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RESOURCES

[California Vehicle Code §312.5](#)

[California Vehicle Code §21235](#)

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Managing E-Bike & E-Scooter Risks: Employee Use

by Chandler Wright

In the past few years, alternative means of transportation have become more common, including electric bikes (e-bikes) and electric scooters (e-scooters). These devices have become faster, more affordable, more efficient with their battery life, less impactful on the environment, and in some ways, more convenient than traditional automobiles. Public entities may consider e-bike and e-scooter use as a way for employees to travel from one job site or facility to another, conduct inspections, or perform patrol-type functions. E-bikes and e-scooters carry their own unique set of risks that should be considered before implementation.

It is important to identify what type of e-bike or e-scooter is going to be used, as they have different requirements. California Vehicle Code (CVC) §312.5 separates e-bikes into three different classes (Class 1, 2, or 3) based on the type of power assistance provided. E-bikes must be clearly labeled as to what type of class they belong to, top assisted speed, and motor wattage. Helmets are required for riders under the age of 18 for class 1 and 2 e-bikes, while helmets are required for all riders for class 3 e-bikes regardless of age.

E-scooters are also regulated under the CVC, such as CVC §21235 which outlines operating rules for a motorized scooter. This section of the CVC includes that all operators under the age of 18 must wear a helmet, no passengers will be allowed on the scooter, and the operator must have a valid driver's license or instruction permit. E-scooters may not exceed 15 mph and are not allowed to be operated on sidewalks, remaining instead on the roadway or in the bike lane. It should be determined if local ordinances have additional requirements for e-bikes or e-scooters.

Agencies permitting e-bike and/or e-scooter use should adopt a policy that clearly outlines the use guidelines and requirements. This may be added to an existing vehicle policy or implemented separately.

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Several important details should be addressed in the policy, such as who is allowed to operate the devices, where and when they may be operated, personal protective equipment (PPE) requirements (helmets and high-visibility vests), training requirements, a code of safe practices, and a progressive disciplinary plan. Agencies must determine if employees will be allowed to use personally owned e-bikes or e-scooters, or only agency owned devices. Allowing use of personal devices can create liability concerns, as there is no guarantee that the device will operate as intended, or if it has been modified in some fashion.

Agencies should implement a list of dos and don'ts for the use of e-bikes and e-scooters to include in their policy. Examples of items that may be in this list include operation speed limits set by the agency, allowing pedestrians the right of way, no operating while distracted or engaging in horseplay, always be aware of the vehicles and pedestrians around you, always wearing the required PPE, etc. This code of safe work practices helps employees understand how to operate the devices more safely and should always be followed.

Any employee that is authorized to operate either e-bikes or e-scooters must be given training on proper and safe utilization. Training should include permitted activities, specific agency policies, operating rules and requirements, how to properly secure and park the devices, how to don and doff the required PPE, and the dangers of operating around other vehicles and pedestrians. Training must be completed prior to authorizing the employee and annual refresher training is recommended.

Agencies should require employees operating e-bikes or e-scooters to always wear a helmet and in a manner that doesn't allow the helmet to move around. Depending on the time of day or the environment in which the employees are operating the devices, additional PPE may be recommended. Examples of additional PPE include wearing high-visibility vests when operating in low light or around other vehicles, eye protection when operating in high winds or in areas that have a large amount of rock or dust debris, and gloves when operating in cold or wet environments. Employees should always inspect their PPE before use to ensure it is in proper working condition. For helmets, this may include searching for cracks, dents, or frayed or broken straps. Agencies should ensure PPE is not used beyond its service life.

Agencies are responsible for determining appropriate places for the devices to be stored while not in use. These areas must be secured to prevent unauthorized use and theft. Additionally, if employees are parking the devices away from where they are normally stored, such as out at a job site, procedures must be established to ensure the e-bikes and e-scooters are properly secured from theft, i.e. securing with an anti-cut lock, removing the battery, using wheel locks, etc.



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E-bikes and e-scooters should be inspected regularly and maintained in proper working condition. Daily pre-use inspections shall be performed, testing the functionality of the devices, along with the safety features if applicable. Additionally, regularly scheduled maintenance should be followed to the manufacturer specifications, and may include inspecting the fittings on the devices, the state of the battery, the wheels, the handlebars, and any safety features such as lights or audible warning devices. Documenting both the daily inspections and routine maintenance helps to track any damage that may occur to the devices, as well as demonstrate that the devices are well-maintained should they be involved in any accidents. Charging should be done in designated, well-ventilated areas.

While e-bikes and e-scooters can be great tools, careful consideration should be given as to whether or not the additional exposures to the health and safety of employees and the public are acceptable. Agencies must create, maintain, and enforce a clear policy regarding the use of these devices. If there are any questions regarding the employee use of e-bikes or e-scooters, please reach out to [PRISM Risk Control](#).