



# OFF HIGHWAY MOTOR VEHICLE INFORMATION BULLETIN FOR CALIFORNIA LAW ENFORCEMENT



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## **Senate Bill 586 = Electric Off-Highway Motorcycles**

The purpose of this Off-Highway Motor Vehicle (OHV) Information Bulletin is to provide information regarding Senate Bill (SB) 586. SB 586 added Section 436.1 to the California Vehicle Code(CVC) to define electric off-highway motorcycles. Information found in this bulletin supersedes any conflicting information in previous OHV Information Bulletins. OHV Information Bulletin 24-1 shall be considered obsolete.

### **Background:**

The State of California has enacted SB 586, signed into law by Governor Gavin Newsom on Oct. 10, 2025, **effective January 1, 2026**. Introduced by Senator Brian W. Jones, this legislation addresses critical needs for communities across California by defining an off-highway electric motorcycle and affirming their eligibility for off-highway vehicle identification (California Green Sticker) and classification as motor vehicles.

Existing law defines an off-highway motor vehicle as a motor vehicle that operates on lands, other than a highway, that are open and accessible to the public. Existing law also establishes rules for the operation of an off-highway vehicle and registration (identification) requirements for off-highway motor vehicles. A violation of these rules and requirements is a crime.

SB 586 added Section 436.1 to the CVC, which defines the term “off-highway electric motorcycle” as an off-highway motorcycle subject to identification that is (1) designed by the manufacturer for operation primarily off the highway, (2) powered by an electric motor for which a motor number is not required, (3) has handlebars for steering control, (4) has a straddle seat provided by the manufacturer, (5) has two wheels, and (6) is not equipped with pedals from the manufacturer. SB 586 affirms the classification of an off-highway electric motorcycle as an off-highway motor vehicle, thereby subjecting off-highway electric motorcycles to the rules and regulations relating to off-highway motor vehicles. SB 586 also amends Section 38010 and Section 38012 of the CVC to include the newly defined electric off-highway motorcycles.

**Discussion:**

In recent years, the Off-Highway Motor Vehicle Recreation (OHMVR) Division has received numerous inquiries from members of the public, OHV community stakeholders, and law enforcement partners regarding electric off-highway motorcycles, commonly referred to as "eMotos." These electric off-highway motorcycles are sold from manufacturers including Sur-Ron, Talaria, Ventus, E Ride Pro, Stacyc, and Stark Future. These electric off-highway motorcycles are often inaccurately referred to as electrical bicycles, commonly called "E-Bikes" and have often been sold and advertised by retailers as such. Beginning January 1<sup>st</sup>, 2026, these vehicles meet the CVC definition found in §436.1 "Electric Off-Highway Motorcycle."

These off-highway motorcycles do NOT meet the definition of Electric Bicycle (CVC §312.5) or motorized bicycle or MOPED (CVC §406). SB 1271 was signed by Governor Gavin Newsom on Sept. 27, 2024. SB 1271 clarified definitions of electric bicycles and the bill also prohibits advertising, selling, or labelling any motor vehicle as an "electric bicycle" if it does not meet the defined specifications found in CVC §312.5. As a result, advertising, selling, or labelling any electric off-highway motorcycle as an electric bicycle is now a crime in the State of California.

***Pursuant to section CVC §312.5 (d):***

*The following vehicles are not electric bicycles under this code and shall not be advertised, sold, offered for sale, or labeled as electric bicycles:*

- (1) 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.*
- (2) 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.*
- (3) A vehicle that is modified to have its operable pedals removed.*

Sur-Ron, Talaria, Ventus, E Ride Pro, Stacyc, and Stark Future off-highway electric motorcycles are specifically designed for off-highway use and not intended to be used on public roads, streets, or highways (per the manufacturer's owner manual), and therefore they cannot be retrofitted with aftermarket equipment (lighting, braking, etc.) to make them eligible for on-highway registration. Per the California Department of Motor Vehicles (DMV) website, "Any motorcycle or vehicle originally manufactured for off-highway use cannot be converted for on-highway use, unless it is manufactured for dual purposes." The classification of an electric off-highway motorcycle may be confirmed by the absence of labels required under Federal Motor Vehicle Safety Standards (FMVSS).

**Off-Highway Vehicle Registration/Identification:**

Existing law requires every off-highway motor vehicle that is not registered for use on the highway under the California Vehicle Code (License Plate) to display an off-highway identification plate or device issued by the California DMV when operated off-highway on lands described in CVC §38001.

Pursuant to the passing of SB 586, electric off-highway motorcycles defined in CVC §436.1 are subject to identification. The appropriate identification plate or device for an electric off-highway motorcycle is a

California Green Sticker. Per CVC §436.1, a motor number is not required on electric off-highway motorcycles. Additionally, per the California DMV Vehicle Industry Registration Procedures Manual, off-highway vehicles are exempt from the 17-digit vehicle identification number(VIN) requirement. For more information on how to get your off-highway electric motorcycle registered, please contact the California DMV.

**Enforcement and Education:**

The OHMVR Division strongly encourages our law enforcement partners to educate the public on new and existing rules, regulations, and laws pertaining to off-highway electric motorcycles. Persons illegally operating off-highway electric motorcycles upon a highway may be issued a citation for violation of CVC §4000(a)(1) Unregistered vehicle on highway and/or CVC §12500(b) Unlicensed motorcycle operator on highway. Persons operating an electric off-highway motorcycle on public lands described in CVC §38001(a) may be issued a citation for violation of CVC §38020 if the vehicle is not currently identified by a California OHV Green Sticker or Red Sticker. Parents who knowingly allow a child to operate an electric off-highway motorcycle on a highway may be cited for violation of CVC §14607.

The OHMVR Division strongly encourages its law enforcement partners to educate the public on where legal OHV opportunities exist. This includes California State Vehicular Recreation Areas (SVRA) and federal lands designated for OHV use, including lands managed by the Bureau of Land Management (BLM) and the United States Forest Service (USFS). For a comprehensive list of OHV riding opportunities, please visit [ohv.parks.ca.gov](http://ohv.parks.ca.gov) to view the California Off-Highway Adventures Map.

**Tow Authority and Vehicle Removal:**

Existing California law, CVC §22651(p), authorizes a peace officer to remove a vehicle from a highway if the peace officer issues the driver of a vehicle a notice to appear for a violation of Section 12500, 14601, 14601.1, 14601.2, 14601.3, 14601.4, 14601.5, or 14604, and the vehicle is not impounded pursuant to Section 22655.5.

The State of California has enacted Assembly Bill 875, signed into law by Governor Newsom on October 01, 2025. Introduced by Assemblymember Muratsuchi, AB 875 added additional tow authorities granted to peace officers under the California Vehicle Code. **Beginning January 1, 2026**, Section 22651.08 will be added to the California Vehicle Code. CVC §22651.08 will authorize a peace officer to remove a vehicle that (1) has fewer than 4 wheels, but that does not meet the definition of an electric bicycle, if that vehicle is powered by an electric motor capable of exclusively propelling the vehicle in excess of 20 miles per hour on a highway and is being operated by an operator without a current license to operate the vehicle, or (2) is a class 3 electric bicycle being operated by a person under 16 years of age. Additionally, If a peace officer removes a vehicle pursuant to paragraph (2) of subdivision (a), an agency may, as a condition of release, require the owner, violator, or the parent or legal guardian of the owner or violator to deliver proof that the violator has completed an electric bicycle safety and training program, as described in Section 894 of the Streets and Highways Code, or a related local bicycle safety course, if one is available, as prescribed by authorities in the local jurisdiction.

**Frequently Asked Questions:**

***“Do electric off-highway motorcycles meet the CVC definition of an electric bicycle?”***

**No.** CVC §312.5 defines an electric bicycle as: (a) An “electric bicycle” is a bicycle **equipped with fully operable pedals and an electric motor of less than 750 watts**. Please see the attached reference guide for a partial list of manufacturer and model specifications.

***“Do electric off-highway motorcycles meet the CVC definition of a motorized bicycle or moped?”***

**No.** CVC §406 defines a motorized bicycle as: (a) A “motorized bicycle” or “moped” is a two-wheeled or three-wheeled device having 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**. 4 gross brake horsepower is roughly equivalent to 3000W.

***“Is a California OHV Green Sticker Registration required for electric off-highway motorcycles?”***

**Yes.** Existing law (CVC §38020 and CVC §38170) requires every off-highway motor vehicle being operated on public lands or private property that is open and accessible to the public to display an off-highway identification plate or device (California Green Sticker) issued by the California DMV. Beginning January 1, 2026, CVC §436.1 will further codify that electric off-highway motorcycles are subject to identification (California Green Sticker) **Exception: Off-Highway Motor vehicles that are solely operated on private property that is under the direct control and permission of the landowner are not required to be registered/identified.**

***“Can electric off-highway motorcycles be legally operated on highways, streets, sidewalks, bike paths, bike lanes, or off-street parking facilities?”***

**No.** These vehicles do not meet the definition of an electric bicycle (CVC §312.5) or moped (CVC §406), and therefore are only allowed to be operated in OHV designated areas or on private property. These vehicles are unable to be registered under the provisions of Division 3 (commencing with Section 4000) and cannot be modified to become street legal. These off-highway vehicles must be registered through the DMV as an off-highway motor vehicle to be operated in designated OHV areas. If the vehicle lacks proper identification, the vehicle shall only be operated on private property or on a closed course.

***“Does adding aftermarket operable pedals to an electric off-highway motorcycle reclassify it as an electric bicycle?”***

**No.** CVC §312.5 defines an electric bicycle as: (a) An “electric bicycle” is a bicycle equipped with fully operable pedals and an **electric motor of less than 750 watts**. Due to the motors on electric off-highway motorcycles often exceeding the 750-watt limit, they do not meet the definition of an electric bicycle, regardless of having operable pedals. CVC §312.5(d) also states that vehicles that have been modified to obtain speeds greater than 20 mph on motor power alone are not electric bicycles.

***“Can an electric off-highway motorcycle be converted to street legal?”***

**No.** Per the California DMV Vehicle Industry Registration Procedures Manual, “Any motorcycle or vehicle originally manufactured for off-highway use cannot be converted for on-highway use, unless it is manufactured for dual purposes.”

**For further clarification contact Superintendent Jack Gorman, Assistant Chief, Off-Highway Motor Vehicle Recreation (OHMVR) Division HQ at [Jack.Gorman@parks.ca.gov](mailto:Jack.Gorman@parks.ca.gov)**

*For full text of Senate Bill 586, Assembly Bill 875, or Senate Bill 1271, please visit the California Legislative Information Website at <https://leginfo.legislature.ca.gov/faces.xhtml>*

# eMoto Comparison Chart

Manufacturer	Sur-Ron	Sur-Ron	Sur-Ron	Talaria	Mototec	Segway	E Ride Pro	Stacyc	Stacyc	Stacyc
Model	Light Bee X	Ultra Bee	Storm Bee	Sting MX4	Venom 72w	Dirt eBike X260	Pro-S	12EDrive	16EDrive	18EDrive
Top Speed	47 MPH	56 MPH	68 MPH	53 MPH	77 MPH	46.6 MPH	50 MPH	9 MPH	13.5 MPH	18 MPH
Targeted Consumer	Adults	Adults	Adults	Adults	Adults	Adults	Adults	Children	Children	Children
Peak Motor Watts	6000W	12,500W	22,500W	8000W	12,000W	5000W	6000W	N/A	N/A	N/A

# Classification Chart

	Bicycle	Class 1 Electric Bicycle	Class 2 Electric Bicycle	Class 3 Electric Bicycle	Moped Motorized Bicycle	Motorized Scooter	Electric Motorcycle (Off-Highway)
Equipped with Pedals	Yes	Yes	Yes	Yes	No	No	No
Maximum Assisted Motor Speed	N/A No Motor	20 MPH	20 MPH	28 MPH	30 MPH	15 MPH	None
Allowed to Utilize Bike Lane	Yes	Yes	Yes	Yes	Authorized by local ordinance	Yes	No
Helmet Requirements	Under 18	Under 18	Under 18	Under 18	DOT Approved Helmet Required	Under 18	No
Min. Operating Age	None	None	None	16	16	None	None
Driver's License Required	No	No	No	No	Yes	Yes	None
DMV Issued Plate or Device	No	No	No	No	Special Issued License Plate	No	CA OHV Sticker
Electric Motor Power Limit	N/A No Motor	750 Watts	750 Watts	750 Watts	4 Gross Brake Horsepower. (3000W)	No Limit	No Limit
Vehicle Code Definition	<a href="#">CVC §231</a>	<a href="#">CVC §312.5 (a)(1)</a>	<a href="#">CVC §312.5 (a)(2)</a>	<a href="#">CVC §312.5 (a)(3)</a>	<a href="#">CVC §406(a)</a>	<a href="#">CVC §407.5</a>	<a href="#">CVC §436.1</a>
Applicable Laws	<a href="#">CVC §21212(a)</a> Helmet Requirements	<a href="#">CVC §21212(a)</a> Helmet Requirements	<a href="#">CVC §21212(a)</a> Helmet Requirements	<a href="#">CVC §21213</a> Age + Helmet Req.	<a href="#">CVC §12500(b)</a> License Required	<a href="#">CVC §21235</a> Operation Rules <a href="#">CVC §22411</a> Scooter Speed Laws	<a href="#">CVC §38020</a> Identification <a href="#">CVC §38301(a)</a> Illegal Operation Public Lands