
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguin, Chair
2025 - 2026 Regular

Bill No: AB 875 **Hearing Date:** June 24, 2025
Author: Muratsuchi
Version: June 11, 2025
Urgency: No **Fiscal:** Yes
Consultant: AB

Subject: *Vehicle removal*

HISTORY

Source: California Police Chiefs Association

Prior Legislation: AB 2234 (Boerner), Ch. 823, Stats. of 2024
AB 1774 (Dixon), Ch. 55, Stats. of 2024
SB 1271 (Min), Ch. 891, Stats. of 2024
SB 381 (Min), Ch. 869, Stats. of 2023
AB 1096 (Chau), Ch. 568, Stats. of 2015

Support: AAA of Northern California, Nevada & Utah; Auto Club of Southern California;
California Orthopedic Association; California State Sheriffs' Association; City of
Rolling Hills Estates; Peace Officers Research Association of California;
University of California

Opposition: None known

Assembly Floor Vote: 71 - 0

PURPOSE

The purpose of this bill is to authorize a peace officer to remove and impound a vehicle that 1) has fewer than 4 wheels but does not meet the definition of an electric bicycle (e-bike) and meets other criteria, or 2) is a class 3 e-bike and the operator is under 16 years old, and to require release of a seized vehicle to the owner, violator, or their agent after a minimum of 48 hours if specified conditions are met.

Existing law sets forth the following definitions related to e-bikes.

- An e-bike, generally, is a bicycle equipped with fully operational pedals and an electric motor that is not physically capable of exceeding 750 watts of power.
- A class 1 e-bike is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour (mph), and is not capable of providing assistance to reach speeds greater than 20 miles per hour.

- A class 2 e-bike is a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 mph.
- A class 3 e-bike is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, and that ceases to provide assistance when the bicycle reaches the speed of 28 mph, and equipped with a speedometer. (Veh. Code, § 312.5, subd. (a).)

Existing law specifies that the following vehicles are not e-bikes and shall not be advertised, sold, offered for sale, or labeled as such:

- A vehicle 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.
- A vehicle that is modified to have its operable pedals removed. (Veh. Code, § 312.5, subd. (d).)

Existing law prohibits a person under 16 years of age from operating a class 3 e-bike. (Veh. Code, § 21213.)

Existing law requires an e-bike to meet the following criteria:

- Comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission, as provided.
- 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. (Veh. Code, § 24016, subd. (a).)

Existing law provides that a person shall not tamper with or modify an e-bike so as to change the speed capability of the bicycle, unless the bicycle continues to meet the definition of an e-bike and the person appropriately replaces the label indicating the classification of the e-bike, as specified. (Veh. Code, § 24016, subd. (d).)

Existing law authorizes a peace officer to remove and impound a vehicle if a person is operating a vehicle without a proper driver's license, a suspended driver's license or revoked driver's license; a vehicle so removed shall be impounded for 30 days, as specified. (Veh. Code, § 14602.6.)

Existing law makes it unlawful for a peace officer or an unauthorized person to remove an unattended vehicle from a highway to a garage or to any other place except as provided for by California statute. (Veh. Code, § 22650, subd. (a).)

Existing law provides that the removal and storage of a vehicle, as authorized by California statute, is a seizure and must be reasonable under the Fourth Amendment and California Constitution. (Veh. Code, § 22650, subd. (b).)

Existing law provides that vehicle removals authorized by any authority, including California statute, that are based on the community caretaking exception are reasonable only if the removal was necessary to achieve the community caretaking need, such as ensuring the safe flow of traffic or protecting property from theft or vandalism. (Veh. Code, § 22650, subd. (b).)

Existing law provides that law enforcement and other agencies having authority to remove vehicles shall also have the authority to provide hearings, as specified. (Veh. Code, § 22650, subd. (c).)

Existing law places the burden of establishing the validity of the removal on the storing agency. (Veh. Code, § 22650, subd. (c).)

Existing law authorizes a peace officer or other traffic enforcer of a local jurisdiction to remove a vehicle in many circumstances, including if it is left unattended, as specified, parked on a highway so as to obstruct traffic or create a hazard, illegally parked, as specified, stopped or parked for more than four hours upon the right-of-way of a freeway and the driver cannot move the vehicle, parked or left standing on a highway for 72 or more consecutive hours in violation of a local ordinance, and others. (Veh. Code, § 22651.)

Existing law requires the California Highway Patrol (CHP) to develop statewide safety and training programs based on evidence-based practices for users of e-bikes, including, but not limited to, general e-bike riding safety, emergency maneuver skills, rules of the road, and laws pertaining to e-bikes, which shall be posted on CHP's website. (Sts. and Hwys. Code, § 894.)

This bill provides that a peace officer may remove a vehicle located within the territorial limits in which the officer may act, under either of the following circumstances:

- A person is operating a vehicle with fewer than four wheels that does not meet the definition of an e-bike set forth in existing law and is both of the following:
 - Powered by an electric motor capable of exclusively propelling the vehicle in excess of 20 miles per hour on a highway.
 - Being operated by an operator who is not licensed to operate the vehicle.
- A person is operating a vehicle that is a class 3 e-bike and is under 16 years old.

This bill provides that an agency shall release a seized vehicle to the owner, violator or their agent after a minimum of 48 hours, if both of the following conditions are met:

- The owner, violator, or authorized agent's request is made during normal business hours.
- The applicable removal, seizure, and storage costs have been paid.

This bill provides that if a peace officer removes a vehicle because the vehicle is a class 3 e-bike operated by a person under 16 years old, an agency may, as a condition of the release of that e-bike, require the owner, violator, or the parent or legal guardian of the owner or violator to deliver proof that the violator has completed an e-bike safety and training program.

This bill provides that a city, county, or city and county may adopt a regulation, ordinance, or resolution imposing charges equal to its administrative costs relating to the removal, seizure, and storage costs. The charges shall not exceed the actual costs incurred for the expenses directly related to removing, seizing, and storing the vehicle.

COMMENTS

1. Need for This Bill

According to the Author:

E-bikes are a green alternative to cars, but their increased popularity comes with greater risk. According to data collected by the California Highway Patrol, there was nearly a four-fold increase in e-bike injuries from 2022 to 2024. The worst offenders are “out-of-class” e-bikes which are capable of exceeding speed limits for their respective classes— 20 mph for class 1 and 2 or 28 mph for class 3. Currently, law enforcement lacks clear authority under the Vehicle Code to remove these illegal and unsafe vehicles—even when they pose a clear threat to public safety. This bill provides needed clarity in statute to allow law enforcement to remove illegal and dangerous vehicles from the streets.

2. The Rise and Risks of Electric Bicycles

In recent years, electric bicycles, or e-bikes, which utilize an electric motor to assist with pedaling an otherwise standard bicycle, have grown dramatically in popularity. According to the United States Department of Energy, between 2018 and 2022, sales of e-bikes rose from around 250,000 per year to more than 1 million.¹ E-bike (and e-scooter) rentals have also increased considerably, with one report finding that in the United States and Canada, a combined 157 million trips were logged on bike and scooter share services, shattering a previous record.² Yet the increased popularity of these devices, often referred to as “micromobility” devices, has seen an attendant spike in injuries and accidents related to their use. A 2023 report published by the United States Consumer Product Safety Commission showed that micromobility-related injuries have trended upward since 2017, increasing an estimated average of 23% annually.³ The study found that during the six-year study period, roughly three million people riding e-bikes, e-scooters, or their conventional counterparts sought care in the ER, including about 45,500 e-bike

¹ “FOTW #1321, December 18, 2023: E-Bike Sales in the United States Exceeded One Million in 2022.” *United States Department of Energy*. 18 December 2023. [FOTW #1321, December 18, 2023: E-Bike Sales in the United States Exceeded One Million in 2022 | Department of Energy](#)

² “Shared Micromobility Report: 2023.” *National Association of City Transportation Officials*. [Shared Micromobility Report: 2023 - NACTO](#)

³ “Micromobility Products-Related Deaths, Injuries, and Hazard Patterns: 2017–2022.” *United States Consumer Product Safety Commission*. September 2023. [Micromobility Products-Related Deaths Injuries and Hazard Patterns 2017-2021](#)

riders and 190,000 e-scooter riders.⁴ Notably, e-bike injuries more than doubled every year, going from 751 in 2017 to 23,493 in 2022.⁵

3. Authority to Remove Vehicles Generally and Effect of This Bill

SB 1758 (Kopp) Chapter 1221, Statutes of 1994, gave law enforcement a new tool to enforce Vehicle Code violations—the ability to impound someone’s vehicle for driving while unlicensed or driving with a suspended license. After initial data showed that SB 1758 was effective in reducing convictions for driving without a license or with a suspended license, the Legislature began expanding the violations for which a vehicle could be impounded.⁶ AB 2288 (Aguiar), Chapter 884, Statutes of 1996 expanded vehicle impoundments to include speed contests, and SB 1489 (Perata) Chapter 411, Statutes of 2002, granted law enforcement the ability to impound a vehicle for reckless driving. Today, there are nearly three dozen bases upon which local authorities – primarily peace officers – may remove and impound a vehicle under the California Vehicle Code.

California Vehicle Code Section 22651 sets forth the main circumstances under which local authorities may remove and impound a vehicle, including leaving a vehicle unattended, obstructing traffic so as to create a hazard, identifying a stolen or embezzled vehicle, blocking a private driveway or firefighting equipment (including a hydrant), when an officer arrests a person driving or in control of a vehicle and is required to take the person into custody, identifying a vehicle which has been issued five or more unaddressed parking citations, and leaving the vehicle parked or standing on a road for 72 or more consecutive hours in violation of a local ordinance authorizing removal.⁷ Existing law also authorizes a peace officer or other local official designated to perform such functions to remove a vehicle from a street or public or private property when they have reasonable grounds to believe that the vehicle has been abandoned.⁸

After removing a vehicle, per one of the aforementioned reasons or otherwise, the officer is required to take the vehicle to “the nearest garage or place of safety or to a garage designated or maintained” by the officer’s employing agency, a process commonly referred to as “impoundment.”⁹ Impoundments can last anywhere from 24 hours to 30 calendar days depending on a variety of factors, and a vehicle’s registered owner can usually reclaim their impounded vehicle by showing proof of registration and paying a specified fee.¹⁰ However, if a vehicle remains unclaimed for a certain length of time depending on the value of the vehicle, the keeper of that vehicle (usually the owner of the tow yard or impound lot, referred to as a

⁴ *Ibid.* It should be noted that the number of ER visits for conventional bike and scooter riders was significantly higher, comprising 2.5 million and 305,000 respectively.

⁵ *Ibid.*

⁶ DeYoung, David. “An evaluation of the specific deterrent effects of vehicle impoundment on suspended, revoked, and unlicensed drivers in California.” *Accident Analysis & Prevention*. Vol. 31, Issues 1-2, January 1999, Pp. 45-53. [An evaluation of the specific deterrent effects of vehicle impoundment on suspended, revoked, and unlicensed drivers in California - ScienceDirect](#)

⁷ Many local ordinances explicitly prohibit leaving a vehicle on any public street or parking facility for 72 or more consecutive hours and authorize removal pursuant to this Vehicle Code provision (VC § 22651, subd. (k).) For example, see Roseville Municipal Code § 11.20.020, [City of Roseville, CA Parking in General](#); for an example of a 72-hour notice, see [VEHICLE-VIOLATION-NOTICE-2018.pdf](#)

⁸ Veh. Code, § 22669

⁹ Veh. Code, § 22850.

¹⁰ Veh. Code, §§ 22850.3, 22850.5, 22851, 22851.3

“lienholder”), may dispose of the vehicle via a “lien sale,” in which the keeper of the garage or tow yard can be compensated via proceeds from the sale of a towed vehicle, or via destruction.

4. Effect of This Bill

This bill authorizes a law enforcement officer to remove and impound an e-bike in that officer’s territorial jurisdiction under two specific circumstances: first, when the e-bike does not meet the statutory definition of an e-bike but is powered by an electric motor capable of propelling it more than 20 miles per hour and is being operated by a person who is not licensed to operate it, and second, when a person under 16 years of age is operating a “class 3” e-bike. Under existing law, a class 3 e-bike is defined as an e-bike that utilizes an electric motor only to assist with pedaling the bicycle (and cannot independently propel it), but that ceases to assist with pedaling when the bike reaches 28 miles per hour, and persons under 16 are prohibited from operating such bikes.¹¹ The removal authority granted by this bill mirrors existing law authorizing the removal of “pocket bikes,” which are essentially mini-motorcycles.¹²

Another provision of this bill authorizes a city, county, or city and county to adopt an ordinance imposing charges equal to its administrative costs relating to the removal, seizure and storage of e-bikes that fall within the scope of the bill. Additionally, the bill requires the removal agency to release a seized vehicle to the owner, violator or their agent after a minimum of 48 hours if a request for the vehicle is made during normal business hours and all relevant fees have been paid. This retrieval provision is consistent with existing impoundment provisions related to other vehicles. Finally, for class 3 e-bikes removed pursuant to this bill, the measure authorizes the removal agency, as a condition of release, to require the owner, violator, or the parent or legal guardian of the owner or violator, to deliver proof that the violator has completed an e-bike safety and training program.

5. Argument in Support

According to the California Orthopaedic Association:

This bill would increase the safety of e bike riders, pedestrians, and other motorists by allowing law enforcement officers to remove illegal, souped-up e bikes. Our member physicians are seeing an increasing number of patients with broken bones as a result of e bike crashes, particularly among minors. One recent case involved two 15-year-olds riding on one e bike, both without helmets. A car crashed into the e bike, killing the passenger rider and severely injuring the driving rider, causing severe injury to the humerus, neck and ankle as well as significant damages to the face and skin. Unfortunately, these kinds of cases are becoming increasingly common, and are more likely with the altered e bikes that are more powerful and faster.

-- END --

¹¹ Veh. Code, § 21213

¹² See Veh. Code, § 21721