

AMENDED IN ASSEMBLY APRIL 29, 2003

AMENDED IN ASSEMBLY APRIL 9, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1408**

**Introduced by Assembly Member Wolk**  
(Coauthor: Senator Torlakson)

February 21, 2003

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An act to amend Section 21201 of, ~~to add Section 21456.5 to,~~ to repeal and add Section 21202 of, and to repeal Section 21208 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1408, as amended, Wolk. Vehicles: bicycles: equipment: operation.

(1) Existing law requires a bicycle operated on a highway during darkness to be equipped with certain lighting equipment.

This bill would authorize additional lighting equipment to be used in compliance with the requirement in existing law.

(2) Existing law requires a person operating a bicycle upon a highway to ride as close as practicable to the right-hand curb or edge of the roadway, except as specified.

This bill would recast certain provisions in existing law relating to the operation of bicycles on the highway.

(3) ~~Existing law requires a driver facing a steady red signal to stop and remain stopped until an indication to proceed is shown. Existing law requires the driver of a vehicle approaching an intersection that has~~

~~official traffic control signals that are inoperative to stop at the intersection, and proceed with caution when it is safe to do so.~~

~~This bill would provide that it is not a violation of the red signal provisions in existing law for a person operating a bicycle and approaching an intersection that has an official traffic control signal equipped with a vehicle sensing device that is not capable of being activated by the bicycle and operator to stop at the intersection and, after completing that stop and determining that there is no other traffic at the intersection capable of activating the sensing device, to proceed with caution when it is safe to do so.~~

~~(4) The bill would make technical, nonsubstantive changes in existing law.~~

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 21201 of the Vehicle Code is amended
- 2 to read:
- 3 21201. (a) No person may operate a bicycle on a highway
- 4 unless it is equipped with a brake that enables the operator to make
- 5 one braked wheel skid on dry, level, clean pavement.
- 6 (b) No person may operate upon any highway a bicycle that is
- 7 of a size that prevents the operator from safely stopping the
- 8 bicycle, supporting it in an upright position with at least one foot
- 9 on the ground, and restarting it in a safe manner.
- 10 (c) Every bicycle operated upon a highway during darkness
- 11 shall be equipped with all of the following:
- 12 (1) A lamp that meets both of the following conditions:
- 13 (A) Is attached to the bicycle or the operator.
- 14 (B) Emits a white light that illuminates the highway in front of
- 15 the bicycle while the bicycle is in motion and is visible from a
- 16 distance of 500 feet in front of, and 300 feet from, the sides of the
- 17 bicycle.
- 18 (2) On the rear of the bicycle, with a steady or flashing red or
- 19 yellow light, or with a red or yellow reflector that meets the
- 20 requirements of the Consumer Product Safety Commission for
- 21 bicycle rear reflectors, or Standard J594 of the Society of
- 22 Automotive Engineers for reflex reflectors.
- 23 SEC. 2. Section 21202 of the Vehicle Code is repealed.



1 SEC. 3. Section 21202 is added to the Vehicle Code, to read:

2 21202. (a) A person operating a bicycle upon a highway at a  
3 speed less than the speed limit for that highway or at less than the  
4 speed of traffic moving in the same direction at that time shall ride  
5 as close to the right-hand curb or edge of the roadway as needed  
6 for faster traffic to overtake and pass, if that position is prudent and  
7 reasonable, except as authorized under subdivisions (b) and (c).

8 (b) A person operating a bicycle upon a highway with a single  
9 direction of travel may ride as near the left-hand curb or edge of  
10 the roadway as is prudent and reasonable.

11 (c) In any way of the following situations, a person operating  
12 a bicycle may ride anywhere within the roadway that is prudent  
13 and reasonable:

14 (1) When overtaking and passing another bicycle or vehicle.

15 (2) When preparing for a left turn.

16 (3) When conditions or approaching conditions make it unsafe  
17 to continue close to the curb or edge of the roadway, including, but  
18 not limited to, hazards from fixed or moving objects, vehicles,  
19 including the door width of parked vehicles, bicycles, pedestrians,  
20 animals, surface defects and debris, construction zones, and lanes  
21 too narrow for a bicycle and vehicle to travel safely side by side  
22 within the lane.

23 (4) When approaching a place where a right turn is authorized.

24 (5) If riding near the left-hand curb or edge of the roadway,  
25 when approaching a place where a left turn is authorized.

26 (6) When there is no overtaking traffic, or when traffic is not  
27 able to overtake and pass under the present conditions.

28 (d) This section does not prohibit operating bicycles two or  
29 more abreast on the highway, if that operation is otherwise in  
30 compliance with this section.

31 (e) For purposes of this section, a bicycle lane established on  
32 a highway under Section 21207 and constructed and maintained  
33 in compliance with Section 891 of the Streets and Highways Code  
34 is part of the highway and the roadway.

35 (f) For purposes of this section, to “pass” means to execute a  
36 passing maneuver at a safe distance from the overtaken bicycle or  
37 vehicle without interfering with the safe operation of that bicycle  
38 or vehicle.

39 SEC. 4. Section 21208 of the Vehicle Code is repealed.

40 ~~SEC. 5. Section 21456.5 is added to the Vehicle Code, to read:~~



1 ~~21456.5.— It is not a violation of Section 21453 or 21455 for a~~  
2 ~~person operating a bicycle and approaching a location that has an~~  
3 ~~official traffic control signal equipped with a vehicle sensing~~  
4 ~~device that is not capable of being activated by the bicycle and~~  
5 ~~operator to stop at the limit line, cross walk, signal, or intersection~~  
6 ~~and, after completing that stop and determining that there is no~~  
7 ~~other traffic at the location capable of activating the sensing~~  
8 ~~device, to proceed with caution when it is safe to do so.~~

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