

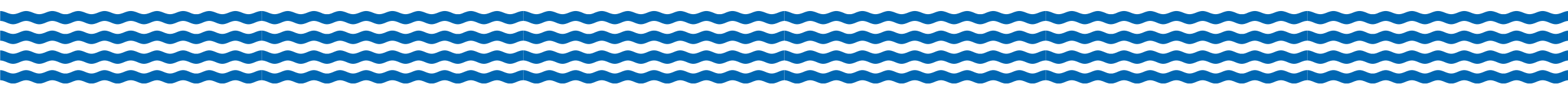
AB 6763 E-Motorcycle Regulations

September 2, 2025



Agenda

- E-Bikes, Motorcycles, & E-Motorcycles
- Background
- Enforcement
- Ordinance No. 25C-24
- Next Steps



E-Bikes, Motorcycles, & E-Motorcycles



E-Bikes



Class 1 & 2 E-Bikes

Pedal-assist or throttle;
motor provides assistance
up to 20 mph.



Class 3 E-Bike

Pedal-assist and/or throttle;
maximum assisted speed of
28 mph.

Traditional Electric Motorcycles



Harley Davidson
LiveWire One Electric Motorcycle



Zero Motorcycle
DSR / X Electric Motorcycle

E-Motorcycles / E-Dirt Bikes

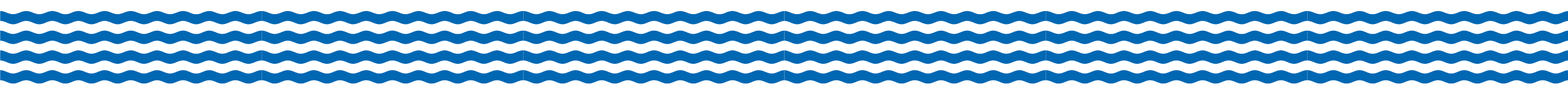


Talaria Sting
"Electric Dirt Bike"



EK X21 Bike
"Off Road E-Bike"

**Ordinance No. 25C-24
pertains solely to the
operation and regulation of
e-motorcycles.**



Background

- Mercer Island has seen an increase in usage of e-motorcycles and e-dirt bikes, particularly among unlicensed individuals under the age of 16.
- Riders often demonstrate unsafe riding behaviors, creating a danger to themselves and others.
- The proposed ordinance would establish that operation of e-motorcycles/e-dirt bikes by unlicensed individuals under the age of 16 is unlawful in the public right-of-way.
- The proposed ordinance also prohibits any rider from operating an e-motorcycle/e-dirt bikes on any sidewalk, pedestrian path, and within public parks.

Current Enforcement

- Currently, MIPD will attempt to contact youth riding e-motorcycles/e-dirt bikes, call their parents, and require the parents to pick up their child and the vehicle.
- The School Resource Officer will call parents when an e-motorcycle is parked at Islander Middle School or MIHS.
- MIPD reminds the parents of the dangers of these types of vehicles and informs the child and the parent of the regulations around their use.

Enforcement / Age of Riders

- There is an enforcement gap due to the age of many youth riding e-motorcycles or e-dirt bikes.
- The Mercer Island Municipal Court can only process juvenile defendants if they are 16 or 17 years of age, and the offense is a traffic/driving offense.
- As many of the riders operating e-motorcycles/e-dirt bikes on the Island are 15 years or younger, their case can not be processed by the Municipal Court.
- For individuals under the age of 15, MIPD would need to refer the case to the King County Prosecutor.
- Due to high caseloads and prioritization of violent crime, it is not likely that the King County Prosecutor will pursue these types of cases.

Enforcement / Definition

- [RCW 46.04.330](#) provides the definition of a motorcycle.
- In short, "motorcycle" means a motor vehicle designed to travel on not more than three wheels, on which the driver rides on a seat and steers the vehicle with a handlebar.
 - "Motorcycle" excludes a motorized foot scooter, an electric-assisted bicycle, and a moped.
- While this definition could be interpreted to include e-motorcycles/e-dirt bikes, the path towards enforcing these vehicles and instituting criminal penalties is not straightforward.
- It is likely that e-motorcycles/e-dirt bikes were not contemplated or in existence when these definitions were last revised.

Enforcement / Definition

- E-motorcycles/e-dirt bikes are showing up more commonly on the roads. These are not legal to be ridden on the roads, unless the owner has taken the necessary steps for the e-dirt bike to be licensed.
- They have a dirt bike style frame and have a lower power output than a traditional electric motorcycle.
- E-motorcycles/e-dirt bikes cost significantly less than a traditional electric motorcycle and are available for purchase online, often branded as e-bikes.
- E-motorcycles/e-dirt bikes are not defined in State Law and their regulation falls into a grey area between e-bikes and traditional electric motorcycles.

Enforcement / Definition

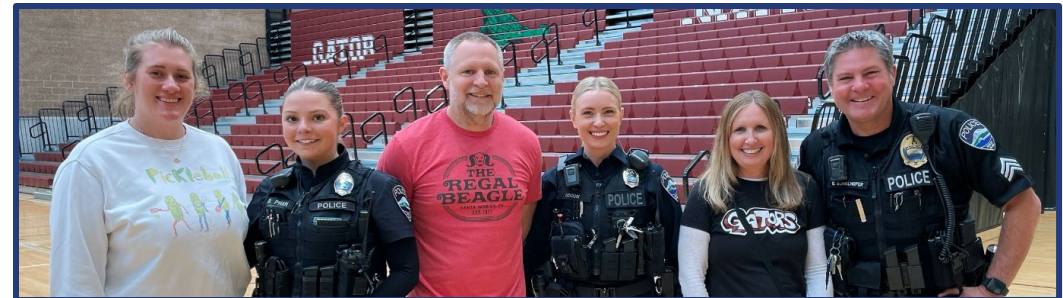
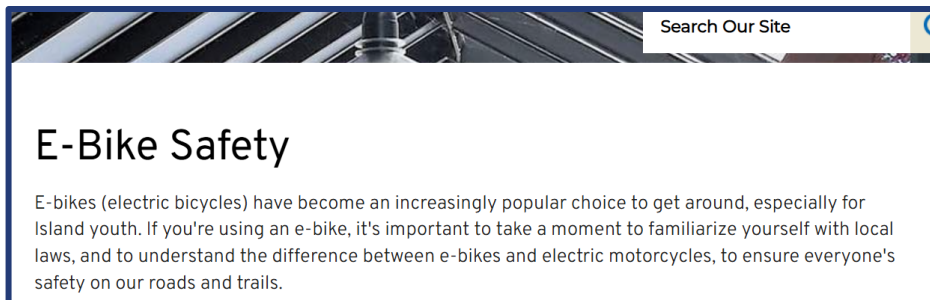


- As many jurisdictions are navigating issues with underage riders operating e-motorcycles and e-dirt bikes, an important next step would be for the WA State Legislature to adopt modern definitions that reflect the differences in these vehicles.
- Staff are currently engaging with the Association of Washington Cities and other regional partners to advocate for legislative changes to address these issues.
- These recommendations will be included in the draft 2026 Legislative Priorities presented to the City Council for consideration in November.

Public Outreach & Education

Staff have conducted a robust public outreach and education campaign that included the following items.

- E-Bike Safety webpage
- Social media posts
- Multiple features in the MI Weekly.
- An email, distributed by the Mercer Island School District
- Hosting two assemblies at Islander Middle School
- Tabling at both Summer Celebration and National Night Out



Community Reporting

- Between January 1 and August 25, 2025 , the Police Department received roughly 70 calls expressing concerns about e-bikes, e-motorcycles and e-dirt bikes.
- In addition, in 2025, nearly 20 emails have been received between the Customer Service Team inbox and the Council inbox in inquiring about regulations and reporting unsafe behaviors.



Community Reporting

- **Staff encourages community members witnessing unsafe and illegal behaviors involving e-bikes, e-motorcycles, and e-dirt bikes to call 911 to report the incident immediately.**
- Calling 911 is the fastest way to deploy law enforcement to an incident and stop these behaviors as they are happening.



Ordinance No. 25C-24



Ordinance No. 25C-24

The proposed ordinance would make the following changes to Title 10 MICC:

- Adopts a definition for electric motorcycles. E-dirt bikes fall under the definition of e-motorcycles.
- Prohibits the operation of an e-motorcycle by any person under the age of 16 or any person who does not have a valid driver's license with a motorcycle endorsement.
- Prohibits the operation of any e-motorcycle that is not registered and does not display a valid license plate.
- Prohibits the operation of e-motorcycles on any sidewalk, pedestrian path, and within public parks.
- Establishes the ability for MIPD to impound an e-motorcycle.

Ordinance No. 25C-24

Violations of the regulations, established under the proposed ordinance, are civil infractions, subject to the following penalties.

- First offense: \$250
- Second offense: \$500
- Third and subsequent offenses: \$750 and possible referral for criminal citation under RCW 46.20.005 Driving without a license

E-Motorcycles / E-Dirt Bikes

Ordinance No. 25C-24 proposes the following definition...

10.04.170 – Electric motorcycle

Electric motorcycle means a motorcycle, as defined by RCW 46.04.330, which is powered solely by electricity and:

1. Is not equipped with fully operable pedals capable of propelling it. Foot pegs are not considered pedals;
2. Has a motor with a power output that exceeds 750 watts; or is capable of traveling over 28 mph with motor assistance.

Ordinance No. 25C-24

- While the proposed ordinance does not fully address the enforcement issues, the code amendments provide MIPD with a tool to assist with reducing the number of e-motorcycles/e-dirt bikes being operated unlawfully on Mercer Island and assigns a monetary penalty.
- Impoundment and retrieval, as well as the civil infractions, serve as educational mechanisms to alert parents and riders of the dangers of these vehicles.

Next Steps



Enforcement & Impoundment

- If adopted, the ordinance will go into effect on January 1, 2026.
- Staff will use this time to establish the process for impoundment of e-motorcycles/e-dirt bikes and make any changes needed to facilitate this process.
- This work may include amending Chapter 10.22 MICC Impounding and the City's Fee Schedule to establish set fees for impoundment.
- Staff will also determine where impounded e-motorcycles/e-dirt bikes will be stored, as well as the process to retrieve an impounded vehicle.

Anticipated Additional Regulatory Actions

- As this issue continues to develop, staff will update the regulations to meet emerging needs and provide reports on the effectiveness of established regulations.
- Staff will return to the City Council with a separate ordinance to establish regulations for e-bikes.
- Staff are evaluating a parental responsibility clause that would shift the burden of a violation from the minor who committed the act to their parent, guardian, or the owner of the e-motorcycle.

Communications

- Staff will continue the comprehensive outreach campaign and will update the community upon passage of this ordinance.
- This campaign will include:
 - Coordination with the Mercer Island School District
 - Outreach to parents
 - Updates to the existing E-Bike Safety webpage
 - Social media posts
 - Communications in the MI Weekly

Strategy with State Legislature

- We requested legislative assistance last year in requiring manufacturers to label e-bikes based on their classification and to restrict the sale of e-motorcycles/e-dirt bikes.
- Unfortunately, our request did not gain traction with the legislature, and we seemed to be the lone voice on the topic.
- Recently, many other cities are requesting assistance from the State as the problems have worsened.

Strategy with State Legislature

- During an AWC 2026 session planning call in August, Mercer Island staff initiated a conversation on e-motorcycles/e-dirt bikes, and many cities spoke up in support.
- There was clear support for this matter to be elevated as a legislative priority for AWC.
- City staff held a follow up call with AWC policy analysts to share our research of the problem and to coordinate possible legislative tools. This engagement with AWC is ongoing.

Strategy with State Legislature

- Getting a bill through the legislature often take multiple years and often requires several smaller bills that build on each other.
- Staff have determined the best place to start is an updated/modern definition of e-motorcycles/e-dirt bikes.
- This will be staff's recommendation as a key goal for the 2026 Legislative Session.

Strategy with State Legislature

- City staff will work with AWC and legislators to see if there is potential for additional state action.
 - We are interested in state support on differentiating traditional electric motorcycles (e.g. Harley Davidson) vs e-motorcycles/e-dirt bikes .
 - We are also interested in state policy on e-bikes, including requirements on labeling and education on classification at point of of sale. It is clear the consumer does not always know what they are buying.
- It is likely additional state regulations around e-bikes will be more controversial than state regulations on e-motorcycles/e-dirt bikes and may require multiple legislative sessions to build consensus.

Questions?

