

**MOTORCYCLES, MOTOR-DRIVEN CYCLES, MOTORIZED BICYCLES, & MOTORIZED SCOOTERS**

**GASOLINE ENGINE**

<b>Applicable V.C. Definition</b>	<b># of Wheels?</b>	<b>Seated or Standing?</b>	<b>Operative Pedals?</b>	<b>Displacement / Top Speed</b>	<b>Helmet Required?</b>	<b>License Requ.?</b>	<b>Registration Requ.?</b>	<b>Ins. Requ.?</b>
Motorcycle VC 400(a) and (b), or Motor-Driven Cycle VC 405	3	Seated	No	3-wheeled motorcycle, or 2-wheeled motorcycle with a sidecar.	Motorcycle	C	Yes	Yes
Motorcycle VC 400(a)	2	Seated	No	"Any motorcycle" that displaces 150cc or more	Motorcycle	M1	Yes	Yes
Motor-Driven Cycle VC 405	2	Seated	No	"Any motorcycle" that displaces less than 150cc	Motorcycle	M1	Yes	Yes
Motorized Bicycle or Moped VC 406(a)	2 or 3	Seated	Yes	Auto transmission, 2 brake hp max, & 30 mph max.	Motorcycle	M1 or M2	Yes (Permanent Moped Plate)	No
Motorized Scooter VC 407.5(a) *	2	Either, but seat cannot interfere with standing.	No	Has handlebars & does not fall under definition of any of the above.	Bicycle	Any class DL or Permit	No	No

**ELECTRIC MOTOR**

<b>Applicable V.C. Definition</b>	<b># of Wheels?</b>	<b>Seated or Standing?</b>	<b>Operative Pedals?</b>	<b>Displacement / Top Speed</b>	<b>Helmet Required?</b>	<b>License Required?</b>	<b>Reg. Requ.?</b>	<b>Ins. Requ.?</b>
Motorcycle VC 400(a) and VC 400(b)	3	Seated	No	3-wheeled motorcycle, or 2-wheeled motorcycle with a sidecar, that is more powerful and does not fall under any of the other definitions below. (Over 30 mph)	Motorcycle	C	Yes	Yes
Motorcycle VC 400(a)	2	Seated	No	More powerful and does not fall under any of the other definitions below. (Over 30 mph)	Motorcycle	M1	Yes	Yes
Motorized Bicycle or Moped VC 406(a)	2 or 3	Seated	No	Auto transmission, 2 brake hp max, & 30 mph max.	Motorcycle	M1 or M2	Yes	No
Motorized Bicycle VC 406(b)	2 or 3	Seated	Yes	1000 watts max power, & 20 mph max even with the use of pedals.	Bicycle	None, but must be at least 16 years old.	No	No
Motorized Scooter VC 407.5(a) *	2	Either, but seat cannot interfere with standing.	No	Has handlebars & does not fall under definition of any of the above.	Bicycle	Any class DL or Permit	No	No

\* For laws regarding the operation of a motorized scooter, see VC 21220-21235 & 22411.

(Last revised by SLOPD Officer G. Gallo on 12-28-09)

## **APPLICABLE MOTORCYCLE-RELATED VEHICLE CODE DEFINITIONS:**

- 400.** (a) A "motorcycle" is a motor vehicle having a seat or saddle for the use of the rider, designed to travel on not more than three wheels in contact with the ground.  
(b) A motor vehicle that has four wheels in contact with the ground, two of which are a functional part of a sidecar, is a motorcycle if the vehicle otherwise comes within the definition of subdivision (a).
- 405.** A "motor-driven cycle" is any motorcycle with a motor that displaces less than 150 cubic centimeters. A motor-driven cycle does not include a motorized bicycle, as defined in Section 406.
- 406.** (a) 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.  
(b) 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 a 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 level ground.  
(3) Is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 miles per hour.
- 407.5.** (a) 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 400, a motor-driven cycle, as defined in Section 405, a motorized bicycle or moped, as defined in Section 406 is not a motorized scooter.  
(b) A device meeting the definition in subdivision (a) that is powered by a source other than electrical power is also a motorized scooter.

### **Licensing (Per V.C. 12804.9):**

- Class C.** Any three-wheeled motorcycle or motor-driven cycle, motorcycle or motor-driven cycle with a sidecar, or a motorized scooter described in section 407.5.
- Class M1.** Any two-wheel motorcycle, motor-driven cycle, or vehicle covered under class M2.
- Class M2.** Any motorized bicycle or moped, or any bicycle with an attached motor, except a motorized bicycle described in subdivision (b) of Section 406 and a motorized scooter described in Section 407.5.

(Last revised by SLOPD Officer G. Gallo on 12-28-09)