

Date of Hearing: July 7, 2025

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

SB 586 (Jones) – As Amended May 23, 2025

SENATE VOTE: 38-0

SUBJECT: Off-highway motor vehicles: eMotos

SUMMARY: Classifies an “eMoto” as an off-highway motor vehicle (OHV) thereby requiring them to follow OHV rules, including displaying an identification plate or device issued by the Department of Motor Vehicles (DMV). Specifically, **this bill:**

- 1) Defines “eMoto” to mean an electric two-wheeled device built in a bicycle infrastructure that does not have pedals or an engine number and is not subject to registration.

EXISTING LAW:

- 1) Establishes the Division of Off-Highway Motor Vehicle Recreation within the Department of Parks and Recreation (DPR) tasked with developing, managing, and operating lands in the state vehicular recreation areas and providing for law enforcement and appropriate public safety activities in these areas. (PRC §5090.32)
- 2) Defines an “electric bicycle” as a bicycle equipped with fully operable pedals and an electric motor that does not exceed 750 watts of power. (VEH §312.5)
- 3) Prohibits the following vehicles from being sold as an electric bicycle: vehicles with two or three wheels powered by an electric motor that is intended by the manufacturer to be modifiable to attain a speed greater than 20 miles per hour on motor power alone or to attain more than 750 watts of power, a vehicle that is modified to attain a speed greater than 20 miles per hour on motor power alone or to have motor power of more than 750 watts, and a vehicle that is modified to have its operable pedals removed. (VEH §312.5)
- 4) Defines a “motorcycle” as a motor vehicle having a seat or saddle for the use of the rider, designed to travel on not more than three wheels in contact with the ground. (VEH §400)
- 5) 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. (VEH §406)
- 6) Defines a “motor-driven cycle” as any motorcycle with a motor that displaces less than 150 cubic centimeters. A motor-driven cycle does not include a motorized bicycle, as defined in Section 406. (VEH §405)
- 7) Defines a “motorized scooter” as any two-wheeled device that has handlebars, has either a floorboard that is designed to be stood upon when riding or a seat and footrests in place of

the floorboard, and is powered by an electric motor. This device may also be designed to be powered by human propulsion. (VEH §407.5)

- 8) Categorizes as “off-highway motor vehicles” the following: snowmobiles or other vehicles designed to travel over snow or ice, motor vehicles commonly referred to as a sand buggy, dune buggy, or all-terrain vehicle, motor vehicles commonly referred to as a jeep, and recreational off-highway vehicles, among others. (VEH §38012)
- 9) Requires the DMV, upon identifying an OHV subject to identification, to issue to the owner a suitable identification plate or device which is capable of being attached to the vehicle in such a manner so as to not endanger the operator or passengers of the vehicle, and which shall identify the vehicle for which it is issued for the period of its validity. (VEH §38160)

FISCAL EFFECT:

According to the Senate Appropriations Committee:

- The DMV anticipates minor costs to update its website, publications, and memos. All ongoing DMV costs to register eMotos using the existing OHV registration process would be fully offset by payment of the \$7 “service fee” for issuance and renewal of OHV identification. (Motor Vehicle Account)
- The DPR would incur minor and absorbable costs to update OHV resources and its website to reflect the new classification of eMotos as OHVs. (OHV Trust Fund)
- Unknown annual fee revenue gains from registering eMotos. The number of eMotos that would be registered is unknown, but for illustrative purposes, if 10,000 eMotos were registered in a single year, the bill would result in the following revenue gains:
 - \$70,000 from the \$7 “service fee” for deposit into the Motor Vehicle Account for DMV’s administrative costs.
 - \$330,000 from the \$33 “special fee” for deposit into the OHV Fund, as specified.
 - \$100,000 for deposit into the Motor Vehicle Account to support CHP.
 - \$40,000 from the \$4 license fee for deposit into the Off-Highway License Fee Fund, as specified.

COMMENTS: OHVs are motor vehicles that are used only off public roads and highways, on private land and lands that are open and accessible to the public. OHVs do not require regular vehicle registration, but must display an identification plate or placard issued by DMV. This identification plate is commonly referred to as a “California Green Sticker” which is affixed directly to the OHV. The OHV “registration” fee for the identification plate is \$54 per vehicle, and is valid for a two-year period. OHV fees are used for acquisition of new OHV areas, development and operation of existing OHV areas, enforcement of the rules and regulations, and protection of natural resources. Green Sticker vehicles are allowed year-round operation on public lands open to motor vehicles.

eMotos are a type of electric motorcycle with some models reaching 50 to 60mph, 8000 watts of power, and 50-90 mile ranges, with a rechargeable battery. They lack pedals and are typically designed as recreational all-terrain vehicles exclusively for off-road use. eMotos are not electric

bicycles (e-bikes), although there are rising concerns that they are being marketed and sold as e-bikes. E-bikes, which are rapidly growing in popularity, look like regular bicycles but include an electric motor and battery. The fastest e-bikes are class three, with a maximum assisted speed of 28 mph. E-bikes must be equipped with fully operable pedals and an electric motor that does not exceed 750 watts of power.

Unlike a traditional motorcycle, eMotos lack a VIN number and as a result cannot be registered with DMV. This bill would permit DMV to register these vehicles for OHV use only.

According to the author, “SB 586 provides necessary regulatory clarity for the growing eMoto industry by classifying these vehicles as off-highway motorcycles. By doing so, the bill ensures that eMoto users comply with existing OHV regulations, including safety and identification requirements, to enhance responsible recreation and public safety.”

The California Mountain Biking Coalition (CAMTB), *writing in support of this bill*, argues “CAMTB understands that eMotos are an emerging category of zero-emission OHVs that currently have no authorized trails or designated areas where they can be operated. Currently, eMotos are not explicitly recognized as electric off-highway motorcycles under California law, preventing them from being registered with an OHV Green Sticker.

The current situation can amplify user conflicts when riders ride eMotos on trails primarily used by bicyclists and class I electric bicycles. SB 586 would create legal riding opportunities by directing them to operate on designated motorized routes and away from riding in non-motorized areas and on sidewalks.

And public roadways hence reducing user conflicts and increasing support and revenue stream for related and important safety education, law enforcement, conservation, and land management prescriptions. We understand that SB 586 is simply a registration fix and will not create new OHV riding areas.”

PeopleForBikes, taking a “*support if amended*” position, argues “Electrically powered vehicles are being sold as “e-bikes” and used on both public highways and public lands that are not within the definition of “electric bicycle” due to their speed and/or motor power. California Vehicle Code Section 312.5(d) clarifies that these vehicles are *not* electric bicycles. However, manufacturers continue to sell throttle-actuated two-wheeled electric vehicles as “e-bikes” or “off-road electric dirt bikes” that are *not* electric bicycles - and are instead a type of motor vehicle that may be classified as either a moped, a pocket bike, a motorcycle or an off-highway vehicle, depending on intended use and equipment.

Because their sellers often claim these products are “street legal e-bikes” or Class 2 electric bicycles, consumers are being deceived into buying e-motos thinking that they are electric bicycles and therefore exempt from motor vehicle requirements or worse: able to be operated by under-aged youth on busy public streets.

PeopleForBikes strongly believes that the solution to the E-moto problem is to clearly define this emerging vehicle type and categorize it as either an off-highway vehicle or a motor vehicle, depending upon its intended use.”

Committee comments: PeopleForBikes is asking for an amendment that would define eMoto in a manner that would capture devices with pedals. According to PeopleForBikes, the intent of this amendment is to clarify that bicycles with an electric motor that are capable of speeds greater than 28 mph are not street legal and can only be used off-highway. The devices PeopleForBikes would like to classify as an eMoto are not necessarily designed for off-highway use and may not be appropriate to be registered and used for off-highway use. AB 875 (Muratsuchi) of 2025 authorizes law enforcement to impound the type of vehicle PeopleforBikes is concerned about and may be the more appropriate way to address the problem PeopleforBikes is raising.

The California Air Resources Board (CARB) has placed emission standards on OHV vehicles to reduce greenhouse gas emissions. Authorizing eMotors, to be able to be registered by DMV expands the market of eligible devices to help meet the state's emissions standards for OHVs.

Previous legislation: SB 708 (Jones) Chapter 4055, Statutes of 2024 requires the Department of Parks and Recreation to issue a permit that allows a California resident, upon payment of a fee, to operate off-road motorcycles that do not meet emissions standards at competitions on public lands.

SB 894 (Jones of 2022) would have established a process to register and identify certain OHVs that do not comply with air emission regulations for use solely for competition off public highways. SB 894 was vetoed by the Governor.

SB 227 (Jones of 2021) would have established a process to register and identify certain OHVs that do not comply with air emission regulations for use solely for competition off public highways. SB 227 was held on the suspense file in the Assembly Appropriations Committee.

SB 1024 (Jones of 2020) would have established a new registration program for OHVs used in competition. SB 1024 was placed on the inactive file in the Senate after returning from the Assembly.

REGISTERED SUPPORT / OPPOSITION:

Support

California Mountain Biking Coalition
CalWild
Off-Highway Vehicles District 36
PeopleForBikes (support if amended)

Opposition

None on file

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