

ASSEMBLY BILL

No. 1096

Introduced by Assembly Member Chiu

February 27, 2015

An act to amend Section 406 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1096, as introduced, Chiu. Vehicles: motorized bicycles.

Existing law defines a “motorized bicycle” or “moped” for purposes of the Vehicle Code as a 2-wheeled or 3-wheeled device that has fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor that 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.

This bill would make a technical, nonsubstantive change to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 406 of the Vehicle Code is amended to
2 read:
3 406. (a) A “motorized bicycle” or “moped” is a two-wheeled
4 or three-wheeled device ~~having~~ *that has* fully operative pedals for
5 propulsion by human power, or having no pedals if powered solely
6 by electrical energy, and an automatic transmission and a motor
7 that produces less than 4 gross brake horsepower and is capable

1 of propelling the device at a maximum speed of not more than 30
2 miles per hour on level ground.

3 (b) A “motorized bicycle” is also a device that has fully
4 operative pedals for propulsion by human power and has an electric
5 motor that meets all of the following requirements:

6 (1) Has a power output of not more than 1,000 watts.

7 (2) Is incapable of propelling the device at a speed of more than
8 20 miles per hour on ~~ground level~~ *level ground*.

9 (3) Is incapable of further increasing the speed of the device
10 when human power is used to propel the motorized bicycle faster
11 than 20 miles per hour.

12 (4) Every manufacturer of motorized bicycles, as defined in this
13 subdivision, shall provide a disclosure to buyers that advises buyers
14 that their existing insurance policies may not provide coverage for
15 these bicycles and that they should contact their insurance company
16 or insurance agent to determine if coverage is provided.

17 (c) The disclosure required under paragraph (4) of subdivision
18 (b) shall meet both of the following requirements:

19 (1) The disclosure shall be printed in not less than 14-point
20 boldface type on a single sheet of paper that contains no
21 information other than the disclosure.

22 (2) The disclosure shall include the following language in capital
23 letters:

24 “YOUR INSURANCE POLICIES MAY NOT PROVIDE
25 COVERAGE FOR ACCIDENTS INVOLVING THE USE OF
26 THIS BICYCLE. TO DETERMINE IF COVERAGE IS
27 PROVIDED YOU SHOULD CONTACT YOUR INSURANCE
28 COMPANY OR AGENT.”