Bicycle / E-Bike / E-Scooter Cheat Sheet

Vehicle Type	VEHICLE		RIDER				BIKEWAY ACCESS			
	Pedal Operated	Maximum Motor-Assisted Speed (MPH)	Minimum Age (Years)	Driver's License	License Plate	Helmet	Class I Bike Path	Class II Bike Lane	Class III Bike Route	Class IV Protected Lane
Bicycle	YES	N/A	N/A	NO	NO	17 AND UNDER	YES	YES	YES	YES
Type 1 E-Bike	YES	20	N/A	NO	NO	17 AND UNDER	YES	YES	YES	YES
Type 2 E-Bike	NO	20	N/A	NO	NO	17 AND UNDER	YES	YES	YES	YES
Type 3 E-Bike	YES	28	16	NO	NO	YES	NO	YES	YES	YES
Moped	NO	N/A	16	YES	YES	YES	NO	YES	YES	NO

Remember:

1) **CVC 23103 – Reckless Driving can apply to bicycles and e-bikes.**

2) **Anything that travels over 28 mph (even if it has pedals) or has an electric motor that exceeds 750 watts cannot be an E-Bike by definition and is considered an E-Motorcycle (see CVC 312.5). Treat it like any other motorcycle, including licensing/registration/impound authorities/etc.**

3) **Juveniles on bicycles/ebikes/e-scooters should be cited to the Traffic Court Annex under the applicable OCC code with a court date 6 months out from the violation date, and provided a pamphlet to register for an OPD E-Bike Safety Course. Juveniles are automatically eligible for diversion and can participate in an E-Bike Safety Course that will dismiss their citation.**

Oceanside City Codes:

Oceanside defines ***mobility devices*** to include: "electric bicycle," "electric personal assistive mobility device," "electrically motorized boards," "low-speed vehicle," "motorized scooter," "operator," "public area," "regulated mobility device," "rider," "shared mobility device," and "vehicle"

OCC 5.14:

(g) - No person shall operate a **bicycle or mobility device** upon any sidewalk fronting any business establishment unless signs are posted authorizing such use. **When riding on a sidewalk**, a person shall not operate a mobility device or bicycle **in excess of ten (10) miles per hour**, must ride in the **same direction as street traffic**, must yield to the right-of-way to any and all pedestrians, and must dismount within fifty (50) feet of pedestrians on any sidewalk less than five (5) feet wide.

(h) - It is prohibited to operate a bicycle or mobility device in any public drainage facility, culvert, ditch, channel, or any other public athletic/sports court, or gymnasium in the city.

(i) Operators of **mobility devices** shall comply with the following requirements:

(1) **Operators must comply with all traffic laws**, maintaining a safe operational speed, not exceeding posted limits, slowing down in high pedestrian areas, and properly wear a helmet (seventeen (17) years and under). **Operators should exercise due regard for all traffic conditions**, road conditions, weather conditions, the presence of pedestrians and other vehicles, and any other potential hazards.

Vehicle Codes:

E-Bike Specific:

21213 – (Class 3 e-bikes age and helmet requirement)

(a) A person under 16 years of age shall not operate a class 3 electric bicycle.

(b) A person shall not operate a class 3 electric bicycle, or ride upon a class 3 electric bicycle as a passenger ……unless that person is wearing a properly fitted and fastened bicycle helmet

Bicycle and E-Bike:

21650.1. (Ride bicycle with the direction of traffic – IN ROADWAY, if on the sidewalk cite for OCC 5.14 (g))
A bicycle operated on a roadway, or the shoulder of a highway, shall be operated in the same direction as vehicles are required to be driven upon the roadway.

21212(a). (Helmets for juvs - other than class 3 E-bikes)
A person under 18 years of age shall not operate a bicycle, a nonmotorized scooter, or a skateboard, nor wear in-line or roller skates, nor ride upon a bicycle, a nonmotorized scooter, or a skateboard as a passenger, upon a street, bikeway…..unless that person is wearing a properly fitted and fastened bicycle helmet

21204. (Unauthorized passengers on bicycle – usually b section)
(a) A person operating a bicycle upon a highway shall not ride other than upon or astride a permanent and regular seat attached …..

(b) An operator shall not allow a person riding as a passenger, and a person shall not ride as a passenger, on a bicycle upon a highway other than upon or astride a separate seat attached thereto. If the passenger is four years of age or younger, or weighs 40 pounds or less, the seat

shall have adequate provision for retaining the passenger in place and for protecting the passenger from the moving parts of the bicycle.

E-Scooter Specific:

22411 (Speed limit for electric scooters)

No person shall operate a motorized scooter at a speed in excess of **15 miles per hour**.

21235.
The operator of a motorized scooter shall not do any of the following:

(b) Operate a motorized scooter on a highway with a speed limit in excess of 25 miles per hour unless the motorized scooter is operated within a Class II or Class IV bikeway, except that a local authority may, by ordinance or resolution, authorize the operation of a motorized scooter outside of a Class II or Class IV bikeway on a highway with a speed limit of up to 35 miles per hour. The 15 mile per hour maximum speed limit for the operation of a motorized scooter specified in Section 22411 applies to the operation of a motorized scooter on all highways, including bikeways, regardless of a higher speed limit applicable to the highway.

(c) Operate a motorized scooter without wearing a properly fitted and fastened bicycle **helmet** that meets the standards described in Section 21212, if the operator is **under 18 years of age.**

(d) Operate a motorized scooter without a valid driver's license or instruction permit.

(e) Operate a motorized scooter with any passengers in addition to the operator.