

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADDING TITLE 10, CHAPTER 10.54 OF THE LAKE ELSINORE MUNICIPAL CODE TO REGULATE AND PROVIDE FOR EFFECTIVE ENFORCEMENT REGARDING ELECTRIC BICYCLES AND OTHER ELECTRIC TRANSPORTATION DEVICES

WHEREAS, the City of Lake Elsinore (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the California Legislature has recognized electric bikes/e-bikes should no longer be regulated like scooters or mopeds and the same rules of the road apply to both e-bikes and human-powered bicycles (A.B. 1096); and

WHEREAS, the Legislature defines an “electric bicycle” as a bicycle with fully operable pedals and an electric motor of less than 750 watts, and created 3 classes of electric bicycles under California Vehicle Code Section 312.5; and

WHEREAS, pursuant to California Vehicle Code Section 21207.5(a), class 3 electric bicycles are not to be operated on specified paths or trails unless permitted by ordinance; and

WHEREAS, pursuant to California Vehicle Code Section 21207.5(b), a local agency having jurisdiction over a bicycle path or trail, equestrian trail, or hiking or recreational trail, may prohibit, by ordinance, the operation of a class 1 or class 2 electric bicycle on that path or trail; and

WHEREAS, electric bicycle regulations are necessary to protect the public health, safety and welfare;

WHEREAS, the widespread use of electric bicycles did not exist at the time the City’s municipal sidewalks, parks, trails and certain other public areas were established and developed, and is contrary to the original intent underlying the establishment and development of these areas for passive, non-vehicular use, and may be detrimental to the safety of electric cyclists and the general public;

WHEREAS, given the number of pedestrians on these areas of the City, regulation of electric bicycles and other electric transportation devices, to the extent permitted by State law, is necessary and will promote the safe and efficient use of the City’s parks, sidewalks, trails and other public areas;

WHEREAS, the City, therefore, has identified a need to address objective health, safety, and welfare concerns and regulations regarding electric bicycles and other electric transportation devices; and,

WHEREAS, parental co-responsibility for violations, risk and harm caused by minors in their custody and/or control will help encourage compliance with the law, discourage recidivism, and therefore, encourage and protect public health, safety and welfare.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 10.54 is hereby added to the Lake Elsinore Municipal Code to read as follows:

Chapter 10.54

ELECTRIC BICYCLES AND OTHER ELECTRIC TRANSPORTATION DEVICES

Sections:

- 10.54.010 Purpose.**
- 10.54.020 Definitions.**
- 10.54.030 Operation and Use of Electric Bicycles and Electric Motorcycles.**
- 10.54.040 Regulations Provided upon Retail Sale or Rental of an Electric Regulated Mobility Device.**
- 10.54.050 Enforcement and Penalties.**
- 10.54.060 Exemptions.**

10.54.010 Purpose.

(a) The purpose and intent of this chapter is to regulate the operation and use of electric bicycles and electric motorcycles in accordance with State law in order to promote and protect the health, safety, and general welfare of residents and visitors within the City, and in compliance with other requirements imposed upon the City. The City is authorized to regulate and enforce this activity pursuant to California Constitution, Art. 11, Section 7, Vehicle Code Sections 312.5, 21207, and 21200-21212, Government Code Sections 38771, and other provisions of law.

(b) The City Council finds and declares that these regulations are directly related to objective health, safety, and welfare concerns created by the use of electric bicycles and other electric transportation devices, including public health and safety, pedestrian access and safety, health and safety of operators and passengers, vehicular traffic and the right and ability of the public to safely access and utilize public and other property within the City.

10.54.020 Definitions.

For purposes of this chapter, the following definitions shall apply, unless the context clearly indicates otherwise:

“Bicycle” shall have the same meaning as set forth in California Vehicle Code Section 231, as amended from time to time.

“Electric Bicycle” or “E-Bike” shall have the same meaning as set forth in California Vehicle Code Section 312.5, as amended from time to time, and shall be categorized as follows:

1. Class 1 Electric Bicycle: An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.
2. Class 2 Electric Bicycle: An electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.

3. Class 3 Electric Bicycle: An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour. Such electric bicycles shall be equipped with a speedometer.

"Electric Personal Assistive Mobility Device" shall have the same meaning as set forth in California Vehicle Code Section 313, as amended from time to time.

"Electrically Motorized Boards" shall have the same meaning as set forth in California Vehicle Code Section 313.5, as amended from time to time.

"Electric Motorcycle" shall mean any electric-powered two- or three-wheeled vehicle with a motor of more than 750 watts, lacks operable pedals, and/or can attain a speed greater than 20 miles per hour on motor power alone. Such vehicles shall not be considered an electric bicycle and shall be treated as a motorcycle as defined by California Vehicle Code Sections 400(a) and 400(b).

"Highway" shall mean any publicly maintained way or place open to the use of the public for purposes of vehicular travel, including streets.

"Hours of Darkness" shall mean all times of the week that occur between 30 minutes past sunset to 30 minutes before sunrise.

"Low-Speed Vehicle" shall have the same meaning as set forth in California Vehicle Code Section 385.5, as amended from time to time.

"Motorized Scooter" shall have the same meaning as set forth in California Vehicle Code Section 407.5, as amended from time to time.

"Operator" shall mean any person who owns, operates, or controls a regulated mobility device.

"Public Area" shall mean any outdoor area open to the public for public use, whether owned or operated by the City, other governmental agency or a private party.

"Regulated Mobility Device" shall include electric bicycles, electric personal assistive mobility devices, electrically motorized boards, low-speed vehicles, electric motorcycles, motorized scooters, shared mobility devices and other similar vehicles.

"Rider" shall mean a traveler riding on a regulated mobility device who is not operating it.

"Seat" shall mean a device manufactured, designed, and factory- installed/appropriately installed on a regulated mobility device for the purpose of providing points of contact that support an operator or rider in a sitting position on the regulated mobility device including foot support. When transporting passengers, this term shall mean a device, or devices, manufactured, designed, and factory-installed/appropriately-installed on a regulated mobility device, for the purpose of providing points of contact that support each rider in a sitting position, including foot pegs, separate from the operator's seat such that each person operating or riding on the regulated mobility device is seated on the device to allow for their individual occupancy with individual foot support.

"Shared Mobility Device" shall have the same meaning as set forth in California Civil Code Section 2505, as amended from time to time.

"Unsafe manner" shall mean operating in such a way as that violates any provision of State law or the City's municipal code, including riding in prohibited areas, underaged riders or illegal modifications, or constitutes a danger to the operator, a passenger, other motorists, other riders, or pedestrians in the area.

"Wheelie" shall mean an acrobatic stunt where the front tire or wheel is lifted off the ground due to extreme torque being applied to the rear wheel while in motion.

10.54.030 Operation and Use of Electric Bicycles and Other Regulated Mobility Device.

- A. Operation in Compliance with City Regulations. It shall be unlawful for any person to ride or operate any electric bicycle, electric motorcycle, motor-driven cycle, any electric or motorized conveyance, or regulated mobility device unless such ride or operation complies with the provisions of this Chapter 10.54.
- B. Helmet Requirement. All operators and passengers riding or operating an electric bicycle or other regulated mobility device who are under 18 years of age shall wear a properly fitted and fastened bicycle helmet, as specified in California Vehicle Code Sections 21212 and 21213. All operators and passengers of Class 3 E-bikes shall wear a properly fitted and fastened bicycle helmet,
- C. Direction of Travel. The operator of a bicycle, electric bicycle, electric scooter, electric skateboard or other regulated mobility device shall travel in the same direction as vehicles are required to be driven, regardless of whether or not the operator is in the roadway, highway, or in a bike lane.
- D. Passenger Restrictions. No person riding or operating an electric bicycle, motor-driven cycle, any electric or motorized conveyance, or other regulated mobility device shall transport another person upon an electric bicycle, motor-driven cycle, any electric or motorized conveyance, or other regulated mobility device unless:
 - 1. Such passenger is seated upon a seat attached to the regulated mobility device and designed for such use, and in a safe manner; and
 - 2. The operator is at least 16 years of age and possesses a valid driver's license or is at least 18 years of age.
- E. Requirements During Hours of Darkness.
 - 1. During hours of darkness, electric bicycles, electric personal assistive mobility devices, and electrically motorized boards shall only be operated by persons 16 years of age or older.
 - 2. During hours of darkness, electric bicycles, electric personal assistive mobility devices, and electrically motorized boards shall only be operated with a front lamp emitting a white light visible from a distance of 300 feet and a rear solid or flashing red light with a built-in reflector visible from a distance of 500 feet.
- F. Prohibited Actions.
 - 1. It shall be unlawful for any person to ride or operate any electric bicycle, electric motorcycle, motor-driven cycle, any electric or motorized conveyance, or regulated mobility device in an unsafe manner.
 - 2. It shall be unlawful to operate any regulated mobility device on highways, roadways, sidewalks or other public areas while performing stunts such as wheelies, endo wheelies (stoppies) or other reckless or dangerous behavior.

3. It shall be unlawful to operate any regulated mobility device while utilizing a hand-held mobile communication device, such as using a mobile phone to text.
4. It shall be unlawful to operate any regulated mobility upon any sidewalk open space conservation area, playground, park, landscaped area, athletic fields, sport courts, school ground or public trail not specifically designated as a bicycle path or route, unless specifically posted.
 - i. Class 1 and Class 2 electric bicycles may be ridden, and Class 3 electric bicycles are prohibited, on the following public trails within the City:
 1. All skate parks, designated as such, owned or operated by the City
 2. BMX Pump Track
 3. Lake Elsinore Levee Trail
 4. Murrieta Creek Trail

G. Use of Designated Lanes.

1. Any regulated mobility device, including all electric bicycles, must use designated bicycle lanes where available, and must comply with Sections 21202 and 21208 of the California Vehicle Code regarding use of the right-hand curb and bicycle lanes.
2. Electric bicycle operators must yield the right-of-way to all pedestrians and maintain a cautious speed that does not endanger pedestrian safety.

H. Age Requirements for Electric Bicycles.

1. A person must be 16 years of age or older to operate a Class 3 electric bicycle.

I. Compliance with Safety Standards. All electric bicycles and other regulated mobility devices shall meet the following criteria:

1. Comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission (16 C.F.R. 1512.1, *et seq.*).
2. Operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied or operate in a manner such that the motor is engaged through a switch or mechanism that, when released or activated, will cause the electric motor to disengage or cease to function.
3. A person shall not tamper with or modify an electric bicycle so as to change the speed capability of the bicycle unless he or she appropriately replaces the label indicating the classification.

J. Electric Motorcycles. Electric motorcycles shall not be operated within the limits of the City without the following:

1. The operator shall have a valid motorcycle license as required by California Vehicle Code Section 12500(b); and
2. The electric motorcycle shall have, and the operator shall carry proof of, valid registration and license plate as required by California Vehicle Code Section 4000(a)(1); and
3. All operators and riders shall wear a helmet approved by the United States Department of Transportation (DOT) as required by California Vehicle Code Section 27803(b); and

4. All operators shall have and maintain evidence of financial responsibility (Insurance) as required by California Vehicle Code Section 16028a or other State law.

10.54.040 Regulations Provided upon Retail Sale or Rental of an Electric Regulated Mobility Device.

- A. Every business selling or renting any electric bicycle or other regulated mobility device shall supply a copy of this Chapter (LEMC Chapter 10.54) to every person(s) purchasing or renting an electric regulated mobility device and shall maintain proof of providing such copy for minimum of three years. Records of proof shall be provided to the City immediately upon request by any Enforcement Officer of the City, the City Manager or designee during normal business hours of the store or business.
- B. Every store or business selling or renting an electric regulated mobility device must apply a label that is permanently affixed to each electric regulated mobility device that contains, among other things, the classification number of the electric device as specified.
- C. Vehicles not classified as electric bicycles under this code must not be advertised, sold, offered for sale, or labeled as electric bicycles, including 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
- D. The sale of a product or device that can modify the speed capability of an electric bicycle such that it no longer meets the definition of an electric bicycle, as provided by this Chapter, is prohibited.

10.54.050 Enforcement and Penalties.

- A. This Chapter may be enforced by any Enforcement Officer, as that term is defined in Section 1.20.020 of this Code.
- B. It shall be a violation of this Code to fail to comply with a lawful order or command of the any Enforcement Officer.
- C. Responsibility of Parent or Legal Guardian. Each parent or legal guardian having custody or control of a minor who violates this Chapter shall be jointly and severally liable with such minor for such violation.
- D. Violations and Penalties.
 1. Each violation of this Chapter, and each day a violation occurs or continues shall constitute a separate and distinct violation.
 2. Each violation of this Chapter shall be subject to an administrative citation pursuant to Chapter 1.20 of this Code.
 3. Each violation of this Chapter shall be a misdemeanor and be subject to enforcement and punishment pursuant to Sections 1.06.050 and 1.16.010 of this Code.
 4. Violation of any provision of this Chapter is a public nuisance and may be abated by any means available by law, including injunction.
 5. Any person found in violation of any provision of this Chapter may, in lieu of payment of a fine or other penalty, be required to complete a City-approved training and education class on the safe operation of electric bicycles or other regulated mobility device. Payment for the costs for such class shall be the responsibility of the offender.

Proof of completion must be provided to the City within 90 days of the violation notice if such class is required. The violation shall not be deemed adjudicated until the offender provides such notice timely.

6. Impoundment. A bicycle, electric bicycle or other regulated mobility device may be impounded by any Enforcement Officer when any of the following conditions are present:
 - (a) Obstruction of Public Areas. The device is left upon public property or other public areas in such a manner as to block or impede pedestrian or vehicular traffic, obstruct ingress or egress to any building, stairway, ramp, or similar space, or otherwise create a hazard to public safety.
 - (b) Excessive Duration. The device has been left unattended in a public area for a period of more than seventy-two (72) hours.
 - (c) Abandonment. The device shows objective signs of abandonment, disuse, or neglect, such as broken or missing parts, flat tires, accumulation of debris, or conditions evidencing that the device has been discarded and is not reasonably intended to be retrieved.
 - (d) Incident to Citation or Arrest. The operator of the device has been criminally cited or arrested for a violation of this Chapter or of any other applicable law or ordinance, and impoundment of the device is necessary to enforce compliance or protect public safety.
 - (e) In the event of any impoundment pursuant to this Chapter, the City shall:
 - i. Provide the person from whom the bicycle, electric bicycle or other regulated mobility device was impounded with a receipt and instructions for retrieval of the property, which shall be given in person at the time of impoundment, or promptly mailed by first class mail to the person at the last known address.
 - ii. If the Enforcement Officer has knowledge that the person from whom the bicycle, electric bicycle or other regulated mobility device was impounded is not the owner, the Enforcement Officer shall make reasonable efforts to identify the owner, and if identified, shall mail by first class mail a receipt and instructions for retrieval of the item.
 - iii. The receipt and instructions shall notify the person that the bicycle, electric bicycle or other regulated mobility device must be claimed within 60 days after the City obtained possession or the property will be disposed of in accordance with Civil Code section 2080.10.
 - iv. Within said 60 days, the owner may retrieve the bicycle, electric bicycle or other regulated mobility device upon payment of the fees and costs provided by the City, may authorize in writing another person to pay and retrieve the item, or may notify the City that the person is unable to retrieve it within 60 days because the person is in police custody and request the City hold the item, in which case, the City may hold it for a period not longer than 10 months total.
 - v. In the event of a violation by a juvenile, the bicycle, electric bicycle or other regulated mobility device may be released only to a responsible

adult. The fee for storage and other costs incurred by the City or Sheriff's Office shall be paid prior to release of the item. In the event the bicycle, electric bicycle or other regulated mobility device is not retrieved within 60 days, it may be disposed of pursuant to Civil Code section 2080.10.

10.54.060 Exemptions.

- A. Public Agency Personnel. Notwithstanding any other provision of this chapter, or any other section of this code, City and public agency personnel may operate regulated mobility devices or other vehicles at any place in the City in the performance of their official duties.
- B. Disability. This chapter is not intended to apply to or otherwise restrict regulated mobility devices used in a safe manner by physically disabled persons as defined under the Americans with Disabilities Act (42 U.S.C. Sections 12101 et seq.).

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

SECTION 3. CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 4. Effective Date. This Ordinance shall become effective at 12:01 a.m. on the thirty-first (31st) day after the date of adoption.

SECTION 5. Certification. The City Clerk shall certify to the passage of this Ordinance and cause a synopsis of the same to be published according to law.

Passed and Adopted this _____ day of _____ 2026.

Robert Magee, Mayor

ATTEST:

Candice Alvarez, MMC
City Clerk

I, Candice Alvarez, City Clerk of the City of Lake Elsinore, do hereby certify that the foregoing Ordinance No. 2026-_____ was introduced at the Regular meeting of _____, 2026, and adopted by the City Council of the City of Lake Elsinore at its Regular meeting of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Lake Elsinore, California on the _____ day of _____, 2026, and on the _____ day of _____, 2026.

Candice Alvarez, MMC
City Clerk