

Information from Alan Wachtel

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Rating of California Bicycle Traffic Laws

California Bicycle Traffic Laws earn a rating of D (55 points)

Note: A bicycle IS NOT defined as a vehicle in CA.

A: 95 to 100 points	(93-94 is A-, over 100 is A+)
B: 81 to 90 points	(91-92 is B+, 79-80 is B-)
C: 67 to 76 points	(77-78 is C+, 65-66 is C-)
D: 53 to 62 points	(63-64 is D+, 51-52 is D-)
F: 39 to 48 points	(49-50 is F+, below 37 points is F-)

Traffic Law Defects	
	Mandates riding wrong way (Automatic failing score) [-100]
	Mandates riding on sidewalk (creates failing score) [-80]
	Prohibits bicycles from all main streets (a “stealth” sidewalk law) [-80]
	Lower deduction if prohibition applies only where speed limit is above 50 mph [-30]
	Lower deduction if engineering study, alternate route & signs reqd. [-30]
	Mandates riding on sidewalk only for under age 16 [-30]
-15	Mandates riding on sidepath, shoulder or bike lane [-40] Lower deduction if applies only where sidepath is “usable” and signed [-25] Restriction only for under age 16 [-25] Lower deduction if includes UVC “far right” type exceptions [-20] Lower deduction if also includes CA “right turn authorized” exceptions [-15] Note the exception says “where a right turn is authorized,” not just at right-turn-only lanes. 21208. (a) Whenever a bicycle lane has been established on a roadway pursuant to Section 21207, any person operating a bicycle upon the roadway at a speed less than the normal speed of traffic moving in the same direction at that time shall ride within the bicycle lane, except that the person may move out of the lane under any of the following situations: (1) When overtaking and passing another bicycle, vehicle, or pedestrian within the lane or about to enter the lane if the overtaking and passing cannot be done safely within the lane. (2) When preparing for a left turn at an intersection or into a private road or driveway. (3) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions. (4) When approaching a place where a right turn is authorized. (b) No person operating a bicycle shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal in the manner provided in Chapter 6 (commencing with Section 22100) in the event that any vehicle may be affected by the movement.
-1	Unlimited local “regulation of the operation of bicycles” (non-uniform laws) [-30] Lower deduction if allows only local sidepath ordinance. [-20] Allows local bicycle ban only on major highway [-15] Local authorities may mandate registration (rather than voluntary program) [-1] 39002. (a) A city or county, which adopts a bicycle licensing ordinance or resolution, may provide in the ordinance or resolution that no resident shall operate any bicycle, as specified in the ordinance, on any street, road, highway, or other public property within the jurisdiction of the city or county, as the case may be, unless the bicycle is licensed in accordance with this division. 21. Except as otherwise expressly provided, the provisions of this code are applicable and uniform throughout the State and in all counties and municipalities therein, and no local authority shall enact or enforce any ordinance on the matters covered by this code unless expressly authorized herein.

-8	<p>“Shall ride within 3 feet of right edge of road” (or similar unsafe rule) [-25] “Shall ride as close as practicable to the right-hand curb”, with no exceptions [-20] Reduced deduction (typically by 10 pts) if includes all UVC exceptions or strong explanatory language in law or drivers’ manual to discourage misinterpretation “as far right as possible” 21202. (a) Any person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at that time shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations: (1) When overtaking and passing another bicycle or vehicle proceeding in the same direction. (2) When preparing for a left turn at an intersection or into a private road or driveway. (3) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge, subject to the provisions of Section 21656. For purposes of this section, a “substandard width lane” is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane. (4) When approaching a place where a right turn is authorized. (b) Any person operating a bicycle upon a roadway of a highway, which highway carries traffic in one direction only and has two or more marked traffic lanes, may ride as near the left-hand curb or edge of that roadway as practicable.</p>
-14	<p>Mandatory helmet law that includes adult cyclists [-8] Lower deduction if applies only to children under 12 [-3] Additional deduction if law lacks strong “contributory negligence” exclusion [-10] 21212. (a) A person under 18 years of age shall not operate a bicycle, a nonmotorized scooter, or a skateboard, nor shall they wear in-line or roller skates, nor ride upon a bicycle, a nonmotorized scooter, or a skateboard as a passenger, upon a street, bikeway, as defined in Section 890.4 of the Streets and Highways Code, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets the standards of either the American Society for Testing and Materials (ASTM) or the United States Consumer Product Safety Commission (CPSC), or standards subsequently established by those entities. This requirement also applies to a person who rides upon a bicycle while in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.</p>
	<p>Prohibits normal vehicular left turn [-10]</p>
	<p>“Shall ride single file” (no exceptions) [-10] Lower deduction depending on exceptions [-5]</p>
	<p>Motor vehicle restrictions that should not apply to bicycles: [up to -5] (following too closely, racing, etc.) 21703. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon, and the condition of, the roadway. 23109 (a) No person shall engage in any motor vehicle speed contest on a highway. As used in this section, a motor vehicle speed contest includes a motor vehicle race against another vehicle, a clock, or other timing device. For purposes of this section, an event in which the time to cover a prescribed route of more than 20 miles is measured, but where the vehicle does not exceed the speed limits, is not a speed contest.</p>
-3	<p>Irresponsible brake requirements (skid the wheel) [-3] 21201. (a) No person shall operate a bicycle on a roadway unless it is equipped with a brake which will enable the operator to make one braked wheel skid on dry, level, clean pavement.</p>
-2	<p>“Nuisance” safety equipment required (bell, front, wheel & pedal reflectors, etc) [-2] 21201. (d) Every bicycle operated upon any highway during darkness shall be equipped (1) with a lamp emitting a white light which, while the bicycle is in motion, illuminates the highway in front of the bicyclist and is visible from a distance of 300 feet in front and from the sides of the bicycle; (2) with a red reflector</p>

	<p>on the rear which shall be visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle; (3) with a white or yellow reflector on each pedal visible from the front and rear of the bicycle from a distance of 200 feet; and (4) with a white or yellow reflector on each side forward of the center of the bicycle, and with a white or red reflector on each side to the rear of the center of the bicycle, except that bicycles which are equipped with reflectorized tires on the front and the rear need not be equipped with these side reflectors. Such reflectors and reflectorized tires shall be of a type meeting requirements established by the department.</p>	
-2	<p>Right-arm right turn signal not authorized [-2] Unreasonable turn or stop signal requirement (continuous, or even if not safe) [-2] 22108. Any signal of intention to turn right or left shall be given continuously during the last 100 feet traveled by the vehicle before turning.</p>	
-1	<p>Authorizes bicycle-specific traffic control devices [-2] These are authorized under only limited situations (see below) 21456.3. (a) An operator of a bicycle facing a green bicycle signal shall proceed straight through or turn right or left or make a U-turn unless a sign prohibits a U-turn. An operator of a bicycle, including one turning, shall yield the right-of-way to other traffic and to pedestrians lawfully within the intersection or an adjacent crosswalk. (b) An operator of a bicycle facing a steady yellow bicycle signal is, by that signal, warned that the related green movement is ending or that a red indication will be shown immediately thereafter. (c) Except as provided in subdivision (d), an operator of a bicycle facing a steady red bicycle signal shall stop at a marked limit line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then before entering the intersection, and shall remain stopped until an indication to proceed is shown. (d) Except when a sign is in place prohibiting a turn, an operator of a bicycle, after stopping as required by subdivision (c), facing a steady red bicycle signal, may turn right, or turn left from a one-way street onto a one-way street. An operator of a bicycle making a turn shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to traffic lawfully using the intersection. (e) A bicycle signal may be used only at those locations that meet geometric standards or traffic volume standards, or both, as adopted by the Department of Transportation. The warrants for use, now found in the California Supplement to the MUTCD, Section 4C.103, are: A bicycle signal should be considered for use only when the volume and collision or volume and geometric warrants have been met: 1. Volume, When $W = B \times V$ and $W > 50,000$ and $B > 50$. Where: W is the volume warrant. B is the number of bicycles at the peak hour entering the intersection. V is the number of vehicles at the peak hour entering the intersection. B and V shall use the same peak hour. 2. Collision, When 2 or more bicycle/vehicle collisions of types susceptible to correction by a bicycle signal have occurred over a 12-month period and the responsible public works official determines that a bicycle signal will reduce the number of collisions. 3. Geometric, (a) Where a separate bicycle/ multi use path intersects a roadway. (b) At other locations to facilitate a bicycle movement that is not permitted for a motor vehicle.</p>	
	<p>Lacks provision allowing bicycle access to freeway shoulders [-1] Freeways must be affirmatively closed, though that is typically done; open freeways are considered exceptions. 21960. (a) The Department of Transportation and local authorities may, by order, ordinance, or resolution, with respect to freeways or designated portions thereof under their respective jurisdictions, to which all rights of access have been acquired, prohibit or restrict the use of the freeways or any portion thereof by pedestrians, bicycles or other nonmotorized traffic or by any person operating a motor-driven cycle, motorized bicycle, or motorized scooter. Any prohibition or restriction pertaining to bicycles, motor-driven cycles, or motorized scooters, shall be deemed to include motorized bicycles; and no person may operate a motorized bicycle wherever that prohibition or restriction is in force.</p>	
-1	<p>Slow vehicle “as close as practicable to the right-hand curb” [-1]</p>	

	21654. (a) Notwithstanding the prima facie speed limits, any vehicle proceeding upon a highway at a speed less than the normal speed of traffic moving in the same direction at such time shall be driven in the right-hand lane for traffic or as close as practicable to the right-hand edge or curb, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.	
-1	Missing language “intent is to facilitate overtaking” in slow veh. rule	[-1]
	Other excessive or unnecessary regulation	[?]
-2	Minor Defects (scored as a group)	
Y	Lacks provision allowing preparing for left turn early	
Y	Lacks exception to no-passing zone rule for passing of slow vehicles	
N	Lacks language prohibiting “points” for bicycle violations 1803. (b) The following violations are not required to be reported under subdivision (a): (6) Violations for which a person was cited as a pedestrian or while operating a bicycle or a motorized scooter.	
Y	“Give way to the right on audible signal” — applies to all vehicles. Driving on the shoulder is not required. 21753. Except when passing on the right is permitted, the driver of an overtaken vehicle shall safely move to the right-hand side of the highway in favor of the overtaking vehicle after an audible signal or a momentary flash of headlights by the overtaking vehicle, and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle. This section does not require the driver of an overtaken vehicle to drive on the shoulder of the highway in order to allow the overtaking vehicle to pass.	
Y	Lacks cycling skills course for violators — Except for a few local ones.	
N	Police authorized to inspect bicycles	
N	Lacks child seat or trailer language or allow child in backpack 21204. (a) No person operating a bicycle upon a highway shall ride other than upon or astride a permanent and regular seat attached thereto. (b) No operator shall allow a person riding as a passenger, and no person shall ride as a passenger, on a bicycle upon a highway other than upon or astride a separate seat attached thereto. If the passenger is four years of age or younger, or weighs 40 pounds or less, the seat shall have adequate provision for retaining the passenger in place and for protecting the passenger from the moving parts of the bicycle.	
Y	Lacks language authorizing additional lights or reflectors	
Y	Lacks language saying riding two abreast does not impede traffic if no conflicting traffic	
N	Poor definition of bicycle (not recognizing recumbents or trikes)	
Positive Factors (points added)		
+4	Have issued a good state “Bicycle Drivers' Manual” and/or --- Drivers Handbook has vehicular cycling info.	[up to +15]
+2	Permits <u>and</u> requires drivers to merge into a bike lane before turning. 21209. (a) No person shall drive a motor vehicle in a bicycle lane established on a roadway pursuant to Section 21207 except as follows: (3) To prepare for a turn within a distance of 200 feet from the intersection. 21717. Whenever it is necessary for the driver of a motor vehicle to cross a bicycle lane that is adjacent to	[+2]

	his lane of travel to make a turn, the driver shall drive the motor vehicle into the bicycle lane prior to making the turn and shall make the turn pursuant to Section 22100.	
+1	Expressly permits but does not require cycling on the shoulder. 21650. Upon all highways, a vehicle shall be driven upon the right half of the roadway, except as follows: (g) This section does not prohibit the operation of bicycles on any shoulder of a highway, where the operation is not otherwise prohibited by this code or local ordinance.	[+2]
+2	Local authorities may reduce the fine for bicycling offenses 42001. (e) Notwithstanding any other provision of law, any local public entity that employs peace officers, as designated under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, the California State University, and the University of California may, by ordinance or resolution, establish a schedule of fines applicable to infractions committed by bicyclists within its jurisdiction. Any fine, including all penalty assessments and court costs, established pursuant to this subdivision shall not exceed the maximum fine, including penalty assessment and court costs, otherwise authorized by this code for that violation. If a bicycle fine schedule is adopted, it shall be used by the courts having jurisdiction over the area within which the ordinance or resolution is applicable instead of the fines, including penalty assessments and court costs, otherwise applicable under this code.	[+2]
	Share the road license plate (or similar) with proceeds to benefit cycling	[+2]
	Language to discourage unsafe sidewalk riding	[+2]
	Other positive factors	