

CALIFORNIA LEGISLATURE—2025-2026 SIMULATION SESSION

SENATE BILL

NO. 44

Introduced by Senator Choi

October 1, 2025

An act to add section 21240 to the Vehicle Code, and to add section 372.2 to the Penal Code, relating to electric electric bikes and motorized scooters.

LEGISLATIVE COUNSEL’S DIGEST

SB 44, as introduced, Choi. Crimes: public nuisances: electric bikes and motorized scooters

Existing law, pursuant to the Vehicle Code, defines “electric bicycle” and “motorized scooter” and establishes rules for their operation. Existing law, pursuant to the Penal Code, makes it a misdemeanor to commit or maintain a public nuisance, as defined, and authorizes prosecution and abatement of continuing nuisances.

This bill would create a new infraction, punishable by a specified fine, for operating an electric bicycle or motorized scooter in a manner that endangers public safety, obstructs public ways, or otherwise unreasonably interferes with public use of streets, sidewalks, or other facilities. The bill would authorize higher fines or misdemeanor penalties for repeat or willful violations. The bill would also amend the Penal Code to specify that operating an electric bicycle or motorized scooter in a manner that intentionally and unreasonably interferes with the safe and comfortable use of public facilities constitutes a public nuisance, subject to existing provisions relating to notice and abatement.

By creating a new crime and expanding the scope of an existing crime, this bill would impose a state-mandated local program.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA ENACT AS FOLLOWS:

**SECTION 1.** The Legislature finds and declares that the safe use of public streets, sidewalks, and pedestrian facilities is a matter of statewide concern, and that the operation of electric bicycles and motorized scooters in a manner that interferes with the public’s safe use of public ways may constitute a public nuisance.

**SECTION 2.** Section 21240 is added to the Vehicle Code, to read:

**21240.** (a) A person who operates an electric bicycle (as defined in Section 312.5) or a motorized scooter (as defined in Section 407.5) on a public street, sidewalk, bicycle path, or other public place in a manner that:

(1) endangers the safety of pedestrians or other road users;

(2) intentionally blocks, parks, or congregates in a manner that obstructs pedestrian travel or access to public facilities;

(3) repeatedly operates in a reckless manner after citation for similar conduct; or

(4) creates excessive noise or emits noxious fumes by modification of the vehicle,

shall be guilty of an infraction punishable by a fine of not less than one hundred dollars (\$100) and not more than two hundred fifty dollars (\$250) for a first offense. A second or subsequent offense within 24 months is punishable by a fine of not less than two hundred fifty dollars (\$250) and not more than five hundred dollars (\$500).

(b) Notwithstanding subdivision (a), if the conduct described in subdivision (a) is willful or presents a substantial risk of death or serious bodily injury, the offense is a misdemeanor punishable pursuant to law.

**SECTION 3.** Section 372.2 is added to the Penal Code, to read:

**372.7.** (a) Notwithstanding Section 372, if a defendant is sentenced for a violation of Section 370 that is based on conduct involving the operation of an electric bicycle, as defined in Section 312.5 of the Vehicle Code, or a motorized scooter, as defined in Section 407.5 of the Vehicle Code, public nuisance is an infraction punishable by a fine not to exceed two hundred fifty dollars (\$250).

(b) Notwithstanding Section 372, if a defendant is sentenced for a violation of Section 370 based on conduct involving the operation of an electric bicycle or a motorized scooter, the court may, in its discretion, punish the offense as a misdemeanor by imprisonment in a county jail for not more than six months, or by a fine not to exceed one thousand dollars (\$1,000), or by both that fine and imprisonment, or as an infraction punishable by a fine not to exceed two hundred fifty dollars (\$250).

(c) Notwithstanding Section 372, each day that a person maintains or commits a public nuisance involving the operation, parking, or congregation of electric bicycles or motorized scooters after notice to abate shall constitute a separate offense.

(d) For purposes of this section, “electric bicycle” and “motorized scooter” have the same meanings as in Sections 312.5 and 407.5 of the Vehicle Code.