

AMENDED IN SENATE JULY 1, 2014  
AMENDED IN SENATE JUNE 18, 2014  
AMENDED IN ASSEMBLY JANUARY 23, 2014  
AMENDED IN ASSEMBLY JANUARY 6, 2014  
AMENDED IN ASSEMBLY APRIL 25, 2013  
AMENDED IN ASSEMBLY APRIL 16, 2013  
AMENDED IN ASSEMBLY MARCH 21, 2013  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1193**

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**Introduced by Assembly Member Ting  
(Coauthors: Assembly Members Bloom, Gatto, Lowenthal, and  
Wieckowski)**

February 22, 2013

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An act to amend *Section 42872.1 of the Public Resources Code*, to amend Sections 890.4, 890.6, ~~and 891~~ 891, 891.5, and 2551 of, to add Section 885.1 to, and to repeal Section 891.1 of, the Streets and Highways Code, and to amend Sections 231.5 and 21211 of the Vehicle Code, relating to bikeways.

LEGISLATIVE COUNSEL'S DIGEST

AB 1193, as amended, Ting. Bikeways.

(1) Existing law defines “bikeway” for certain purposes to mean all facilities that provide primarily for bicycle travel. Existing law categorizes bikeways into 3 classes of facilities.

~~This bill would additionally provide for Class IV bikeways, also known as cycle tracks or separated bikeways, as specified.~~

*This bill would instead revise and reclassify these “bikeways” as bike paths, bike lanes, bike routes, and cycle tracks, as specified.*

(2) Existing law requires the Department of Transportation, in cooperation with county and city governments, to establish and update minimum safety design criteria for the planning and construction of bikeways, and requires the department to establish uniform specifications and symbols regarding bicycle travel and bicycle traffic related matters. Existing law requires all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to utilize all of those minimum safety design criteria and uniform specifications and symbols.

This bill would *revise these provisions* to require the department, in cooperation with local agencies, to establish minimum safety design criteria for each ~~class of bikeways~~, *type of bikeway* with consideration for the safety of vulnerable populations, as specified, *and would require the department to publish the new criteria by January 1, 2016.* The bill would ~~require all city, county, regional, and other local agencies to utilize the uniform specifications and symbols for signs, markers, and traffic control devices established by the department and would authorize those agencies to utilize the minimum safety design criteria~~ *authorize a local agency to utilize other minimum safety criteria if adopted by resolution at a public meeting, as specified.*

(3) Existing law requires the Department of Transportation to establish, by June 30, 2013, procedures for cities, counties, and local agencies to be granted exceptions from the requirement to use design criteria and uniform specifications for purposes of research, experimentation, testing, evaluation, or verification. Existing law requires the department, by November 1, 2014, to report to the transportation policy committees of both houses of the Legislature the steps that the department has taken to implement those requirements, including, but not limited to, information regarding requests received and granted by the department from July 1, 2013, to June 30, 2014, inclusive, for those exceptions, and the reasons the department rejected any requests for those exceptions.

This bill would repeal those requirements.

*(4) The bill would also make technical and conforming changes to various cross-references in state code provisions.*

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

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) It is the goal of the state to increase the number of trips  
4 Californians take by bicycle and other forms of active  
5 transportation in order to help meet the state's greenhouse gas  
6 emissions reduction goals, improve Californians' health by helping  
7 more people be active, and stimulate the economy.

8 (b) Protected bikeways are proven to attract many more people  
9 to bicycling and to reduce collision rates compared to unimproved  
10 streets or streets with typical bike lanes.

11 (c) Property and businesses adjacent to protected bikeways  
12 experience increases in real estate values and sales compared to  
13 unimproved streets.

14 (d) Bicycling accounts for 2,000,000 trips every day in  
15 California, showing growth in all groups, in particular among  
16 people of color.

17 (e) Safe street-level bikeways are proven to reduce bike riding  
18 on the sidewalk, wrong-way riding, and other illegal or unsafe  
19 bicycling practices.

20 (f) It is the objective of the state to encourage the planning,  
21 design, and construction of protected bikeways in a manner that  
22 improves safety for all users, including motorists, transit users,  
23 pedestrians, and persons with disabilities, with special attention  
24 to the needs of visually impaired persons.

25 *SEC. 2. Section 42872.1 of the Public Resources Code is*  
26 *amended to read:*

27 42872.1. (a) This section shall be known, and may be cited,  
28 as the Rubberized Pavement Market Development Act.

29 (b) In accordance with the tire recycling program authorized by  
30 Section 42872, the department shall award grants in the following  
31 manner:

32 (1) To cities, counties, and other local governmental agencies  
33 for the funding of public works projects that utilize rubberized  
34 pavement.

1 (2) To state and local governmental agencies, including regional  
2 park districts, for the funding of disability access projects at parks  
3 and ~~Class I bikeways~~ *bike paths* as defined in subdivision (a) of  
4 Section 890.4, relative to projects that utilize rubberized pavement.

5 (c) (1) Except as provided in paragraph (2), the department  
6 shall award the grants pursuant to subdivision (b) in the amount  
7 of two dollars (\$2) for every 12 pounds of crumb rubber used in  
8 a public works or disability access project by a state or local  
9 governmental agency, including a regional park district.

10 (2) The department may adjust the amount of grants awarded  
11 pursuant to paragraph (1) to an amount that is greater than, or less  
12 than, two dollars (\$2) for every 12 pounds of crumb rubber if the  
13 department finds this adjustment would further the purposes of  
14 this article.

15 (d) This section shall become inoperative on June 30, 2019,  
16 and, as of January 1, 2020, is repealed, unless a later enacted  
17 statute, that becomes operative on or before January 1, 2020,  
18 deletes or extends the dates on which it becomes inoperative and  
19 is repealed.

20 ~~SEC. 2.~~

21 *SEC. 3.* Section 885.1 is added to the Streets and Highways  
22 Code, to read:

23 885.1. This chapter shall be known, and may be cited, as the  
24 Protected Bikeways Act of 2014.

25 ~~SEC. 3.~~

26 *SEC. 4.* Section 890.4 of the Streets and Highways Code is  
27 amended to read:

28 890.4. As used in this article, “bikeway” means all facilities  
29 that provide primarily for bicycle travel. For purposes of this  
30 article, bikeways shall be categorized as follows:

31 (a) ~~Class I bikeways, also known as “bike paths” or “shared-use~~  
32 ~~paths,”~~ *Bike paths*, which provide a completely separated  
33 right-of-way designated for the exclusive use of bicycles and  
34 pedestrians with crossflows by motorists minimized.

35 (b) ~~Class II bikeways, also known as “bike lanes,”~~ *Bike lanes*,  
36 which provide a restricted right-of-way designated for the exclusive  
37 or semiexclusive use of bicycles with through travel by motor  
38 vehicles or pedestrians prohibited, but with vehicle parking and  
39 crossflows by pedestrians and motorists permitted.

1 (c) ~~Class III bikeways, also known as onstreet or offstreet “bike~~  
 2 ~~routes.”~~ *Bike routes*, which provide a right-of-way *on-street or*  
 3 *off-street*, designated by signs or permanent markings and shared  
 4 with pedestrians and motorists.

5 (d) ~~Class IV bikeways, also known as “cycle tracks” or~~  
 6 ~~“separated bikeways.”~~ *Cycle tracks*, which provide a right-of-way  
 7 designated exclusively for bicycle travel ~~within~~ *adjacent to* a  
 8 roadway and which are protected from vehicular traffic. Types of  
 9 separation include, but are not limited to, grade separation, flexible  
 10 posts, inflexible physical barriers, or on-street parking.

11 ~~SEC. 4.~~

12 *SEC. 5.* Section 890.6 of the Streets and Highways Code is  
 13 amended to read:

14 890.6. The department, in cooperation with county and city  
 15 governments, shall establish minimum safety design criteria for  
 16 the planning and construction of each ~~class type~~ of bikeway  
 17 identified in Section 890.4 and roadways where bicycle travel is  
 18 permitted. The criteria shall include, but not be limited to, the  
 19 design speed of the facility, minimum widths and clearances, grade,  
 20 radius of curvature, pavement surface, actuation of automatic traffic  
 21 control devices, drainage, and general safety, with consideration  
 22 for the safety of vulnerable populations, such as children, seniors,  
 23 persons with impaired vision, and persons of limited mobility. The  
 24 criteria shall be *published by January 1, 2016, and updated*  
 25 *biennially, or more often, as needed.*

26 ~~SEC. 5.~~

27 *SEC. 6.* Section 891 of the Streets and Highways Code is  
 28 amended to read:

29 891. (a) All city, county, regional, and other local agencies  
 30 responsible for the development or operation of bikeways or  
 31 roadways where bicycle travel is permitted ~~may~~ *shall* utilize the  
 32 minimum safety design criteria established pursuant to Section  
 33 890.6, *except as provided in subdivision (b)*, and shall utilize the  
 34 uniform specifications and symbols for signs, markers, and traffic  
 35 control devices established pursuant to Section 890.8.

36 (b) *An agency may utilize minimum safety design criteria other*  
 37 *than those established by Section 890.6 if the criteria are adopted*  
 38 *by resolution at a public meeting as a standing policy or if the*  
 39 *criteria are included in the description of a project approved at a*  
 40 *public meeting.*

1 ~~SEC. 6.~~

2 *SEC. 7.* Section 891.1 of the Streets and Highways Code is  
3 repealed.

4 *SEC. 8. Section 891.5 of the Streets and Highways Code is*  
5 *amended to read:*

6 891.5. The Sacramento Area Council of Governments, pursuant  
7 to subdivision (d) of Section 2551, may purchase, operate, and  
8 maintain callboxes on ~~class 1 bikeways~~ *bike paths as defined in*  
9 *subdivision (a) of Section 890.4.*

10 *SEC. 9. Section 2551 of the Streets and Highways Code is*  
11 *amended to read:*

12 2551. (a) A service authority for freeway emergencies may  
13 be established in any county if the board of supervisors of the  
14 county and the city councils of a majority of the cities within the  
15 county having a majority of the population of cities within the  
16 county adopt resolutions providing for the establishment of the  
17 authority.

18 (b) The resolutions may designate the county transportation  
19 commission for the county, created pursuant to Division 12  
20 (commencing with Section 130000) of the Public Utilities Code  
21 or council of governments formed pursuant to Chapter 5  
22 (commencing with Section 6500) of Division 7 of Title 1 of the  
23 Government Code, as the service authority for freeway  
24 emergencies. The powers of a commission or council of  
25 governments so designated are limited to those of the service  
26 authority.

27 (c) The Metropolitan Transportation Commission may function  
28 as the service authority for freeway emergencies in any or all of  
29 the Counties of Santa Clara, San Mateo, Alameda, Contra Costa,  
30 Marin, Solano, Sonoma, Napa, and the City and County of San  
31 Francisco upon adoption of a resolution by the commission to act  
32 as a service authority and upon ratification of the commission's  
33 resolution in a particular county by the board of supervisors of the  
34 city and county or by the board of supervisors of the county and  
35 by the city councils of the cities within the county having a majority  
36 of the population of the cities within the county.

37 (d) (1) The Sacramento Area Council of Governments may  
38 function as the service authority for freeway emergencies in any  
39 or all of the Counties of Sacramento, Yolo, Yuba, Sutter, and San  
40 Joaquin, or any other county that is not within another multicounty

1 service authority, upon adoption of a resolution by the council to  
2 act as a service authority and upon ratification of the resolution in  
3 a particular county by the board of supervisors of the county and  
4 by the city councils of the cities within the county having a majority  
5 of the population of the cities within the county.

6 (2) The Sacramento Area Council of Governments may also  
7 exercise, as a service authority, in any of those counties, the powers  
8 specified in Section 891.5 pertaining to callboxes on ~~class I~~  
9 ~~bikeways~~ *bike paths as defined in subdivision (a) of Section 890.4.*

10 (e) As used in this chapter, “authority” and “service authority”  
11 mean a service authority for freeway emergencies created pursuant  
12 to this chapter.

13 *SEC. 10. Section 231.5 of the Vehicle Code is amended to read:*

14 231.5. A “bicycle path” or “bike path” is a ~~Class I bikeway,~~  
15 *bike path* as defined in subdivision (a) of Section 890.4 of the  
16 Streets and Highways Code.

17 *SEC. 11. Section 21211 of the Vehicle Code is amended to*  
18 *read:*

19 21211. (a) No person may stop, stand, sit, or loiter upon any  
20 ~~class I bikeway,~~ *bike path* as defined in subdivision (a) of Section  
21 890.4 of the Streets and Highways Code, or any other public or  
22 private bicycle path or trail, if the stopping, standing, sitting, or  
23 loitering impedes or blocks the normal and reasonable movement  
24 of any bicyclist.

25 (b) No person may place or park any bicycle, vehicle, or any  
26 other object upon any ~~bikeway~~ *bike path* or bicycle path or trail,  
27 as specified in subdivision (a), which impedes or blocks the normal  
28 and reasonable movement of any bicyclist unless the placement  
29 or parking is necessary for safe operation or is otherwise in  
30 compliance with the law.

31 (c) This section does not apply to drivers or owners of utility  
32 or public utility vehicles, as provided in Section 22512.

33 (d) This section does not apply to owners or drivers of vehicles  
34 who make brief stops while engaged in the delivery of newspapers  
35 to customers along the person’s route.

36 (e) This section does not apply to the driver or owner of a  
37 rubbish or garbage truck while actually engaged in the collection  
38 of rubbish or garbage within a business or residence district if the  
39 front turn signal lamps at each side of the vehicle are being flashed

- 1 simultaneously and the rear turn signal lamps at each side of the
- 2 vehicle are being flashed simultaneously.
- 3 (f) This section does not apply to the driver or owner of a tow
- 4 vehicle while actually engaged in the towing of a vehicle if the
- 5 front turn signal lamps at each side of the vehicle are being flashed
- 6 simultaneously and the rear turn signal lamps at each side of the
- 7 vehicle are being flashed simultaneously.