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TRAINING BULLETIN

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A Review of California Electric Scooter Laws for 2019

As of 2019, adults riding scooters on the streets or bike paths will not have to wear a helmet under a new California law that changed several provisions of the existing laws governing scooters earlier this year. These laws are in response to the popularity of the scooter rental program such as Bird and Lime.

According to a spokesperson for Bird—a sponsor of the legislation—the previous helmet law substantially discouraged people from renting a scooter as they would have to carry a helmet with them if they wanted to ride the scooter. The new law still requires minors to wear helmets, although a new law made changes to how courts handle tickets for failure to wear helmets.

The law still requires a scooter rider to have a valid driver's license, but they now allow local authorities such as townships and cities, to allow scooters on roadways that have a 35 mph speed limit. Without a local law allowing to the contrary, scooters cannot be ridden on streets with a speed limit higher than 25 mph.

However, the maximum speed allowed for a scooter, while driving on the allowed streets, is 15 mph even if the posted speed of the road is higher.

Motorcycles, Mopeds and Electric Scooters Defined

Motorcycles



- A motorcycle has more than a 150cc engine size, and no more than 3 wheels.
- A motorcycle **has to be registered** and the driver must have a motorcycle license (M1).
- M1 license holders may operate any motorized bicycle, moped or motor scooter without an M2 endorsement.

Motor-Driven Cycles



- A motor-driven cycle has 149cc or less engine size. **CVC §405**
- A motor-driven cycle **has to be registered** and the driver must have a motorcycle license (M1).

NOTE: Three wheeled motorcycles or a motorcycle with a side car require only a Class C driver license. California Vehicle Code (CVC) §12804.9

Mopeds



- A two or three-wheeled device, capable of no more than 30 mph on level ground, and equipped with:
 - Fully operative pedals for human propulsion.
 - A motor producing less than two gross brake horsepower and an automatic transmission.
 - An electric motor, with or without pedals for human propulsion. (CVC §406(a))
- Driver must have a motorcycle license (M1 **or** M2).

If you operate a motorized bicycle which meets the definition of CVC §406(a), you must comply with CVC §12500(b):

- Must be 16 years of age or older.
- Must wear a properly fitted and fastened bicycle helmet.
- Are exempt from the motor vehicle financial responsibility, driver license, and moped plate requirements (CVC §12804.9).

Electric Scooters



- A motorized scooter is a two-wheeled device that has handlebars, a floorboard designed to be stood upon when riding, and is powered by a motor, (407.5 VC).
- Motorized scooter does NOT require registration, license plates, or insurance. A motorized scooter may be driven with any class driver license.

A motorized scooter may be operated on a bicycle path, trail or bikeway, but not on a sidewalk. An individual shall **not operate a motorized scooter**:

- Without wearing a properly fitted and fastened bicycle helmet, if they are under age 18.
- Unless it is equipped with a brake that will enable the operator to make a braked wheel skid on dry, level, clean pavement.
- Without a valid driver's license or instruction permit.
- With any passengers.
- While carrying any package, bundle, or article that prevents the operator from keeping at least one hand upon the handlebars.
- On the highway with the handlebars raised so that the operator must elevate his or her hands above the level of his or her shoulders in order to grasp the normal steering grip area.
- On a highway with a posted speed limit greater than 25 miles per hour (mph) unless it is within a Class II or IV bikeway. However, a local authority may adopt an ordinance or resolution authorizing operation of a motorized scooter on a highway with a posted speed limit of up to 35 mph.

A Class II bikeway provides a striped lane for one-way bike travel on a street or highway. A Class IV bikeway, often referred to as a cycle track or protected bike lane, is for the exclusive use of bicycles, physically separated from motor traffic with a vertical feature. The separation may include, but is not limited to, grade separation, flexible posts, inflexible barriers, or on-street parking. Separated bikeways can provide for one-way or two-way travel.