Given the concerns over rising e-bike injuries with no safety regulations in place, lawmakers in California have introduced and passed several e-bike policies recently. SB 1271, which was enacted this year, states that all e-bikes, batteries, and charging systems must be tested and certified before being sold.¹² AB 544, also passed this year, requires e-bikes to use a rear reflector or light at all times to increase visibility.¹² Though beneficial, these bills simply do not address the main concern of speed and power safety.

One bill that addresses the concern about e-bike speed and power is AB 965, which was recently signed into law on July 28. It makes it illegal for any child under the age of 16 years to buy and/or use a Class 3 e-bike, which is the fastest e-bike class.¹² Of note, e-bikes are subdivided into 3 different classes, based upon maximum speed, power, and assist type. All classes must be less than 750W for power. Anything greater than 750W is not an e-bike but is known as an e-moto, with speeds that can reach well above 35 mph.¹⁴ Other bills have been proposed but have not progressed. For example, AB 1942 would enforce Classes 2 and 3 e-bikes to be registered with the DMV but remains stalled in committee.¹⁴

Although the passing of AB 965 is encouraging, there remains significant difficulty in visually differentiating e-bike classes and even identifying an e-bike versus an e-moto, leading to confusion not just for the layperson, but also for law enforcement.¹⁴ Without appropriate visual markings and identification, it is nearly impossible for law enforcement to actually enforce AB 965.

Local Policy on E-bikes

Schools in the Newport-Mesa district are no longer waiting on safety policy to catch up and have banned e-bikes in all elementary and middle schools.¹³ Poway Unified of San Diego County has also enacted a ban on all e-bikes for children under 12 years, in alignment with city standards.¹⁵ Menlo Park City Superintendent of San Francisco has openly stated the difficulty of visually separating illegal e-motos compared to legal Class 2 e-bikes, as both look similar and have a throttle. This district has, therefore, passed a policy of only allowing Class 1 e-bikes.¹⁵



Provisions, Limitations, and Status of SB 1167

Provisions

SB 1167, sponsored by Senator Catherine Blakespear (D-Encinitas), would provide a bifold strategy of classification enforcement paired with broadened fines and penalties for vehicle code violations. Specifically for classification, the bill would require every e-bike to have a permanent label that is easy to see and read, with this label including information about e-bike class, top speed with assist, and max wattage for power. Only manufacturers or bicycle repair shops can create and affix the label, and they must ensure that the label matches the classification of the e-bike or they will be held liable. Also, mopeds and e-motos will officially be required to have a VIN and undergo safety certification.¹⁶

The ramifications of this bill are significant. If signed by the Governor, police officers and the layperson could quickly differentiate between e-bike class 2 versus an e-moto (the latter requiring license, registration, and insurance). In addition, as e-motos and Class 3 e-bikes are illegal for children under 16 years old and all e-bike classes are not allowed to be tampered with to allow speeds above maximum default settings, the labeling would allow a police officer to remove these vehicles from roadways if they are found to be non-compliant.¹⁶

Limitations and Gaps

There are some limitations to this bill. It only applies to future e-bike production and purchase. Therefore, older e-bikes purchased prior to the potential passing of this legislation are currently not required to be covered by this bill, leading to some confusion. An e-bike without a classification label

would not lead to automatic confiscation, making enforcement challenging.

Because SB 1167 does not apply to e-bikes already in use, the door remains open to e-bike tampering for those currently in use. Reports have already surfaced about e-bike riders modifying maximum speeds of e-bikes via smart phone apps, allowing a Class 1 e-bike to reach speeds of a Class 3.¹⁷

In addition, 16-year-olds would remain able to use a Class 3 e-bike without requiring license or registration, as this class continues to ride the line between e-bike and motorized vehicle.¹⁷

Stage in Legislature

The amended version of SB 1167 that was passed out of the Assembly on August 25 was unanimously concurred by the Senate on August 28.¹⁰ At the time of the publication of this brief, the bill has been ordered to enrolling. Afterwards, it will be presented to the Governor to sign or veto.

Supporters and Opponents of SB 1167

Four main agencies co-sponsoring the bill are CalBike, People for Bikes, Streets Are For Everyone (SAFE), and Streets for All. Supporters of the bill include over 20-plus organizations, with the very prominent ones being AAA Northern California/Nevada/Utah, California Association of Bicycling Organizations (CABO), California Medical Association, California Emergency Nurses Association, California Orthopaedic Association, and California District Attorneys Association.¹⁸ The Motorcycle Industry Council is the only registered oppositional organization to SB 1167.¹⁸

Conclusion

Senator Blakespear has noted difficulty with passing other legislation specific to e-bikes due to strong regulation meeting backlash.

Therefore, the main goal of SB 1167 is to singularly focus on e-bike classification labeling and identification, with hopes that future bills would address the remaining issues. Since federal law for e-bikes currently focuses mostly on product safety under the Consumer Product Safety Commission rather than licensing and registration,¹⁹ it would be important for state policies to adequately address e-bike safety to prevent injuries—especially among adolescents.

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Did you know?

Orange County's Rady Children's Health reported traumatic e-bike injuries as the #1 cause of emergency visits in 2025. Even more staggering, those traumatic emergencies involving children increased from 1 in 2021, to 201 in 2025.²⁰



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