

AMENDED IN ASSEMBLY MAY 22, 2015
AMENDED IN ASSEMBLY FEBRUARY 11, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 51

**Introduced by Assembly Members Quirk and Lackey
(Coauthor: Assembly Member Chu)**

December 1, 2014

An act to ~~amend Section 21658 of~~ *add Section 21658.1* to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 51, as amended, Quirk. Vehicles: motorcycles: lane splitting.

(1) Existing law requires, whenever a roadway has been divided into 2 or more clearly marked lanes for traffic in one direction, that a vehicle be driven as nearly as practical entirely within a single lane and not be moved from the lane until the movement can be made with reasonable safety. A violation of the Vehicle Code is a crime.

This bill would authorize a motorcycle *that has 2 wheels in contact with the ground* to be driven between rows of stopped or moving vehicles in the same lane if ~~the speed of traffic is 30 miles per hour or less~~ *motorcycle is not driven at a speed of more than 50 miles per hour* and ~~the motorcycle~~ is driven no more than ~~10~~ 15 miles per hour faster than the speed of traffic. The bill would provide that these provisions do not authorize a motorcycle to be driven in contravention of other laws relating to the safe operation of a vehicle. By creating a new crime, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

1 SECTION 1. ~~Section 21658 of the Vehicle Code is amended~~
2 ~~to read:~~

3 ~~21658. Whenever any roadway has been divided into two or~~
4 ~~more clearly marked lanes for traffic in one direction, the following~~
5 ~~rules apply:~~

6 (a) ~~A vehicle shall be driven as nearly as practical entirely within~~
7 ~~a single lane and shall not be moved from the lane until such~~
8 ~~movement can be made with reasonable safety.~~

9 (b) ~~Official signs may be erected directing slow-moving traffic~~
10 ~~to use a designated lane or allocating specified lanes to traffic~~
11 ~~moving in the same direction, and drivers of vehicles shall obey~~
12 ~~the directions of the traffic device.~~

13 (c) ~~(1) A motorcycle, as defined in Section 400, may be driven~~
14 ~~between rows of stopped or moving vehicles in the same lane,~~
15 ~~including both divided and undivided streets, roads, or highways,~~
16 ~~if both of the following conditions are present:~~

17 (A) ~~The speed of traffic moving in the same direction is 30 miles~~
18 ~~per hour or less.~~

19 (B) ~~The motorcycle is not driven more than 10 miles per hour~~
20 ~~faster than the speed of traffic moving in the same direction.~~

21 (2) ~~This subdivision does not authorize a motorcycle to be driven~~
22 ~~in contravention of other laws relating to the safe operation of a~~
23 ~~vehicle.~~

24 SECTION 1. *Section 21658.1 is added to the Vehicle Code, to*
25 *read:*

26 21658.1. (a) *A motorcycle, as defined in Section 400, that has*
27 *two wheels in contact with the ground may be driven between rows*
28 *of stopped or moving vehicles in the same lane, including both*
29 *divided and undivided streets, roads, or highways, if both of the*
30 *following conditions are present:*

1 (1) *The motorcycle is not driven at a speed of more than 50*
2 *miles per hour.*

3 (2) *The motorcycle is not driven more than 15 miles per hour*
4 *faster than the speed of traffic moving in the same direction.*

5 (b) *This section does not authorize a motorcycle to be driven*
6 *in contravention of other laws relating to the safe operation of a*
7 *vehicle.*

8 SEC. 2. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the penalty
13 for a crime or infraction, within the meaning of Section 17556 of
14 the Government Code, or changes the definition of a crime within
15 the meaning of Section 6 of Article XIII B of the California
16 Constitution.

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