



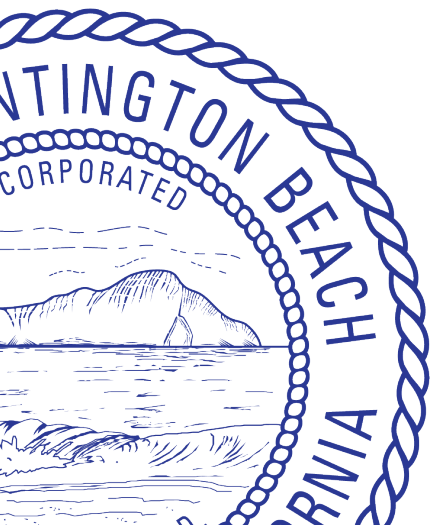
Huntington Beach Police Department




Recommendation for updated
Municipal Code

September 19th, 2023

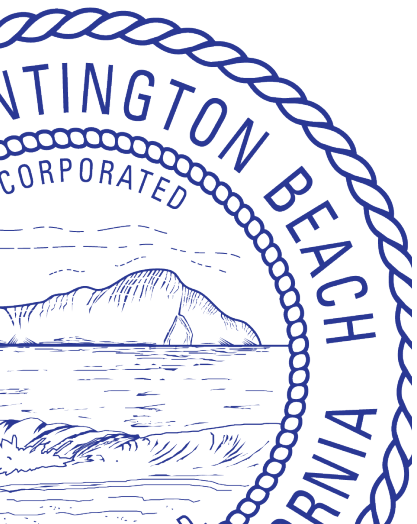
Lieutenant Thoby Archer

Why is this update necessary?



CLASS 1	CLASS 2	CLASS 3
PEDAL ASSIST / PEDELEC	THROTTLE CONTROL	SPEED PEDELEC
<ul style="list-style-type: none">✓ REQUIRES PEDALING✓ CAN ONLY BE ACTIVATED THROUGH THE ACTION OF PEDALLING	<ul style="list-style-type: none">✓ DOES NOT REQUIRE PEDALING (FULL-THROTTLE)✓ EQUIPPED WITH A MOTOR THAT IS CONTROLLED BY A THROTTLE ELEMENT.	<ul style="list-style-type: none">✓ REQUIRES PEDALING✓ CONSIDERED TO BE THE FASTEST "LEGAL" ELECTRIC BIKE
 20 MPH MAX. SPEED	 20 MPH MAX. SPEED	 28 MPH MAX. SPEED
<ul style="list-style-type: none">✓ NO NEED FOR DRIVER'S LICENSE✓ NO AGE LIMIT	<ul style="list-style-type: none">✓ NO NEED FOR DRIVER'S LICENSE✓ NO AGE LIMIT	<ul style="list-style-type: none">✓ NO NEED FOR DRIVER'S LICENSE*✓ 16 OR 17 YEARS OLD AND ABOVE

Why is this update necessary?



CLASS 1

PEDAL ASSIST / PEDELEC

- ✓ REQUIRES PEDALING
- ✓ CAN ONLY BE ACTIVATED THROUGH THE ACTION OF PEDALLING



- ✓ NO NEED FOR DRIVER'S LICENSE
- ✓ NO AGE LIMIT

CLASS 2

THROTTLE CONTROL

- ✓ DOES NOT REQUIRE PEDALING (FULL-THROTTLE)
- ✓ EQUIPPED WITH A MOTOR THAT IS CONTROLLED BY A THROTTLE ELEMENT.



- ✓ NO NEED FOR DRIVER'S LICENSE
- ✓ NO AGE LIMIT

CLASS 3

SPEED PEDELEC

- ✓ REQUIRES PEDALING
- ✓ CONSIDERED TO BE THE FASTEST "LEGAL" ELECTRIC BIKE



- ✓ NO NEED FOR DRIVER'S LICENSE*
- ✓ 16 OR 17 YEARS OLD AND ABOVE

Why is this update necessary?

- Many of the newer “bicycles” do not conform to existing laws
- Some laws are confusing and vague as to whether they apply
- Creates a comprehensive section that covers all types of electric conveyances
- Provides ability for civil or criminal citations



What does it Change?

- Adds definitions of different electric bicycles
- Updates fee schedules to be consistent with existing Council Resolutions
- Provides authority to impound some of illegal models from juveniles
- Adds a section for unsafe riding



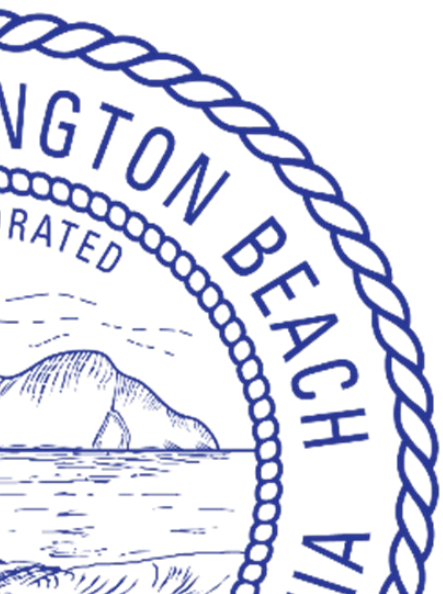
What does it Change?

“Electric Bicycle” is a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts as defined by California Vehicle Code 312.5(a).

“Motor Driven Cycle” is a motorcycle with a motor that displaces less than 150cc per California Vehicle Code 405.

“Moped or Motorized Bicycle” is any two or three wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, has an automatic transmission, and a motor which 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 as defined by California Vehicle Code 406(a).

“Pocket Bike” is a two-wheeled motorized device having a seat or saddle for the use of the rider, that is not designed or manufactured for highway use. A pocket bike does not include an off-highway motorcycle, as defined in California Vehicle Code 436.



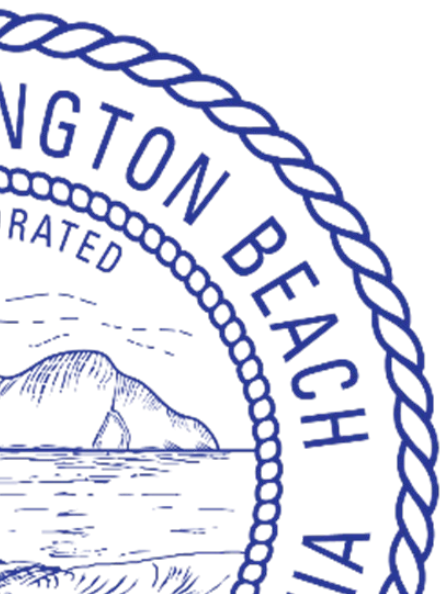
What does it Change?

No person shall ride a conventional bicycle, electric bicycle, moped, motor-driven cycle, electric motorcycle, pocket bike, or any other electric conveyance not previously named in an unsafe manner on a public roadway, highway, sidewalk, park, or private property open to the public.

(a) Unsafe manner means a rider violating any existing Huntington Beach Municipal Code, California Vehicle Code, or other existing law. An unsafe manner can also be defined as operating the conveyance in such a way as to constitute a danger to the operator, a passenger, other motorists, other riders, or pedestrians in the area.

(b) Examples of riding in an unsafe manner may include, but are not limited to the following actions:

- a. Riding on a sidewalk without due caution for pedestrians.
- b. Riding on a sidewalk, against the flow of traffic.
- c. Not yielding to vehicles or pedestrians when required to by the California Vehicle Code.
- d. Intentionally swerving or riding around stopped or slowed traffic.
- e. Operating a conveyance in a manner it was not designed for, including carrying passengers when not designed for carrying passengers.
- f. Not obeying posted signs.
- g. Riding the conveyance in a manner other than it was designed.



Questions?

