

AMENDED IN SENATE JUNE 1, 2016
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 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~~

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 motorcycle is not driven at a speed of more than 50 miles per hour and is driven no more than 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.~~

This bill would define “lane splitting” as driving a motorcycle, that has 2 wheels in contact with the ground, between rows of stopped or moving vehicles in the same lane, as specified. The bill would authorize the Department of the California Highway Patrol to develop educational guidelines relating to lane splitting in a manner that would ensure the safety of the motorcyclist, drivers, and passengers, as specified. The bill would require the department, in developing these guidelines, to consult with specified agencies and organizations with an interest in road safety and motorcyclist behavior.

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

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

1 SECTION 1. Section 21658.1 is added to the Vehicle Code, to
 2 read:

3 21658.1. (a) For the purposes of this section, “lane splitting”
 4 means driving a motorcycle, as defined in Section 400, that has
 5 two wheels in contact with the ground, between rows of stopped
 6 or moving vehicles in the same lane, including on both divided
 7 and undivided streets, roads, or highways.

8 (b) The Department of the California Highway Patrol may
 9 develop educational guidelines relating to lane splitting in a
 10 manner that would ensure the safety of the motorcyclist and the
 11 drivers and passengers of the surrounding vehicles.

12 (c) In developing guidelines pursuant to this section, the
 13 department shall consult with agencies and organizations with an
 14 interest in road safety and motorcyclist behavior, including, but
 15 not limited to, all of the following:

- 16 (1) The Department of Motor Vehicles.
- 17 (2) The Department of Transportation.
- 18 (3) The Office of Traffic Safety.
- 19 (4) A motorcycle organization focused on motorcyclist safety.

20 SECTION 1. ~~Section 21658.1 is added to the Vehicle Code,~~
 21 to read:

1 ~~21658.1. (a) A motorcycle, as defined in Section 400, that has~~
2 ~~two wheels in contact with the ground may be driven between~~
3 ~~rows of stopped or moving vehicles in the same lane, including~~
4 ~~both divided and undivided streets, roads, or highways, if both of~~
5 ~~the following conditions are present:~~

6 ~~(1) The motorcycle is not driven at a speed of more than 50~~
7 ~~miles per hour.~~

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

10 ~~(b) This section does not authorize a motorcycle to be driven~~
11 ~~in contravention of other laws relating to the safe operation of a~~
12 ~~vehicle.~~

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