

ASSEMBLY BILL

No. 902

Introduced by Assembly Members Bloom and Chiu

February 26, 2015

An act to amend Section 21200 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 902, as introduced, Bloom. Bicycle riders.

Existing law provides that a person riding a bicycle or operating a pedicab on a highway has the rights of, and is subject to specified existing provisions governing, the driver of a vehicle on a highway, except for those provisions that by their very nature can have no application. Existing law also provides that a peace officer, as defined, operating a bicycle during the course of his or her duties and under specified circumstances is exempt from those provisions, subject to specified limitations.

This bill would make technical, nonsubstantive changes to those provisions.

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 21200 of the Vehicle Code is amended
2 to read:
3 21200. (a) A person riding a bicycle or operating a pedicab
4 upon a highway has ~~all~~ the rights and is subject to ~~all~~ the provisions
5 *of this division* applicable to the driver of a ~~vehicle~~ *by this division*,

1 *vehicle*, including, but not limited to, provisions concerning driving
2 under the influence of alcoholic beverages or drugs, and by
3 Division 10 (commencing with Section 20000), Section 27400,
4 Division 16.7 (commencing with Section 39000), Division 17
5 (commencing with Section 40000.1), and Division 18 (commencing
6 with Section 42000), except those provisions ~~which~~ *that* by their
7 very nature can have no application.

8 (b) (1) A peace officer, as defined in Chapter 4.5 (commencing
9 with Section 830) of Title 3 of Part 2 of the Penal Code, operating
10 a bicycle during the course of his or her duties is exempt from the
11 requirements of subdivision (a), except as those requirements relate
12 to driving under the influence of alcoholic beverages or drugs, if
13 the bicycle is being operated under any of the following
14 circumstances:

- 15 (A) In response to an emergency call.
- 16 (B) While engaged in rescue operations.
- 17 (C) In the immediate pursuit of an actual or suspected violator
18 of the law.

19 (2) This subdivision does not relieve a peace officer from the
20 duty to operate a bicycle with due regard for the safety of ~~all~~
21 persons using the highway.