



City of Oakley Police Department



MINI-MOTORCYCLES (POCKET BIKES)

(CVC CODES abridged)

IN RESPONSE TO CONCERNS RELATING TO THE INCREASED OPERATION OF MINI-MOTORCYCLES (POCKET BIKES) ON CALIFORNIA'S STREETS AND HIGHWAYS, THE CALIFORNIA HIGHWAY PATROL HAS PROVIDED THE FOLLOWING ENFORCEMENT GUIDELINES WITH THE INTENT TO ENHANCE PUBLIC SAFETY ON ALL ROADWAYS AND TO OBTAIN COMPLIANCE WITH THE CALIFORNIA VEHICLE CODE (CVC) THROUGH CONCERTED ENFORCEMENT EFFORTS.

To report a crime, call: Oakley P.D. Dispatch (925) 625-8060

Administrative offices:

Oakley Police Department: (925) 625-8855

EMERGENCIES ONLY

Dial 9-1-1

Mini-motorcycles are not manufactured with a conforming 17-digit vehicle identification number (VIN), indicating the manufacturers intended they be operated on private property and not for use on a highway.

A gasoline-powered mini-motorcycle is a motor-driven cycle pursuant to Section 405 CVC. As such, it is subject to all vehicle equipment, registration, driver license (M1 endorsement), and helmet requirements stated in the California Vehicle Code (CVC).

An electric-powered mini-motorcycle is a motorized bicycle pursuant to Section 406 CVC. As such, it is subject to all vehicle equipment, driver license (M2 endorsement), and helmet requirements stated in the CVC.

Individuals operating these vehicles on a highway will be cited for violation of 24002(b) CVC (vehicle not equipped as required by the CVC) and 4000(a) CVC (registration required). The following is a partial list of equipment requirements for a motor-driven cycle (motorcycle). Refer to the California Vehicle Code for details.

- 280 "Darkness" is any time from one-half hour after sunset to one-half hour before sunrise and any other time when visibility is not sufficient to render clearly discernible any person or vehicle on the highway at a distance of 1,000 feet.
360 "Highway" is a way or place of whatever nature, publicly maintained and open to the use of the public for

purposes of vehicular travel. Highway includes street.

- 24600 Tail lamp required during darkness.
24253 Battery required.
24603 Stop lamp required at all times.
24607 Red rear reflectors required.
24951(b)(4) Lamp-type turn signal system required (if capable of more than 30 mph).
25650.5 Lighted headlamp required during darkness.
26311 Brakes on both wheels.
26709 Mirror required.
27000 Horn required.
27150 Muffler preventing excessive or unusual noise.
27465(b)(1) Tire tread depth; minimum of 1/32 inch on any two adjacent grooves.
27501(b) Tires must meet Dept. of Transportation requirements.
27803(b)(c) All persons shall wear a safety helmet when riding on a motorcycle, motor-driven cycle, or motorized bike.

In addition, operators will be cited for a violation of Section 12500(b) CVC if they are unlicensed or licensed, but without the appropriate M1 or M2 endorsement. As appropriate, the vehicle may be stored pursuant to Section 22651(p) CVC.

This does not preclude enforcement of other violations. Because mini-motorcycles are

motor vehicles, operators are subject to all rules of the road contained in Division 11 of the CVC.

It should also be noted that **insurance coverage** is required for this motor vehicle (16028(a) CVC).

Motorized Bicycle (406 VC). A “motorized bicycle” or “moped” is any 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 which produces less than 2 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,. A “motorized bicycle” is also a device that has fully operative pedals for propulsion by human power and has an electric motor that meets all of the following requirements: (1) Has power output of not more than 1,000 watts. (2) Is incapable of propelling the device at a speed of more than 20 miles per hour on ground level,. (3) Is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 mile per hour.

Motorized Quadricycle and Motorized Tricycle (407 VC). A “motorized quadricycle” is a four-wheeled device and a motorized tricycle is a three-wheeled device, designed to carry not more than two persons, including the driver, and having either an electric motor or a motor with an automatic transmission developing less than two gross brake horsepower and capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground. The device shall be utilized only by a person who by reason of physical disability is otherwise unable to move about as a pedestrian or by a senior citizen as defined in Section 13000 VC.

Motorized Scooters (407.5 VC). A “motorized scooter” is any two-wheeled device that has handlebars, has a floorboard that is designed to be stood upon when riding, and is powered by an electric motor. This device may also have a driver seat that does not interfere with the ability of the rider to stand and ride and may also be designed to be powered by human propulsion. For purposes of this section, a motorcycle, as defined in Section 405 VC, or a motorized bicycle or moped, as defined in Section 406 VC, is not a motorized scooter. A device meeting the above definition that is powered by a source other than electrical power is also a motorized scooter.

Pocket Bike (473 VC). A “pocket bike” is a two-wheeled motorized device that has a seat or saddle for the use of the rider, and that is not designed or manufactured for highway use. “Pocket bike” does not include an off-highway motorcycle, as defined in Section 436 VC. For purposes of this section, a vehicle is designed for highway use if it meets the applicable Federal Motor Vehicle Safety Standards (FMVSS), as contained in Title 49 of the Code of Federal Regulations, and is equipped in accordance with the requirements of this code.

Note: “Minibikes,” “tote-goats,” “trail bikes,” and similar vehicles may fall within the category of either motorcycle or motor-driven cycle, depending on brake horsepower. If such vehicles are operated upon the highway, they shall meet applicable equipment requirements. A motorized bicycle does not have the same equipment requirements as either a motor-driven cycle or a motorcycle.

Registration Card (4454, 4462, 4020, 5030 VC). The registration card or facsimile thereof shall be kept with the vehicle for which issued and shall be presented for examination upon demand of any peace officer. A motorized bicycle is exempt from registration but is required to display a special license plate.

License Plate (5200, 5201, 5204 VC). The license plate shall be rigidly mounted on the rear of the vehicle, approximately perpendicular to and between 12 inches and 60 inches above the roadway and must be clearly legible. Validating tabs are to be attached to the plate,. No covering is permitted on the plate.

Motorized Bicycle: Compliance with Federal Standards (24015, 24016 VC). Motorized bicycles shall comply with those FMVSS, established under federal law which are applicable to a motor-driven cycle, as that term is defined in such federal standards. Motorized bicycles as defined in Section 406(b) VC shall meet the requirements contained in Title 16 of the Code of Federal Regulations, established by the Consumer Product Safety Commission.

Such standards include, but are not limited to, provisions requiring a headlamp, taillamp, stoplamp, side and rear reflectors, and adequate brakes. In addition, all motorized bicycles operated upon a highway shall be equipped with a mirror, a horn, and an adequate muffler as required by the VC.

Vehicle Not Equipped or Unsafe ((24002 VC). It is unlawful to operate any vehicle or combination of vehicles which is in an unsafe condition, which is not equipped as required by the VC, or which is not safely loaded.

Installation of Unlawful Equipment (24005 VC). It is unlawful for any person to install or sell for use on a vehicle, any kind of equipment that does not conform to the Vehicle Code or regulations made there under.

Equipment Position (27801 VC). No person shall drive any two-wheel motorcycle:

(a) Equipped with a seat so positioned that the driver, when sitting astride the seat, cannot reach the ground with his feet.

(b) Equipped with handlebars so positioned that the hands of the driver, when upon the grips, are more than six inches above his or her shoulder height when sitting astride the seat.

Motorcycle Helmets (27803 VC). All persons on a motorcycle, motor-driven cycle, or motorized bicycle shall wear a safety helmet on the person's head that is fastened with the helmet straps and that is of a size that fits the wearing person's head securely without excessive lateral or vertical movement and which is Department of Transportation approved (DOT).