



# OFF-HIGHWAY MOTOR VEHICLE INFORMATION BULLETIN

## FOR CALIFORNIA LAW ENFORCEMENT



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### Off-Highway Electric Motorcycles Classification, Registration, and Operation

The purpose of this Off-Highway Motor Vehicle (OHV) Information bulletin is to provide clarity on registration and operation requirements for electric powered motorcycles produced by manufacturers including Sur-Ron, Talaria, Segway, and E Ride Pro.

**Background:** Existing law requires every off-highway motor vehicle subject to identification that is not registered on the highway under the CA Vehicle Code to display an off-highway identification plate or device issued by the California Department of Motor Vehicles when being operated on lands described in CVC §38001(a). Recently, several manufacturers including Sur-Ron, Talaria, E Ride Pro and Segway have introduced off-highway electric motorcycles to the consumer market. There has been confusion on what these off-highway electric motorcycles are classified as per the California Vehicle Code and where they are legally allowed to be operated.

**Discussion:** OHMVR Division has received numerous inquiries regarding electric off-highway motorcycles sold from manufacturers including Sur-Ron, Talaria, Segway, and E Ride Pro. 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. These vehicles are off-highway motorcycles and meet the California vehicle code definition of CVC§ 400 and CVC §436. These off-highway motorcycles do NOT meet the definition of Electric Bicycle (CVC §312.5) or Motorized Bicycle or MOPED (CVC §406). Electric motorcycles that do not meet all necessary requirements of electric bicycle (CVC §312.5) or motorized bicycle, commonly referred to as a MOPED (CVC §406) will generally default to the classification of off-highway motorcycle (CVC §436).

Sur-Ron, Talaria, Segway, and E Ride Pro off-highway electric motorcycles are specifically designed for off-highway use (per the manufacturer’s owner manual), therefore they cannot be retrofitted with aftermarket equipment (lighting, braking, etc.) to make them eligible for on-highway registration. Per the California 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 off-highway motorcycle may be confirmed by the absence of a 17-digit vehicle identification number and other information labels required under Federal Motor Vehicle Safety

Standards (FMVSS). Additionally, most of these off-highway electric motorcycles are sold without an Manufacturer Statement of Origin/Manufacturer Certificate of Origin(MSO/MCO), which is a required document by the CA DMV to apply for Off-Highway Vehicle Identification (Green Sticker/Red Sticker). The lack of a 17-digit vehicle identification number and an MSO/MCO can make it challenging for consumers to register these vehicles as an off-highway vehicle with the Department of Motor Vehicles. Existing law requires every off-highway motor vehicle that is not registered on the highway under the CA Vehicle Code to display an off-highway identification plate or device issued by the California Department of Motor Vehicles when being operated off-highway on public lands.

OHMVR Division strongly encourages our law enforcement partners to educate the public on existing rules and regulations pertaining to off-highway electric motorcycles. Persons illegally operating unregistered off-highway electric motorcycle upon a highway may be issued a citation for CVC §4000(a)(1). Unregistered off-highway electric motorcycles operated or left upon a highway may be subject to removal from the highway under the tow authority granted in CVC §22651(o)(1). Persons operating an electric off-highway motorcycle on public lands described in CVC §38001(a) may be issued a citation for CVC §38020 if the vehicle is not currently identified by a CA OHV Green or Red Sticker.

#### **Frequently Asked Questions:**

***“Do Sur-Ron, Talaria, Segway, and E Ride Pro off-highway electric motorcycles meet the CVC definition of an electric bicycle?”***

**No.** California Vehicle Code Section 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**. Per manufacturer specifications, the “Sur-Ron Light Bee X” is equipped with a 6000W electric motor and is not equipped with fully operable pedals. Please see the attached reference guide for a list of manufacturer and model specifications.

***“Do Sur-Ron, Talaria, Segway, and E Ride Pro off-highway electric motorcycles meet the CVC definition of a motorized bicycle or moped?”***

**No.** California Vehicle Code Section 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. Per manufacturer specifications, the “Sur-Ron Light Bee X” is equipped with a 6000W electric motor and is capable of reaching a top speed of 47MPH, far exceeding the speed and power limits set for mopeds. Please see the attached reference guide for a list of manufacturer and model specifications.

***“Is a California OHV Green Sticker Registration required for Sur-Ron, Talaria, Segway, and E Ride Pro off-highway electric 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 (CA OHV Green Sticker) issued by the California Department of Motor Vehicles. **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 Sur-Ron, Talaria, Segway, and E Ride Pro off-highway electric 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.** California Vehicle Code Section 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 exceeding the 750-watt limit, they do not meet the definition of an electric bicycle, regardless of having operable pedals. Please see the attached reference guide for a list of manufacturer and model specifications.

***“Can an electric off-highway motorcycle such as a Sur-Ron, Talaria, E Ride Pro, or Segway be converted to street legal?”***

**No.** Per California DMV, “Any motorcycle or vehicle originally manufactured for off-highway use cannot be converted for on-highway use, unless it is manufactured for dual purposes.” Please see the attached reference guide for a list of some manufacturer and model specifications.

**For further clarification contact Superintendent Jack Gorman, Assistant Chief, Off-Highway Motor Vehicle Recreation (OHMVR) Division HQ at (661) 449-7858**

# REFERENCE GUIDE

								
<b>Manufacturer</b>	Sur-Ron	Sur-Ron	Sur-Ron	Talaria	Talaria	Segway	E Ride Pro	E Ride Pro
<b>Model</b>	Light Bee X	Ultra Bee	Storm Bee	Sting MX4	X3 (XXX)	Dirt eBike X260	Pro-S	Pro-SS
<b>Top Speed</b>	47 MPH	56 MPH	68 MPH	53 MPH	46 MPH	46.6 MPH	50 MPH	60 MPH
<b>Peak Motor Watts</b>	6000W	12,500W	22,500W	8000W	6000W	5000W	6000W	12,000W

# CLASSIFICATION CHART

	Bicycle	Class 1 Electric Bicycle	Class 2 Electric Bicycle	Class 3 Electric Bicycle	Moped Motorized Bicycle	Motorized Scooter	Electric Motorcycle (Off-Highway)
<b>Equipped with Pedals</b>	Yes	Yes	Yes	Yes	No	No	No
<b>Maximum Assisted Motor Speed</b>	N/A No Motor	20 MPH	20 MPH	28 MPH	30 MPH	15 MPH	None
<b>Allowed to Utilize Bike Lane</b>	Yes	Yes	Yes	Yes	Authorized by local ordinance	Yes	No
<b>Helmet Requirements</b>	Under 18	Under 18	Under 18	Under 18	DOT Approved Helmet Required	Under 18	No
<b>Min. Operating Age</b>	None	None	None	16	16	None	None
<b>Driver's License Required</b>	No	No	No	No	Yes	Yes	None
<b>DMV Issued Plate or Device</b>	No	No	No	No	Special Issued License Plate	No	CA OHV Sticker
<b>Electric Motor Power Limit</b>	N/A No Motor	750 Watts	750 Watts	750 Watts	4 Gross Brake Horsepower. (3000W)	No Limit	No Limit
<b>Vehicle Code Definition</b>	<b>CVC §231</b>	<b>CVC §312.5 (a)(1)</b>	<b>CVC §312.5 (a)(2)</b>	<b>CVC §312.5 (a)(3)</b>	<b>CVC §406(a)</b>	<b>CVC §407.5</b>	<b>CVC §436</b>
<b>Applicable Laws</b>	<b>CVC §21212(a)</b> Helmet Requirements	<b>CVC §21212(a)</b> Helmet Requirements	<b>CVC §21212(a)</b> Helmet Requirements	<b>CVC §21213</b> Age + Helmet Req.	<b>CVC §12500(b)</b> License Required	<b>CVC §21235</b> Operation Rules <b>CVC §22411</b> Scooter Speed Laws	<b>CVC §38020</b> Identification <b>CVC §38301(a)</b> Illegal Operation Public Lands