

SUMMARY OF BICYCLE RELATED LAWS FROM:

CALIFORNIA VEHICLE CODE**

CALIFORNIA STREETS & HIGHWAY CODE**

CALIFORNIA GOVERNMENT CODE**

CALIFORNIA HEALTH & SAFETY CODE**

CALIFORNIA LABOR CODE**

CALIFORNIA PENAL CODE**

CALIFORNIA PUBLIC UTILITIES CODE**

CALIFORNIA PUBLIC RESOURCES CODE**

CALIFORNIA REVENUE & TAXATION CODE**

CALIFORNIA WELFARE & INSTITUTIONS CODE**

CALIFORNIA CODE OF REGULATIONS (CCR)**

U.S. GOVERNMENT CODE**

CODE OF FEDERAL REGULATIONS (CFR)**

(April 30, 2010)

** Please read disclaimer at back of document (Page 61) **

California Vehicle Code

Uniformity of Laws & Expressed Authority

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.

Bicycle (Defined - From CVC) (Also See CVC 405, 406, 473 & 39000 and S & H Code Sect. 890.2)

231 A bicycle is a device (editor's note - not a vehicle) upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels. Persons riding bicycles are subject to the provisions of this code specified in Sections 21200 and 21200.5.

Bicycle (Defined - From CVC Sect. 39000) (See Also Section 231, 405, 406, 473 & S & H Code 890.2)

39000 (The full Section 39000 **will be found on Pg. 21**) "Bicycle", for the purposes of this division, means any device (editor's note - not a vehicle) upon which a person may ride, which is propelled by human power through a system of belts, chains, or gears having either two or three wheels (one of which is at least 20 inches in diameter) or having a frame size of at least 14 inches, or having four or more wheels.

Bicycle (Defined - From Streets & Highway Code) (See Also CVC Sections 231, 405, 406, 473 & 39000)

890.2. As used in this chapter, "bicycle" means a device (editors note - not a vehicle) upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having either two or three wheels in a tandem or tricycle arrangement.

Bicycle (Defined – From U.S. Government Code)

652.3(a) “Bicycle” - a vehicle having two tandem wheels, propelled solely by human power, upon which any person or persons may ride.

Bicycle Path or Bike Path (Defined) – For Definitions of Bike Lane & Bike Route see S & H Code 890.4)

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

Bicycle Path Crossing (Defined) (See Also CVC 21650{g})

231.6. (a) A “bicycle path crossing” is either of the following:

(1) That portion of a roadway included within the prolongation or connection of the boundary lines of a bike path at intersections where the intersecting roadways meet at approximately right angles.

(2) Any portion of a roadway distinctly indicated for bicycle crossing by lines or other markings on the surface.

(b) Notwithstanding subdivision (a), there shall not be a bicycle path crossing where local authorities have placed signs indicating no crossing.

Bicycle Commuter (Defined) - (From Streets & Highway Code)

890.3. As used in this article, “bicycle commuter” means a person making a trip by bicycle primarily for transportation purposes, including, but not limited to, travel to work, school, shopping, or other destination that is a center of activity, and does not include a trip by bicycle primarily for physical exercise or recreation without such a destination.

Editor’s Note – for the Federal List of Bike Terminology – See CFR 652.3 (Page 58)

Crosswalk (Defined)

275 “Crosswalk” is either: (a) That portion of a roadway included within the prolongation or connection of the boundary lines of sidewalks at intersections where the intersecting roadways meet at approximately right angles, except the prolongation of such lines from an alley across a street.

(b) Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface. Notwithstanding the foregoing provisions of this section, there shall not be a crosswalk where local authorities have placed signs indicating no crossing.

Driver (Defined) (See Also Section 21200 Below)

305 A “driver” is a person who drives or is in actual physical control of a vehicle. The term “driver” does not include the tillerman or other person who, in an auxiliary capacity, assists the driver in the steering or operation of any articulated firefighting apparatus.

Electric Personal Assistive Mobility Device [aka: EPAMDs/Segways] - (Defined) (See also 21281.5)

313. The term “electric personal assistive mobility device” or “EPAMD” means a self-balancing, non tandem two-wheeled device, that is not greater than 20 inches deep and 25 inches wide and can turn in place, designed to transport only one person, with an electric propulsion system averaging less than 750 watts (1 horsepower), the maximum speed of which, when powered solely by a propulsion system on a paved level surface, is no more than 12.5 miles per hour. (Editor’s Note - rules for the use of segways on bike facilities is covered under Section 21281.5 and 21282.)

Expressway (Defined within the CVC)

314. An “expressway” is a portion of highway that is part of either of the following:

(a) An expressway system established by a county under Section 941.4 of the Streets and Highways Code. (See next.)

Freeway (Defined)

332. "Freeway" is a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access.

Golf Cart (Defined)

345. "Golf cart" is a motor vehicle having not less than three wheels in contact with the ground, having an unladen weight less than 1,300 pounds, which is designed to be and is operated at not more than 15 miles per hour and designed to carry golf equipment and not more than two persons, including the driver.

Highway (Defined)

360. "Highway" is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.

Low-Speed Vehicle (Also know as Neighborhood Electric Vehicles or NEVs) (See CVC 345 & 21260)

385.5. (a) A "low-speed vehicle" is a motor vehicle that meets all of the following requirements:

- (1) Has four wheels.
 - (2) Can attain a speed, in one mile, of more than 20 miles per hour and not more than 25 miles per hour, on a paved level surface.
 - (3) Has a gross vehicle weight rating of less than 3,000 pounds.
- (b) (1) For the purposes of this section, a "low-speed vehicle" is not a golf cart, except when operated pursuant to Section 21115 or 21115.1.
- (2) A "low-speed vehicle" is also known as a "neighborhood electric vehicle."

Motor-Driven Cycle (Defined)

405. A "motor-driven cycle" is any motorcycle with a motor that displaces less than 150 cubic centimeters. A motor-driven cycle does not include a motorized bicycle, as defined in Section 406.

Motorized Bicycle (Defined) (See Also Sections 231 and 39000 Above & Section 24016 Below)

406. (a) A "motorized bicycle" or "moped" is any two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor which produces less than 2 gross brake horsepower and is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground.

(b) A "motorized bicycle" is also a device that has fully operative pedals for propulsion by human power and has an electric motor that meets all of the following requirements:

- (1) Has a power output of not more than 1,000 watts.
- (2) Is incapable of propelling the device at a speed of more than 20 miles per hour on ground level.
- (3) Is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 miles per hour.

Motorized Quadricycle (Defined)

407. A "motorized quadricycle" is a four-wheeled device, and a "motorized tricycle" is a three-wheeled device, designed to carry not more than two persons, including the driver, and having either an electric motor or a motor with an automatic transmission developing less than two gross brake horsepower and capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground. The device shall be utilized only by a person who by reason of physical disability is otherwise unable to move about as a pedestrian or by a senior citizen as defined in Section 13000.

Motorized Scooter (Defined)- See Also CVC Sections 406, 473 and 9955)

407.5. (a) A "motorized scooter" is any two-wheeled device that has handlebars, has a floorboard that is designed to be stood upon when riding, and is powered by an electric motor. This device may also have a driver seat that does not interfere with the ability of the rider to stand and ride and may also be designed to be powered by human propulsion....

(b) A device meeting the definition in subdivision (a) that is powered by a source other than electrical power is also a motorized scooter.

Parking Lane (Definition From The Streets & Highway Code)

5871 As used in this subdivision, "parking lane" means a paved area adjacent to the curb which is used exclusively for on-street parking.

Pedestrian (Defined)

467 (a) A "pedestrian" is a person who is afoot or who is using any of the following:

(1) A means of conveyance propelled by human power other than a bicycle.

(2) An electric personal assistive mobility device.

(b) "Pedestrian" includes a person who is operating a self-propelled wheelchair, motorized tricycle, or motorized quadricycle and, by reason of physical disability, is otherwise unable to move about as a pedestrian, as specified in subdivision (a).

Pocket Bike (Defined) (See Also CVC 9955 Below)

473. (a) A "pocket bike" is a two-wheeled motorized device that has a seat or saddle for the use of the rider, and that is not designed or manufactured for highway use. "Pocket bike" does not include an off-highway motorcycle, as defined in Section 436.

Road (Defined)

527. (a) "Road" means any existing vehicle route established before January 1, 1979, with significant evidence of prior regular travel by vehicles subject to registration pursuant to Article 1 (commencing with Section 4000) of Chapter 1 of Division 3; provided, that "road" does not mean any route traversed exclusively by bicycles as defined in Section 39001, motorcycles as defined in Section 400, motor-driven cycles as defined in Section 405, or off-highway motor vehicles as defined in Section 38012.

Roadway (Defined)

530. A "roadway" is that portion of a highway improved, designed, or ordinarily used for vehicular travel.

Shoulder (Defined)

The word "Shoulder" is not defined in either the California Vehicle Code or the California Streets & Highway Code.

Sidewalk (Defined)

555 "Sidewalk" is that portion of a highway, other than the roadway, set apart by curbs, barriers, markings or other delineation for pedestrian travel.

Street (Defined)

590 "Street" is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Street includes highway.

Vehicle (Defined)

670 A "vehicle" is a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

Expressway (Definition from S & H Code)

941.4. (h) As used in this section, "expressway" means a highway having partial or complete control of access, whether or not divided or with separations of grade at intersections.

California Driver's Handbook

1656.3. (a) The department shall include within the California Driver's Handbook, as specified in subdivision (b) of Section 1656, language regarding each of the following:

(3) The importance of respecting the right-of-way of others, particularly pedestrians, bicycle riders, and motorcycle riders.

DMV - Keeping of Violation Records (See Also Section 40303.5 Below)

1803 (b) [Note: Sub-sections (a) through (b)(5) omitted for brevity]

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.

License Plates Clearly Visible (Could apply to bicycles racks blocking license plates)

5201. License plates shall at all times be securely fastened to the vehicle for which they are issued so as to prevent the plates from swinging, shall be mounted in a position so as to be clearly visible, and shall be maintained in a condition so as to be clearly legible.

Pocket Bike - Access Limitation Sticker (See Also CVC 473 , 21207.5, 21225, 21229 & 21968)

9955. (a) A manufacturer of a pocket bike shall affix on the pocket bike a sticker with a disclosure stating that the device is prohibited from being operated on a sidewalk, roadway, or any part of a highway, or on a bikeway, bicycle path or trail, equestrian trail, hiking or recreational trail, or on public lands open to off-highway motor vehicle use.

(b) The disclosure required under subdivision (a) shall meet the following requirement:

(1) Be printed in not less than 14-point boldface type on a sticker that contains only the disclosure.

Local Regulations of Bicycles On Sidewalks & Public Property, (See also Section 21206 Below)

21100. Local authorities may adopt rules and regulations by ordinance or resolution regarding the following matters: [Note: Sub-sections (a) through (i) omitted for brevity]

(h) Operation of bicycles on the public sidewalks.

Local Regulation of Highways (For Celebrations & Parades – and most likely for bike events)

21101. Local authorities, for those highways under their jurisdiction, may adopt rules and regulations by ordinance or resolution on the following matters:

(e) Temporarily closing a portion of any street for celebrations, parades, local special events, and other purposes whenthe closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing.

Public Agencies and California State University System May Adopt Rules/Regulations for Bicycles

21113 [Note: Sub-sections (a) through (d) omitted for brevity]

(e) A transit development board may adopt ordinances, rules, or regulations to restrict, or specify the conditions for, the use of bicycles, motorized bicycles, skateboards, and roller skates on property under the control of, or any portion of property used by, the board.

(f) A public agency, including, but not limited to, the Regents of the University of California and the Trustees of the California State University, may adopt rules or regulations to restrict, or specify the conditions for, the use of bicycles, motorized bicycles, skateboards, and roller skates on public property under the jurisdiction of that agency.

Golf Carts – Use on Roadways (See Also CVC 21260 and 21716 Below)

21115 (a) If a local authority finds that a highway under its jurisdiction is located adjacent to, or provides access to, a golf course and between the golf course and the place where golf carts are parked or stored or is within or bounded by a real estate development offering golf facilities the local authority may, by resolution or ordinance, designate the highway or portion of the highway for combined use and prescribe rules and regulations that shall have the force of law. No highway shall be so designated for a distance of more than one mile from the golf course if the highway is not located within a development or beyond the area of a

development.... Upon the designation becoming effective it shall be lawful to drive golf carts upon the highway in accordance with the prescribed rules and regulations....

Golf Cart - Crossing Zones (See Also CVC 21260 and 21716 Below)

21115.1 (a) Notwithstanding Section 21115, a local authority may, by ordinance or resolution, establish crossing zones, for use by golf carts at any time other than during darkness, on any street, other than a state highway, that has a posted speed limit of 45 miles per hour or less and that is immediately adjacent to a golf course. The crossing zones shall be at an angle of approximately 90 degrees to the direction of the roadway.

The ordinance or resolution shall not become effective until [the] addition of proper signs, markers, or lighting, or any combination of those, will permit the establishment of a golf cart crossing with reasonable safety...

(c) For purposes of this section, a "golf cart" includes a "low-speed vehicle" [See Section 385.5].

Bikeways on Canal Banks & Levees (See Also Title 23 #132 Within CCR Section)

21116. (c) Nothing in this section prohibits the establishment of bicycle paths or routes (as prescribed by Article 6.5 (commencing with Section 5078) of Chapter 1 of Division 5 of the Public Resources Code) on levees, canal banks, natural watercourse banks, or pipeline rights-of-way.

Operation of Bicycles on California Roadways (Collectively Sections 21200 - 21212)

Bicyclists Rights & Peace Officers Use of Bicycles

21200. (a) Every person riding a bicycle upon a highway has all the rights and is subject to all the provisions applicable to the driver of a vehicle by this division, including, but not limited to, provisions concerning driving under the influence of alcoholic beverages or drugs, and by Division 10 (commencing with Section 20000), Section 27400, Division 16.7 (commencing with Section 39000), Division 17 (commencing with Section 40000.1), and Division 18 (commencing with Section 42000), except those provisions which by their very nature can have no application. (b) (1) Any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, operating a bicycle during the course of his or her duties is exempt from the requirements of subdivision (a), except as those requirements relate to driving under the influence of alcoholic beverages or drugs, if the bicycle is being operated under any of the following circumstances:

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

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

Alcohol Use by Bicyclist

21200.5. Notwithstanding Section 21200, it is unlawful for any person to ride a bicycle upon a highway while under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug. Any person arrested for a violation of this section may request to have a chemical test made of the person's blood, breath, or urine for the purpose of determining the alcoholic or drug content of that person's blood pursuant to Section 23612, and, if so requested, the arresting officer shall have the test performed. A conviction of a violation of this section shall be punished by a fine of not more than two hundred fifty dollars (\$250). Violations of this section are subject to Section 13202.5.

Bike Equipment - Lights, Reflectors, Brakes, Handlebars & Frame Size

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.

(b) No person shall operate on the highway a bicycle equipped with handlebars so raised that the operator must elevate his hands above the level of his shoulders in order to grasp the normal steering grip area.

(c) No person shall operate upon a highway a bicycle that is of a size that prevents the operator from safely stopping the bicycle, supporting it in an upright position with at least one foot on the ground, and restarting it in a safe manner.

(d) A bicycle operated during darkness upon a highway, a sidewalk where bicycle operation is not prohibited by the local jurisdiction, or a bikeway, as defined in Section 890.4 of the Streets and Highways Code, shall be equipped with all of the following:

(1) A lamp emitting a white light that, while the bicycle is in motion, illuminates the highway, sidewalk, or bikeway in front of the bicyclist and is visible from a distance of 300 feet in front and from the sides of the bicycle.

(2) A red reflector on the rear that 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) A white or yellow reflector on each pedal, shoe, or ankle visible from the front and rear of the bicycle from a distance of 200 feet.

(4) A white or yellow reflector on each side forward of the center of the bicycle, and a white or red reflector on each side to the rear of the center of the bicycle, except that bicycles that are equipped with reflectorized tires on the front and the rear need not be equipped with these side reflectors.

The reflectors and reflectorized tires shall be of a type meeting requirements established by the department.

(e) A lamp or lamp combination, emitting a white light, attached to the operator and visible from a distance of 300 feet in front and from the sides of the bicycle, may be used in lieu of the lamp required by paragraph (1) of subdivision (d).

Blue Warning Lights On Bicycles (Applies to Peace Officers Only)

21201.3. (a) A bicycle or motorized bicycle used by a peace officer, as defined in Section 830.1 of, subdivision (a), (b), (c), (d), (e), (f), (g), or (i) of Section 830.2 of, subdivision (b) or (d) of Section 830.31 of, subdivision (a) or (b) of Section 830.32 of, Section 830.33 of, subdivision (a) of Section 830.36 of, subdivision (a) of Section 830.4 of, or Section 830.6 of, the Penal Code, in the performance of the peace officer's duties, may display a steady or flashing blue warning light that is visible from the front, sides, or rear of the bicycle or motorized bicycle.

(b) No person shall display a steady or flashing blue warning light on a bicycle or motorized bicycle except as authorized under subdivision (a).

Reflectors (Sale of Approved Type)

21201.5. (a) No person shall sell, or offer for sale, a reflex reflector or reflectorized tire of a type required on a bicycle unless it meets requirements established by the department. If there exists a federal Consumer Product Safety Commission regulation applicable to bicycle reflectors, the provisions of that regulation shall prevail over provisions of this code or requirements established by the department pursuant to this code relative to bicycle reflectors.

(b) No person shall sell, or offer for sale, a new bicycle that is not equipped with a red reflector on the rear, a white or yellow reflector on each pedal visible from the front and rear of the bicycle, a white or yellow reflector on each side forward of the center of the bicycle, and 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 rear need not be equipped with these side reflectors.

(c) Area reflectorizing material meeting the requirements of Section 25500 may be used on a bicycle.

Ride on Right Hand Side of Road or "Taking The Lane" (See Sections 22208, 21654, 21716 & 21754)

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.

Hitching Rides - Attaching to Vehicles (See Also Sect. 21712 Below)

21203. No person riding upon any motorcycle, motorized bicycle, bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to any streetcar or vehicle on the roadway.

Bicycle Seat – One Person Per Permanent Seat

21204. (a) A person operating a bicycle upon a highway shall not ride other than upon or astride a permanent and regular seat attached thereto, unless the bicycle was designed by the manufacturer to be ridden without a seat.

(b) An operator shall not allow a person riding as a passenger, and a person shall not 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

Carrying Articles & Packages

21205. No person operating a bicycle shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handlebars.

Local Bicycle Ordinances (See Also 21100 and 21113 Above and Section 21210 Below)

21206. This chapter does not prevent local authorities, by ordinance, from regulating the registration of bicycles and the parking and operation of bicycles on pedestrian or bicycle facilities, provided such regulation is not in conflict with the provisions of this code.

Local Establishment of Bicycle Lanes

21207. (a) This chapter does not prohibit local authorities from establishing, by ordinance or resolution, bicycle lanes separated from any vehicular lanes upon highways, other than state highways as defined in Section 24 of the Streets and Highways Code and county highways established pursuant to Article 5 (commencing with Section 1720) of Chapter 9 of Division 2 of the Streets and Highways Code.

(b) Bicycle lanes established pursuant to this section shall be constructed in compliance with Section 891 of the Streets and Highways Code.

Motorized Bicycles on Bikeways (See Also 9955, 21225, 21229, 21230, 21716, 21720 & 21968 Below)

21207.5. Notwithstanding Sections 21207 and 23127 of this code, or any other provision of law, no motorized bicycle may be operated on a bicycle path or trail, bikeway, bicycle lane established pursuant to Section 21207, equestrian trail, or hiking or recreational trail, unless it is within or adjacent to a roadway or unless the local authority or the governing body of a public agency having jurisdiction over such path or trail permits, by ordinance, such operation.

Riding Within A Bike Lane (Also See Sections 21202, 21716, 21754)

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.

Leaving A Bike Lane

21208 (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.

Vehicles Prohibited in Bicycle Lanes

21209. (a) No person shall drive a motor vehicle in a bicycle lane established on a roadway pursuant to Section 21207 except as follows:

- (1) To park where parking is permitted.
- (2) To enter or leave the roadway.
- (3) To prepare for a turn within a distance of 200 feet from the intersection.

(b) This section does not prohibit the use of a motorized bicycle in a bicycle lane, pursuant to Section 21207.5, at a speed no greater than is reasonable or prudent, having due regard for visibility, traffic conditions, and the condition of the roadway surface of the bicycle lane, and in a manner which does not endanger the safety of bicyclists.

Parking Bicycles On Sidewalks (See Also Section 21206 Above)

21210. No person shall leave a bicycle lying on its side on any sidewalk, or shall park a bicycle on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic. Local authorities may, by ordinance or resolution, prohibit bicycle parking in designated areas of the public highway, provided that appropriate signs are erected.

Obstructing Bikeways (Also See Section 21970 Below)

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

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

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

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

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

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

Helmet Requirements (and Fines, Parental Responsibilities & Safety Education Programs)

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.

(b) Any helmet sold or offered for sale for use by operators and passengers of bicycles, nonmotorized scooters, skateboards, or in-line or roller skates shall be conspicuously labeled in accordance with the standard described in subdivision (a) which shall constitute the manufacturer's certification that the helmet conforms to the applicable safety standards.

(c) No person shall sell, or offer for sale, for use by an operator or passenger of a bicycle, nonmotorized scooter, skateboard, or in-line or roller skates any safety helmet which is not of a type meeting requirements established by this section.

(d) Any charge under this subdivision shall be dismissed when the person charged alleges in court, under oath, that the charge against the person is the first charge against that person under this subdivision, unless it is otherwise established in court that the charge is not the first charge against the person.

(e) Except as provided in subdivision (d), a violation of this section is an infraction punishable by a fine of not more than twenty-five dollars (\$25). The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this section shall be jointly and severally liable with the minor for the amount of the fine imposed pursuant to this subdivision.

(f) Notwithstanding Section 1463 of the Penal Code or any other provision of law, the fines collected for a violation of this section shall be allocated as follows:

(1) Seventy-two and one-half percent of the amount collected shall be deposited in a special account of the county health department, to be used for bicycle, nonmotorized scooter, skateboard, and in-line and roller skate safety education and for assisting low-income families in obtaining approved bicycle helmets for children under the age of 18 years, either on a loan or purchase basis. The county may contract for the implementation of this program, which, to the extent practicable, shall be operated in conjunction with the child passenger restraint program pursuant to Section 27360.

(2) Two and one-half percent of the amount collected shall be deposited in the county treasury to be used by the county to administer the program described in paragraph (1).

(3) If the violation occurred within a city, 25 percent of the amount collected shall be transferred to and deposited in the treasury of that city. If the violation occurred in an unincorporated area, this 25 percent shall be deposited and used pursuant to paragraph (1).

Motorized Scooters - Operating & Parking on Bicycle & Pedestrian Facilities (See Also 21229 & 21230)
21225. This article does not prevent a local authority, by ordinance, from regulating the registration of motorized scooters and the parking and operation of motorized scooters on pedestrian or bicycle facilities and local streets and highways, if that regulation is not in conflict with this code.

Operation of Motorized Scooters: Operating in Bicycle Lanes (See Also CVC 21230)

21229. (a) Whenever a Class II bicycle lane has been established on a roadway, any person operating a motorized scooter upon the roadway 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 vehicle or pedestrian within the lane or when about to enter the lane if the overtaking and passing cannot be done safely within the lane.

(2) When preparing for a left turn, the operator shall stop and dismount as close as practicable to the right-hand curb or right edge of the roadway and complete the turn by crossing the roadway on foot, subject to the restrictions placed on pedestrians in Chapter 5 (commencing with Section 21950).

(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 motorized scooter 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

Operation of Motorized Scooters: Local Regulation of Paths, Trails, or Bikeways (See 21225 & 21229)
21230. Notwithstanding any other provision of law, a motorized scooter may be operated on a bicycle path or trail or bikeway, unless the local authority or the governing body of a local agency having jurisdiction over that path, trail, or bikeway prohibits that operation by ordinance.

Low Speed Vehicle Operation (AKA: NEVs) Defined

21250. For the purposes of this article, a low-speed vehicle means a vehicle as defined in Section 385.5. A "low-speed vehicle" is also known as a "neighborhood electric vehicle."

NEVs Treated As Motor Vehicles

21251. Except as provided in Chapter 7 (commencing with Section 1963) and Chapter 8 (commencing with Section 1965) of Division 2 of the Streets and Highways Code, and Sections 4023, 21115, and 21115.1, a low-speed vehicle is subject to all the provisions applicable to a motor vehicle, and the driver of a low-speed vehicle is subject to all the provisions applicable to the driver of a motor vehicle or other vehicle, when applicable, by this code or any other code, with the exception of those provisions which, by their very nature, can have no application.

Neighborhood Electric Vehicles – Operation Of, On Streets & Highways (See CVC 385.5 & 21115.1)

21260. (a) Except as provided in paragraph (1) of subdivision (b), or in an area where a neighborhood electric vehicle transportation plan has been adopted pursuant to Chapter 7 (commencing with Section 1963) or Chapter 8 (commencing with Section 1965) of Division 2.5 of the Streets and Highways Code, the operator of a low-speed vehicle shall not operate the vehicle on any roadway with a speed limit in excess of 35 miles per hour.

(b)(1) The operator of a low-speed vehicle may cross a roadway with a speed limit in excess of 35 miles per hour if the crossing begins and ends on a roadway with a speed limit of 35 miles per hour or less and occurs at an intersection of approximately 90 degrees.

(2) Notwithstanding paragraph (1), the operator of a low-speed vehicle shall not traverse an uncontrolled intersection with any state highway unless that intersection has been approved and authorized by the agency having primary traffic enforcement responsibilities for that crossing by a low-speed vehicle [See Section 21115.1]

Restrictions For Low-Speed Vehicles (i.e. NEVs)

21266. (a) Notwithstanding Section 21260, local authorities, by ordinance or resolution, may restrict or prohibit the use of low-speed vehicles.

(b) Notwithstanding Section 21260, a local law enforcement agency with primary traffic enforcement responsibilities or the Department of the California Highway Patrol may prohibit the operation of a low-speed vehicle on any roadway under that agency's or department's jurisdiction when the agency or the department deems the prohibition to be in the best interest of public safety. Any such prohibition shall become effective when appropriate signs giving notice thereof are erected upon the roadway.

Operation of Electric Personal Assist Mobility Devices [aka: EPAMDs/Segways] (See also CVC 313)

21281.5. (a) A person shall not operate an Electric Personal Assist Mobility Device (EPAMD) on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway at a speed greater than is reasonable and prudent having due regard for weather, visibility, pedestrians, and other conveyance traffic on, and the surface, width, and condition of, the sidewalk, bike path, pathway, trail, bike lane, street, road, or highway.

(b) A person shall not operate an EPAMD at a speed that endangers the safety of persons or property.

(c) A person shall not operate an EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway with willful or wanton disregard for the safety of persons or property.

(d) A person operating an EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway shall yield the right-of-way to all pedestrians on foot, including persons with disabilities using assistive devices and service animals that are close enough to constitute a hazard.

Segways May Be Subject To Local Regulations

21282. Notwithstanding Section 21966, for the purpose of assuring the safety of pedestrians, including seniors, persons with disabilities, and others using sidewalks, bike paths, pathways, trails, bike lanes, streets, roads, and highways, a city, county, or city and county may, by ordinance, regulate the time, place, and manner of the operation of [EPAMDs] as defined in Section 313, and their use as a pedestrian pursuant to paragraph (2) of subdivision (a) of Section 467, including limiting, prohibiting entirely in the local jurisdiction, or prohibiting

use in specified areas as determined to be appropriate by local entities. State agencies may limit or prohibit the time, place, and manner of use on state property.

Placement of Mirrors and Visual Aids on Exits to Alleys

21356.5. Local authorities may place signs, mirrors, or other visual or audible devices at exits from alleys that are under their jurisdiction to warn drivers to watch for pedestrians and bicyclists on the sidewalk prior to exiting the alley.

Official Traffic Control Devices (Note: MUTCD Implied)

21400. The Department of Transportation shall, after consultation with local agencies and public hearings, adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices placed pursuant to this code, including, but not limited to, stop signs, yield right-of-way signs, speed restriction signs, railroad warning approach signs, street name signs, lines and markings on the roadway, and stock crossing signs placed pursuant to Section 21364 {see below}.

The Department of Transportation shall, after notice and public hearing, determine and publicize the specifications for uniform types of warning signs, lights, and devices to be placed upon a highway by any person engaged in performing work which interferes with or endangers the safe movement of traffic upon that highway.

Only those signs, lights, and devices as are provided for in this section shall be placed upon a highway to warn traffic of work which is being performed on the highway.

Any control devices or markings installed upon traffic barriers on or after January 1, 1984, shall conform to the uniform standards and specifications required by this section.

21401. (a) Except as provided in Section 21374 {see below}, only those official traffic control devices that conform to the uniform standards and specifications promulgated by the Department of Transportation shall be placed upon a street or highway.

(b) Any traffic signal controller that is newly installed or upgraded by the Department of Transportation shall be of a standard traffic signal communication protocol capable of two-way communications. A local authority may follow this requirement.

(c) In recognition of the state and local interests served by the action made optional for a local authority in subdivision (b), the Legislature encourages local agencies to continue taking the action formerly mandated by this section. However nothing in this subdivision may be construed to impose any liability on a local agency that does not continue to take the formerly mandated action.

Bicycle Signals

21450. Whenever traffic is controlled by official traffic control signals showing different colored lights, color-lighted arrows, or color-lighted bicycle symbols, successively, one at a time, or in combination, only the colors green, yellow, and red shall be used, except for pedestrian control signals, and those lights shall indicate and apply to drivers of vehicles, operators of bicycles, and pedestrians as provided in this chapter.

Traffic-Actuated Signals: Detection of Motorcycles and Bicycles (See also CVC Section 21800)

21450.5 (a) A traffic-actuated signal is an official traffic control signal, as specified in Section 445, that displays one or more of its indications in response to the presence of traffic detected by mechanical, visual, electrical, or other means.

(b) Upon the first placement of a traffic-actuated signal or replacement of the loop detector of a traffic-actuated signal, the traffic-actuated signal shall, to the extent feasible and in conformance with professional traffic engineering practice, be installed and maintained so as to detect lawful bicycle or motorcycle traffic on the roadway.

(c) Cities, counties, and cities and counties shall not be required to comply with the provisions contained in subdivision (b) until the Department of Transportation, in consultation with these entities, has established uniform standards, specifications, and guidelines for the detection of bicycles and motorcycles by traffic-actuated signals and related signal timing.

(d) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

Drivers (Including Bicyclists) Are To Stop At All Steady Circular Red Signals

21453. (a) A driver facing a steady circular red signal alone 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.....

Bicycle Signals

21456.2. (a) Unless otherwise directed by a bicycle signal as provided in Section 21456.3, an operator of a bicycle shall obey the provisions of this article applicable to the driver of a vehicle.

(b) Whenever an official traffic control signal exhibiting different colored bicycle symbols is shown concurrently with official traffic control signals exhibiting different colored lights or arrows, an operator of a bicycle facing those traffic control signals shall obey the bicycle signals as provided in Section 21456.3.

Bicycle Signals

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.

Driving on the Right Side of Highway & Left Turn Exemption (See Also CVC 231.6)

21650. Upon all highways, a vehicle shall be driven upon the right half of the roadway, except as follows:

(a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing that movement.

(b) When placing a vehicle in a lawful position for, and when the vehicle is lawfully making, a left turn.

(c) When the right half of a roadway is closed to traffic under construction or repair.

(d) Upon a roadway restricted to one-way traffic.

(e) When the roadway is not of sufficient width.

(f) When the vehicle is necessarily traveling so slowly as to impede the normal movement of traffic, that portion of the highway adjacent to the right edge of the roadway may be utilized temporarily when in a condition permitting safe operation.

(g) This section does not prohibit the operation of bicycles on any shoulder of a highway, on any sidewalk, on any bicycle path within a highway, or along any crosswalk or bicycle path crossing, where the operation is not otherwise prohibited by this code or local ordinance.

Bicyclist Responsibility To Travel In The Same Direction as Traffic on Highway or Shoulder

21650.1. A bicycle operated on a roadway, or the shoulder of a highway, shall be operated in the same direction as vehicles are required to be driven upon the roadway.

Slow Moving Vehicles Must Use Right Lane (Also See Section 21202 Above & 21656 & 22400 Below)

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.

(b) If a vehicle is being driven at a speed less than the normal speed of traffic moving in the same direction at such time, and is not being driven in the right-hand lane for traffic or as close as practicable to the right-hand edge or curb, it shall constitute prima facie evidence that the driver is operating the vehicle in violation of subdivision (a) of this section.

(c) The Department of Transportation, with respect to state highways, and local authorities, with respect to highways under their jurisdiction, may place and maintain upon highways official signs directing slow-moving traffic to use the right-hand traffic lane except when overtaking and passing another vehicle or preparing for a left turn.

Slow Moving Vehicles Use Turn-Outs If Blocking 5 Or More Vehicles (See Also 21202, 21654 & 22400)

21656. On a two-lane highway where passing is unsafe because of traffic in the opposite direction or other conditions, a slow-moving vehicle, including a passenger vehicle, behind which five or more vehicles are formed in line, shall turn off the roadway at the nearest place designated as a turnout by signs erected by the authority having jurisdiction over the highway, or wherever sufficient area for a safe turnout exists, in order to permit the vehicles following it to proceed. As used in this section a slow-moving vehicle is one which is proceeding at a rate of speed less than the normal flow of traffic at the particular time and place.

Towing A Bicyclist (See Also Section 21203 Above)

21712. (e) No person shall knowingly drive a motor vehicle which is towing any person riding upon any motorcycle, motorized bicycle, bicycle, coaster, roller skates, sled, skis, or toy vehicle.

Golf Carts On Roadways (See Also 21115, 21115.1 & 21260 Above)

21716. Except as provided in Section 21115.1 and Chapter 6 (commencing with Section 1950) of Division 2.5 of the Streets and Highways Code, no person shall operate a golf cart on any highway except in a speed zone of 25 miles per hour or less. (Editor's Note - Section 21202, 21229, 21656 and 21654 apply here wherein golf carts could conflict with bicyclists/pedestrians/motor scooters in the slow travel lane, in a designated bicycle lane or shoulder areas.)

Right Turns When Crossing A Bike Lane (See Also 22107)

21717. Whenever it is necessary for the driver of a motor vehicle to cross a bicycle lane that is adjacent to 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.

Pocket Bike: Prohibited Use (See Also 473, 9955, 21207.5, 21225, 21229 & 21968)

21720. A pocket bike shall not be operated on a sidewalk, roadway, or any other part of a highway, or on a bikeway, bicycle path or trail, equestrian trail, hiking or recreational trail, or on public lands open to off-highway motor vehicle use.

Passing Another Vehicle Or Bicycle

21750. The driver of a vehicle overtaking another vehicle or a bicycle proceeding in the same direction shall pass to the left at a safe distance without interfering with the safe operation of the overtaken vehicle or bicycle, subject to the limitations and exceptions hereinafter stated (Note Sections 21751 – 21759 deleted – not relevant to bicycles).

Passing on Right & Slow Vehicles Use Right Lane (See Also Sect. 21202, 21208, 21716 Above)

21754. The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:

- (a) When the vehicle overtaken is making or about to make a left turn.
- (b) Upon a highway within a business or residence district with unobstructed pavement of sufficient width for two or more lines of moving vehicles in the direction of travel.
- (c) Upon any highway outside of a business or residence district with unobstructed pavement of sufficient width and clearly marked for two or more lines of moving traffic in the direction of travel.
- (d) Upon a one-way street.
- (e) Upon a highway divided into two roadways where traffic is restricted to one direction upon each of such roadways.

The provisions of this section shall not relieve the driver of a slow moving vehicle from the duty to drive as closely as practicable to the right hand edge of the roadway.

Inoperative Traffic Control Devices (May Apply to Signals That Won't Detect Bicycles)(See 41450.5)

21800 (d) (1) The driver of any vehicle approaching an intersection which has official traffic control signals that are inoperative shall stop at the intersection, and may proceed with caution when it is safe to do so. This subparagraph shall apply to traffic control signals that become inoperative because of battery failure.

Drivers (Including Bicyclists) Are To Yield To Approaching Vehicles If Turning Left

21801 (a) The driver of a vehicle intending to turn to the left or to complete a U-turn upon a highway, or to turn left into public or private property, or an alley, shall yield the right-of-way to all vehicles approaching from the opposite direction which are close enough to constitute a hazard at any time during the turning movement, and shall continue to yield the right-of-way to the approaching vehicles until the left turn or U-turn can be made with reasonable safety.

Drivers (Including Bicyclists) Are To Stop At All Stop Signs (See Also Section 22450)

21802. (a) The driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection shall stop as required by Section 22450. The driver shall then yield the right-of-way to any vehicles which have approached from another highway, or which are approaching so closely as to constitute an immediate hazard, and shall continue to yield the right-of-way to those vehicles until he or she can proceed with reasonable safety.

- (c) This section does not apply where stop signs are erected upon all approaches to an intersection.

Drivers (Including Bicyclists) Are To Obey All Yield Right-of-Way Signs

21803. (a) The driver of any vehicle approaching any intersection which is controlled by a yield right-of-way sign shall, upon arriving at the sign, yield the right-of-way to any vehicles which have entered the intersection, or which are approaching on the intersecting highway close enough to constitute an immediate hazard, and shall continue to yield the right-of-way to those vehicles until he or she can proceed with reasonable safety.

Vehicles/Drivers Yield to Pedestrians (See Section 305 Above)

21950. (a) The driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this chapter.

(c) The driver of a vehicle approaching a pedestrian within any marked or unmarked crosswalk shall exercise all due care and shall reduce the speed of the vehicle or take any other action relating to the operation of the vehicle as necessary to safeguard the safety of the pedestrian.

(d) Subdivision (b) does not relieve a driver of a vehicle from the duty of exercising due care for the safety of any pedestrian within any marked crosswalk or within any unmarked crosswalk at an intersection.

Bikes & Pedestrians on Freeways & Expressways

21960. (a) The Department of Transportation and local authorities, by order, ordinance, or resolution, with respect to freeways, expressways, or designated portions thereof under their respective jurisdictions, to which vehicle access is completely or partially controlled, may prohibit or restrict the use of the freeways, expressways, or any portion thereof by pedestrians, bicycles or other non-motorized traffic or by any person operating a motor-driven cycle, motorized bicycle, or motorized scooter. A 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. Notwithstanding any provisions of any order, ordinance, or resolution to the contrary, the driver or passengers of a disabled vehicle stopped on a freeway or expressway may walk to the nearest exit, in either direction, on that side of the freeway or expressway upon which the vehicle is disabled, from which telephone or motor vehicle repair services are available.

(b) The prohibitory regulation authorized by subdivision (a) shall be effective when appropriate signs giving notice thereof are erected upon any freeway or expressway and the approaches thereto. If any portion of a county freeway or expressway is contained within the limits of a city within the county, the county may erect signs on that portion as required under this subdivision if the ordinance has been approved by the city pursuant to subdivision (b) of Section 1730 of the Streets and Highways Code.

(c) No ordinance or resolution of local authorities shall apply to any state highway until the proposed ordinance or resolution has been presented to, and approved in writing by, the Department of Transportation.

(d) An ordinance or resolution adopted under this section on or after January 1, 2005, to prohibit pedestrian access to a county freeway or expressway shall not be effective unless it is supported by a finding by the local authority that the freeway or expressway does not have pedestrian facilities and pedestrian use would pose a safety risk to the pedestrian.

Pedestrians On Bike Paths & Lanes

21966. No pedestrian shall proceed along a bicycle path or lane where there is an adjacent adequate pedestrian facility.

Motorized Skateboards on Bike Paths & Trails (See Also 9955, 21207.5, 21225, 21229, 21720 & 21730)

21968. No motorized skateboard may be propelled on any sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, or hiking or recreational trail.

Vehicles Blocking Crosswalks or Sidewalks (See Also CVC Section 21211 Above)

21970. (a) No person may stop a vehicle unnecessarily in a manner that causes the vehicle to block a marked or unmarked crosswalk or sidewalk.

Stopped Vehicles Reentering Roadway (See also CVC Section 22517)

22106. No person shall start a vehicle stopped, standing, or parked on a highway, nor shall any person back a vehicle on a highway until such movement can be made with reasonable safety.

Turns & Changing Lanes [Right Hook] (See Also CVC Section 21717)

22107. No person shall turn a vehicle from a direct course or move right or left upon a roadway until such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided in this chapter in the event any other vehicle may be affected by the movement.

Signaling Distance

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.

Signal Lamps

22110. (a) The signals required by this chapter shall be given by signal lamp, unless a vehicle is not required to be and is not equipped with turn signals. Drivers of vehicles not required to be and not equipped with turn signals shall give a hand and arm signal when required by this chapter.

Hand and Arm Signals

22111. All required signals given by hand and arm shall be given from the left side of a vehicle in the following manner:

- (a) Left turn--hand and arm extended horizontally beyond the side of the vehicle.

(b) Right turn--hand and arm extended upward beyond the side of the vehicle, except that a bicyclist may extend the right hand and arm horizontally to the right side of the bicycle.

(c) Stop or sudden decrease of speed signal--hand and arm extended downward beyond the side of the vehicle.

Slow Vehicles in/on Roadways (See Also CVC Sections 21202, 21654 & 21656)

22400. (a) No person shall drive upon a highway at such a slow speed as to impede or block the normal and reasonable movement of traffic unless the reduced speed is necessary for safe operation, because of a grade, or in compliance with law.

No person shall bring a vehicle to a complete stop upon a highway so as to impede or block the normal and reasonable movement of traffic unless the stop is necessary for safe operation or in compliance with law.

(b) Whenever the Department of Transportation determines on the basis of an engineering and traffic survey that slow speeds on any part of a state highway consistently impede the normal and reasonable movement of traffic, the department may determine and declare a minimum speed limit below which no person shall drive a vehicle, except when necessary for safe operation or in compliance with law, when appropriate signs giving notice thereof are erected along the part of the highway for which a minimum speed limit is established.

Subdivision (b) of this section shall apply only to vehicles subject to registration (note – not to bicycles).

Drivers (Including Bicyclists) Are To Stop At All Stop Signs (See Also Section 21802)

22450. (a) The driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection shall stop at a limit line, if marked, otherwise before entering the crosswalk on the near side of the intersection.

Utility Vehicles Parked or Blocking in Bicycle Facilities

22512 Except as otherwise indicated in subdivision (b), none of the following provisions shall apply to the driver or owner of any service vehicle owned or operated by or for or operated under contract with a utility or public utility, used in the construction, operation, removal, or repair of utility or public utility property or facilities, if warning devices are displayed and when the vehicle is stopped, standing, or parked at the site of workupon, in, over, under, or adjacent to a highway, bicycle lane, bikeway, or bicycle path or trail,(a) Sections 21112, 21211, 21707, 21708, 22507.6, 24605, 25253, 25300, 27700, and 27907. (b) This chapter, except Sections 22507, 22509, 22515, and 22517. (c) Chapter 10 (commencing with Section 22650).

Opening Car Doors (Dooring) – (See also CVC 22106)

22517. No person shall open the door of a vehicle on the side available to moving traffic unless it is reasonably safe to do so and can be done without interfering with the movement of such traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

Remote Parking Lots (Park & Ride Lots)

22518. Fringe and transportation corridor parking facilities constructed, maintained, or operated by the Department of Transportation pursuant to Section 146.5 of the Streets and Highways Code shall be used only by persons using a bicycle or public transit, or engaged in ridesharing, including, but not limited to, carpools or vanpools. No person shall park any vehicle 30 feet or more in length or engage in loitering or camping, or vending or any other commercial activity, on any fringe or transportation corridor parking facility.

Throwing Objects at Vehicles (at a Bicyclist ?????) (Also See Penal Code 240 & 245 Below)

23110. (a) Any person who throws any substance at a vehicle (bicycle????) or any occupant thereof on a highway is guilty of a **misdemeanor**.

(b) Any person who, **with intent** to do great bodily injury, maliciously and willfully throws or projects any rock, brick, bottle, metal or other missile, or projects any other substance capable of doing serious bodily harm at such vehicle or occupant thereof is guilty of a felony and upon conviction shall be punished by imprisonment in the state prison.

Flammable Substance Disposal

23111. No person in any vehicle and no pedestrian shall throw or discharge from or upon any road or highway or adjoining area, public or private, any lighted or non-lighted cigarette, cigar, match, or any flaming or glowing substance.

Throwing/Disposal of Trash In A Roadway / Dumping Items Within A Highway Right-of-Way (Penal Code Section 245 Listed Below May Also Apply)

23112. (a) No person shall throw or deposit, nor shall the registered owner or the driver, if such owner is not then present in the vehicle, aid or abet in the throwing or depositing upon any highway any bottle, can, garbage, glass, nail, offal, paper, wire, any substance likely to injure or damage traffic using the highway, or any noisome, nauseous, or offensive matter of any kind.

(b) No person shall place, deposit, or dump, or cause to be placed, deposited, or dumped, any rocks, refuse, garbage, or dirt in or upon any highway, including any portion of the right-of-way thereof, without the consent of the state or local agency having jurisdiction over the highway.

Trails and Paths - Motor Vehicle Use on Trails and Bike Paths

23127. No person shall operate an unauthorized motor vehicle on any state, county, city, private, or district hiking or horseback riding trail or bicycle path that is clearly marked by an authorized agent or owner with signs at all entrances and exits and at intervals of not more than one mile indicating no unauthorized motor vehicles are permitted on the hiking or horseback riding trail, or bicycle path, except bicycle paths which are contiguous or adjacent to a roadway dedicated solely to motor vehicle use. For the purpose of this section "unauthorized motor vehicle" means any motor vehicle that is driven upon a hiking or horseback riding trail without the written permission of an agent or the owner of the trail or path. This section does not apply to the operation of an authorized emergency or maintenance vehicle on a hiking or horseback riding trail or bicycle path whenever necessary in furtherance of the purpose for which the vehicle has been classed as an authorized emergency vehicle. Any person who violates this section is guilty of a misdemeanor.

Vehicles On Toll Bridges & Toll Roads (Collectively Sections 23300 - 23330)

Definition of a Vehicular Crossing

23254. A "vehicular crossing" is any toll bridge or toll highway crossing and the approaches thereto, constructed or acquired by the Department of Transportation under the provisions of the California Toll Bridge Authority Act.

Bicycles Not Permitted on Vehicle Crossings (Toll Bridges & Toll Highway Crossings)

23330. Except where a special permit has been obtained from the Department of Transportation under the provisions of Article 6 (commencing with Section 35780) of Chapter 5 of Division 15, none of the following shall be permitted on any vehicular crossing: [Note: Other sub-sections omitted for brevity.]

(b) Bicycles, motorized bicycles, or motorized scooters, unless the department by signs indicates that bicycles, motorized bicycles, or motorized scooters, or any combination thereof, are permitted upon all or any portion of the vehicular crossing by the Department of Transportation

Editor's Note - IF bicycles ARE permitted on Vehicular Crossings (Toll Bridges) then the following sections may also apply:

Vehicular Crossing - Toll Fee Liability

23301. Every vehicle which enters into or upon any vehicular crossing immediately becomes liable for such tolls and other charges as may from time to time be prescribed by the California Transportation Commission.

Refuse to Pay Tolls

23302. (a) It is unlawful for any person to refuse to pay tolls or other charges on any vehicular crossing or toll highway.

Vehicular Crossing - Evading Tolls

23302.5. (a) No person shall evade or attempt to evade the payment of tolls or other charges on any vehicular crossing or toll highway.

Motorized Bicycle Criteria (See Also Section 406 Above)

24016. (a) A motorized bicycle described in subdivision (b) of Section 406 shall meet the following criteria:

(1) Comply with the equipment and manufacturing requirements for bicycles adopted by the Consumer Product Safety Commission (16 C.F.R. 1512.1, et seq.) or the requirements adopted by the National Highway Traffic Safety Administration (49 C.F.R. 571.1, et seq.) in accordance with the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. Sec. 1381, et seq.) for motor driven cycles.

(2) Operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied, or operate in a manner such that the motor is engaged through a switch or mechanism that, when released, will cause the electric motor to disengage or cease to function.

(b) All of the following apply to a motorized bicycle described in subdivision (b) of Section 406:

(1) No person shall operate a motorized bicycle unless the person is wearing a properly fitted and fastened bicycle helmet that meets the standards described in Section 21212.

(2) A person operating a motorized bicycle is subject to Sections 21200 and 21200.5.

(3) A person operating a motorized bicycle is not subject to the provisions of this code relating to financial responsibility, driver's licenses, registration, and license plate requirements, and a motorized bicycle is not a motor vehicle.

(4) A motorized bicycle shall only be operated by a person 16 years of age or older.

(5) Every manufacturer of a motorized bicycle shall certify that it complies with the equipment and manufacturing requirements for bicycles adopted by the Consumer Product Safety Commission (16 C.F.R. 1512.1, et seq.).

(c) No person shall tamper with or modify a motorized bicycle described in subdivision (b) of Section 406 so as to increase the speed capability of the bicycle.

Bicyclists - Earphones & Headsets

27400. A person operating a motor vehicle or bicycle may not wear a headset covering, or earplugs in, both ears. This prohibition does not apply to any of the following:

[Note: Sub-sections (a) through (d) omitted for brevity.]

(e) A person using a prosthetic device that aids the hard of hearing.

Helmet Specifications for Motorized Bicycles

27802. (a) The department may adopt reasonable regulations establishing specifications and standards for safety helmets offered for sale, or sold, for use by drivers and passengers of motorcycles and motorized bicycles as it determines are necessary for the safety of those drivers and passengers. The regulations shall include, but are not limited to, the requirements imposed by Federal Motor Vehicle Safety Standard No. 218 (49 C.F.R. Sec. 571.218) and may include compliance with that federal standard by incorporation of its requirements by reference. Each helmet sold or offered for sale for use by drivers and passengers of motorcycles and motorized bicycles shall be conspicuously labeled in accordance with the federal standard which shall constitute the manufacturer's certification that the helmet conforms to the applicable federal motor vehicle safety standards.

(b) No person shall sell, or offer for sale, for use by a driver or passenger of a motorcycle or motorized bicycle any safety helmet which is not of a type meeting requirements established by the department.

Helmet Requirements for Motorized Bicycles

27803. (a) A driver and any passenger shall wear a safety helmet meeting requirements established pursuant to Section 27802 when riding on a motorcycle, motor-driven cycle, or motorized bicycle.

(b) It is unlawful to operate a motorcycle, motor-driven cycle, or motorized bicycle if the driver or any passenger is not wearing a safety helmet as required by subdivision (a).

(c) It is unlawful to ride as a passenger on a motorcycle, motor-driven cycles, or motorized bicycle if the driver or any passenger is not wearing a safety helmet as required by subdivision(a).

(d) This section applies to persons who are riding on motorcycles, motor-driven cycles, or motorized bicycles operated on the highways.

Buses & Trolleys - Bicycle Rack Equipped - Length of Buses or Trolleys

35400. (a) A vehicle may not exceed a length of 40 feet.

(b) This section does not apply to any of the following:

(3)(A) An articulating bus or articulated trolley coach that does not exceed a length of 60 feet.

(B) An articulated bus or articulated trolley coach described in subparagraph (A) may be equipped with a folding device attached to the front of the bus or trolley if the device is designed and used exclusively for transporting bicycles. The device, including any bicycles transported thereon, shall be mounted in a manner that does not materially affect efficiency or visibility of vehicle safety equipment, and shall not extend more than 36 inches from the front body of the bus or trolley coach when fully deployed. The handlebars of a bicycle that is transported on a device described in this subparagraph shall not extend more than 42 inches from the front of the bus.

(8) A bus, when the excess length is caused by a device attached to the rear of the bus designed and used exclusively for the transporting of bicycles. This device may be up to 10 feet in length, if the device, along with any other device permitted pursuant to this section, does not cause the total length of the bus, including any device or load, to exceed 50 feet.

(9) A bus operated by a public agency or a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, used in transit system service, other than a school bus, when the excess length is caused by a folding device attached to the front of the bus which is designed and used exclusively for transporting bicycles. The device, including any bicycles transported thereon, shall be mounted in a manner that does not materially affect efficiency or visibility of vehicle safety equipment, and shall not extend more than 36 inches from the front body of the bus when fully deployed. The handlebars of a bicycle that is transported on a device described in this paragraph shall not extend more than 42 inches from the front of the bus. A device described in this paragraph may not be used on a bus that, exclusive of the device, exceeds 40 feet in length or on a bus having a device attached to the rear of the bus pursuant to paragraph (8).

(10) (A) A bus of a length of up to 45 feet when operating on those highways specified in subdivision (a) of Section 35401.5. (Editor's Note - Interstate Highways and Federal Aid Primary System Highways)

(B) A bus operated by a public agency and on those highways specified in subparagraph (A) may be equipped with a folding device attached to the front of the bus that is designed and used exclusively for transporting bicycles. The device, including all bicycles transported thereon, may be mounted in a manner that does not materially affect efficiency or visibility of vehicle safety equipment, and may not extend more than 36 inches from the front body of the bus when fully deployed. The handlebars of a bicycle that is transported on a device described in this subparagraph may not extend more than 42 inches from the front of the bus. The total length of the bus, including the folding device or load, may not exceed 48.5 feet. A Route Review Committee, established under this subparagraph, shall review the routes where a public agency proposes to operate a 45-foot bus equipped with a front mounted bicycle rack. The purpose of the Route Review Committee is to ensure the safe operation of a 45-foot bus that is equipped with a front mounted bicycle rack. The Route Review Committee, by a unanimous vote, shall make a determination of which routes are suitable for the safe operation of a 45-foot bus that is equipped with a front mounted bicycle rack.....

Buses & Trolleys - Bicycle Rack (Bicyclist's Responsibility to Properly Mount Bicycle in Rack)

35400 11(e)(1) A person may not improperly or unsafely mount a bicycle on a device described in subparagraph (B) of paragraph (3) of subdivision (b), or in paragraph (9) or (10) of subdivision (b).

(2) Notwithstanding subdivision (a) of Section 23114 or subdivision (a) of Section 24002 or any other provision of law, when a bicycle is improperly or unsafely loaded by a passenger onto a transit bus, the passenger (editor's note - i.e. the bicyclists), and not the driver, is liable for any violation of this code that is attributable to the improper or unlawful loading of the bicycle.

Bus Length (For Alameda-Contra Costa Transit District ONLY)

35400.7. (a) Notwithstanding Section 35400, the Alameda-Contra Costa Transit District created pursuant to Part 1 (commencing with Section 24501) of Division 10 of the Public Utilities Code may install a folding

device attached to the front of a bus that is designed and used exclusively for transporting bicycles if the following conditions are met:

(1) The device does not extend more than 40 inches from the front body of the bus when fully deployed.

(2) The device, including all bicycles transported thereon, is mounted in a manner that does not materially affect efficiency or visibility of vehicle safety equipment.

(3) The handlebars of a bicycle that is transported on a device described in this subdivision does not extend more than 46 inches from the front of the bus.

(b) (1) The Alameda-Contra Costa Transit District shall establish a route review committee prior to the installation of the initial folding device, pursuant to subdivision (a), on a bus that is 45 feet in length. The purpose of the committee is to ensure the safe operation of a 45-foot bus that is equipped with a front-mounted bicycle rack.

(2) The committee established pursuant to this subdivision shall perform an initial review of the routes on which the district proposes to operate a 45-foot bus equipped with a front-mounted bicycle rack. The review shall include a field review of the proposed routes. It is the intent of the Legislature that the field review required under this paragraph include consultation with traffic engineers from affected public agencies that have jurisdiction over segments of the route or routes under review, to ensure coordination with all affected state and local public road agencies that may potentially be impacted due to the operation of a 45-foot bus with a front-mounted bicycle rack.

(3) By unanimous vote of all voting members, the committee shall make a determination of the routes that are suitable for the safe operation of a 45-foot bus that is equipped with a front-mounted bicycle rack.

(4) Upon any proposal to make substantive changes or additions to approved routes, those changes shall be subject to review and certification pursuant to paragraph (2) prior to being approved by the committee.

(5) The members of the committee shall be selected not more than 30 days after receipt of the district proposal to equip a 45-foot bus with a front-mounted bicycle rack and shall be comprised of the following members:

(D) One member appointed by the governing board who shall be a representative of the bicycling community and who shall reside in the district. This member shall be a nonvoting member of the committee.

Implements of Husbandry: Farm Tractor Used for Towing on Highways (Can Probably Legally Use A Bike Lane and Shoulder For Travel?)

36015. "Implement of husbandry" includes any farm tractor, otherwise an implement of husbandry used upon a highway to draw a farm trailer carrying farm produce, or to draw any trailer or semitrailer carrying other implements of husbandry, between farms, or from a farm to a processing or handling point and returning with or without the trailer.

Bicycle Registration and Licenses (Collectively Sections 39000 - 39011)

Bicycle Defined for Licensing Purposes (Also See Section 231 Above)

39000. "Bicycle", for the purposes of this division, means any device upon which a person may ride, which is propelled by human power through a system of belts, chains, or gears having either two or three wheels (one of which is at least 20 inches in diameter) or having a frame size of at least 14 inches, or having four or more wheels.

Bicycle Registration Forms

39001. (a) The department shall procure and distribute bicycle license indicia and registration forms to all counties and cities which have adopted a bicycle licensing ordinance or resolution. Those counties and cities shall issue the indicia and registration form to the owner of any new bicycle, and may, upon request of the owner, issue an indicia and registration form to the owner of any bicycle which complies with Section 39007.

The department shall charge and collect a fee, not to exceed the cost of procuring and distributing the license indicia and registration form, for each bicycle license indicia and registration form issued. All fees collected pursuant to this section shall be deposited in the Motor Vehicle Account in the State Transportation Fund. Those fees are hereby continuously appropriated from the account for use by the department to defray costs to procure and distribute the bicycle license indicia and registration forms.

(b) The director shall design the bicycle license indicia and registration form described in subdivision (a), and shall establish procedures for the distribution of the indicia and registration form to counties and cities. The indicia shall be adhesive, durable, flexible, and of a size to permit it to be affixed to the front of the seat tube of the bicycle frame. Each indicia shall bear a unique license number and shall be permanently assigned to a bicycle. Each registration form shall comply with Section 39005.

(c) Bicycle licenses shall be renewed uniformly throughout the state on January 1 of the third year following the year of registration. Renewal of a bicycle license shall be indicated by a supplementary adhesive device affixed parallel to, and above or below, the indicia, with the expiration date showing.

Local Licensing Ordinances & Destruction of Licenses

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.

(b) It is unlawful for any person to tamper with, destroy, mutilate, or alter any license indicia or registration form, or to remove, alter, or mutilate the serial number, or the identifying marks of a licensing agency's identifying symbol, on any bicycle frame licensed under this division.

Copy of License to Owner of Bicycle

39003. If a city or county has or adopts a bicycle licensing ordinance or resolution, indicia and a copy of the registration form obtained from the department shall be issued to the owner by the city or county or other licensing agency designated by it.

Local Collection of Licensing Fees

39004. Each licensing agency, by ordinance or resolution, may adopt rules and regulations for the collection of license fees. Revenues from license fees shall be retained by the licensing city or county and shall be used for the support of such bicycle ordinance or resolution, and may be used to reimburse retailers for services rendered. In addition, fees collected shall be used to improve bicycle safety programs and establish bicycle facilities, including bicycle paths and lanes, within the limits of the jurisdiction.

The fees required to be paid pursuant to this division are as follows:

- (a) For each new bicycle license and registration certificate, the sum shall not exceed four dollars (\$4) per year or any portion thereof.
- (b) For each transfer of registration certificate, the sum shall not exceed two dollars (\$2).
- (c) For each replacement of a bicycle license or registration certificate, the sum shall not exceed two dollars (\$2).
- (d) For each bicycle license renewal, the sum shall not exceed two dollars (\$2) per year.

Maintenance of Records by Local Authorities

39005. Cities and counties having a bicycle licensing ordinance or resolution shall maintain records of each bicycle registered. Such records shall include, but not be limited to, the license number, the serial number of the bicycle, the make and type, of the bicycle, and the name and address of the licensee.

Records shall be maintained by the licensing agency during the period of validity of the license or until notification that the bicycle is no longer to be operated.

Bicycle Retailer To Supply Registration Forms to Purchaser

39006. (a) Each bicycle retailer and each bicycle dealer shall supply to each purchaser a pre-registration form provided by the licensing agency and shall include, on the sales check or receipt given to the purchaser, a record of the following information: name of retailer, address of retailer, year and make of the bicycle, serial number of the bicycle if delivered to the purchaser in an assembled state, general description of the bicycle, name of purchaser, and address of purchaser. A copy of the preregistration form shall be filled out and forwarded by the purchaser to the appropriate licensing agency within 10 days from the date of sale.

(b) For the purposes of this division, a bicycle dealer is any person who sells, gives away, buys, or takes in trade for the purpose of resale, more than five bicycles in any one calendar year, whether or not such bicycles are owned by such person. "Bicycle dealer" also includes agents or employees of such person.

Bicycle Serial Numbers On Bike Frame (See Also Penal Code 573(e))

39007. After December 31, 1976, no bicycle retailer shall sell any new bicycle in this state unless such bicycle has legibly and permanently stamped or cast on its frame a serial number, no less than one-eighth inch in size, and unique to the particular bicycle of each manufacturer. The serial number only shall be stamped or cast in the head of the frame, either side of the seat tube, the toeplate, or the bottom sprocket (crank) housing.

Disposal of Bicycle and Transfer of License

39008. (a) Whenever any person sells or otherwise disposes of a bicycle, he shall endorse upon the registration certificate previously issued for such bicycle a written transfer of same, setting forth the name, address, telephone number of the transferee, date of transfer, and signature of the transferrer, and shall deliver the registration certificate, so endorsed, to the licensing agency within 10 days.

(b) Any person who purchases or otherwise acquires possession of a bicycle shall, within 10 days of taking possession, apply for the transfer of license to his own name. Cities and counties may establish rules and regulations to govern and enforce the provisions of this section.

Bicycle Owners Responsibility to Notify Local Agency of Address Change

39009. (a) Whenever the owner of a bicycle licensed pursuant to an ordinance or resolution of a city or county changes his address, he shall within 10 days notify the appropriate licensing agency of the old and new address.

(b) In the event that any bicycle license indicia or registration form issued pursuant to the provisions of this division is lost, stolen, or mutilated, the licensee of such bicycle shall immediately notify the licensing agency, and, within 10 days after such notification, shall apply to the licensing agency for a duplicate license indicia or registration form. Thereupon, the licensing agency shall issue to such licensee a replacement indicia or registration form upon payment to the licensing agency of the appropriate fee.

Fines For Non-Compliance

39011. No fine imposed for any violation of an ordinance or resolution, which is adopted pursuant to this division, shall exceed ten dollars (\$10).

Failure to Present Driver's License or Other Satisfactory Identification To A Law Enforcement Officer Optional Appearance Before a Magistrate

40303. (a) Whenever a person is arrested (Editor's note - technically the issuance of a traffic citation is an arrest) for any of the offenses listed in subdivision (b) and the arresting officer is not {automatically} required to take the person ... before a magistrate, the arrested person shall, in the judgment of the arresting officer, either be given a 10 days' notice to appear, or be taken without unnecessary delay before a magistrate within the county in which the offense charged.... The officer may require that the arrested person, if he or she does not have satisfactory identification, place a right thumb print, or a left thumb print or finger print if the person has a missing or disfigured right thumb, on the 10 days' notice to appear when a 10 days' notice is provided.....

(b) Subdivision (a) applies to the following offenses:

- (16) Section 21200.5, relating to riding a bicycle while under the influence of an alcoholic beverage or a drug.

Notice to Correct Violation - Bicycle Equipment Infraction (See Also 1803(b)(6) above)

40303.5. Whenever any person is arrested(Editor's note - technically a traffic citation is an arrest) for any of the following offenses, the arresting officer shall permit the arrested person to execute a notice containing a promise to correct the violation in accordance with the provisions of Section 40610 unless the arresting officer finds that any of the disqualifying conditions specified in subdivision (b) of Section 40610 exist:

- (c) Section 21201, relating to bicycle equipment.

Schedule of Fines

42001. [Note: Sub-sections (a) through (d) omitted for brevity]

(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.

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California Streets & Highway Code

Drainage Grates

161. On construction projects, the department shall install on the surface of state highways upon which the operation of bicycles is permitted [note – this includes ALL state highways with the exception of some freeways and expressways] only those types of grates which are not hazardous to bicycle riders.

Bicycle Transportation Account – Local Assistance

163. The Legislature, through the enactment of this section, intends to establish a policy for the use of all transportation funds that are available to the state, including the State Highway Account, the Public Transportation Account, and federal funds.....The department and the commission shall prepare fund estimates pursuant to Sections 14524 and 14525 of the Government Code based on the following:

(d) Annual expenditures for local assistance shall be the amount required to fund local assistance programs required by state or federal law or regulations, including, but not limited to, railroad grade crossing maintenance, bicycle transportation account, congestion mitigation and air quality, regional surface transportation programs, local highway bridge replacement and rehabilitation, local seismic retrofit, local hazard elimination and safety, and local emergency relief.

Regional Improvement Plan

164. (a) Funds made available for transportation capital improvement projects under subdivision (e) of Section 163 shall be programmed and expended for the following program categories:

(2) Seventy-five percent for regional improvements.

(e) Funds made available under paragraph (2) of subdivision (a) shall be used for transportation improvement projects that are needed to improve transportation within the region. The projects may include, but shall not be limited to, improving state highways, local roads, public transit, intercity rail, pedestrian, and bicycle facilities, and grade separation, transportation system management, transportation demand management, soundwall projects, intermodal facilities, safety, and providing funds to match federal funds.

300-635 State Highway System

300. The state highway system shall consist of the routes described in this article.

625. (a) Route 880 is from Route 280 in San Jose to Route 80 in Oakland.

(b) (1) The commission may relinquish to the City of Oakland the portion of the former right-of-way of Route 880 that is located between 8th Street and 32nd Street within that city.....

(A) A requirement that, if the commission allocates funds for this purpose, the improvements include bicycle paths and the associated roadway improvements and landscaping, including a bicycle path that closes the gap in the San Francisco Bay Trail Plan.

State to Provide for a Multi-Modal Transportation System

885. The Legislature hereby finds and declares that traffic congestion, air pollution, noise pollution, public health, energy shortages, consumer costs, and land-use considerations resulting from a primary reliance on the automobile for transportation are each sufficient reasons to provide for multimodal transportation systems.

Reason to Create a Statewide Bicycle Program

885.2. The Legislature finds and declares all of the following: (a) California's bicycle programs have not been fully developed or funded. (b) The Legislature and Congress have enacted laws to reduce traffic congestion and improve air quality. (c) The components of a successful bicycle program include engineering and design of safe facilities, education of bicyclists, and the motoring public on lawful use of the highways, and enforcement of traffic laws. (d) Efforts to improve safety and convenience for nonmotorized transportation users are a proper use of transportation funds. (e) The design and maintenance of many of our bridges and highways present physical obstacles to use by bicycles. (f) **The bicycle is a legitimate transportation mode on public roads and highways.** (g) Bicycle transportation can be an important, low-cost strategy to reduce reliance on the single-passenger automobile and can contribute to a reduction in air pollution and traffic congestion.

State Bicycle Facilities Coordinator

886. There is in the department a bicycle facilities coordinator who is responsible for the administration of bicycle-related activities of the department.

Non-Motorized Facility Defined (For a definition of "Multi-Modal"- See Gov't Code 65088.1)

887. As used in this chapter, "nonmotorized transportation facility" means a facility designed primarily for the use of pedestrians, bicyclists, or equestrians. It may be designed primarily for one or more of those uses.

Statewide Bicycle Map

887.2. The department, in cooperation with local agencies, shall publish a statewide map illustrating state highway routes available for the use of bicyclists and, where bicyclists are prohibited from using a state highway, illustrating, in such a case, safe, alternate routes available to the bicyclist.

Annual Report to Legislature

887.4. Prior to December 31 of each year, the department shall prepare and submit an annual report to the Legislature summarizing programs it has undertaken for the development of non-motorized transportation facilities, including a summary of major and minor projects. The report shall document all state funding for bicycle programs, including funds from the Bicycle Transportation Account, the Transportation Planning and Development Account, and the Clean Air Transportation Improvement Act. The report shall also summarize the existing directives received by the department from the Federal Highway Administration concerning the availability of federal funds for the programs, together with an estimate of the fiscal impact of the federal participation in the programs.

Construction of Non-Motorized Facilities Paralleling State Highways

887.6. Upon the request of a public agency, as defined by Section 6500 of the Government Code, the department may enter into an agreement with the agency for the construction and maintenance of non-motorized transportation facilities which generally follow a state highway right-of-way where the department has determined that the facility will improve safety and convenience for bicyclists. The department's contribution, if any, to the cost of constructing the nonmotorized facilities shall be based upon a finding that the traffic safety or capacity of the highway will be increased.

Construction of Non-Motorized Facilities Paralleling State Highways & Use of Eminent Domain

887.8. (a) After consulting with the law enforcement agency having primary traffic law enforcement responsibility with respect to the state highway, the department may construct and maintain nonmotorized transportation facilities approximately paralleling that highway.
(b) Where the traffic safety or capacity of the highway would be increased, the department shall pay for the construction and maintenance of nonmotorized transportation facilities approximately paralleling the highway.

(c) The Legislature finds and declares that the construction and maintenance of nonmotorized transportation facilities constitute a highway purpose under Article XIX of the California Constitution, and justify the expenditure of highway funds and the exercise of the power of eminent domain therefor.

Construction of Freeways Severing Existing Non-Motorized Routes (See Also U.S. Code Sect. 109)

888. The department shall not construct a state highway as a freeway that will result in the severance or destruction of an existing major route for nonmotorized transportation traffic and light motorcycles, unless it provides a reasonable, safe, and convenient alternate route or such a route exists.

Caltrans Shall Incorporate Non-Motorized Facilities On Freeways

888.2. The department shall also incorporate nonmotorized transportation facilities in the design of freeways on the state highway system along corridors where nonmotorized facilities do not exist, upon a finding that the facilities would conform to the California Recreational Trails System Plan specified in Section 5070.7 of the Public Resources Code or upon a finding, following a public hearing, that the facilities would conform to the master plans of local agencies for the development of nonmotorized facilities and would not duplicate existing or proposed routes, and that community interests would be enhanced by the construction of the facilities.

Minimal Yearly Allocation for Non-Motorized Transportation Facilities

888.4. Each annual budget prepared pursuant to Section 165 shall include an amount of not less than three hundred sixty thousand dollars (\$360,000) for the construction of nonmotorized transportation facilities to be used in conjunction with the state highway system.

Use of Federal Funds In Connection With State & Local Bicycle Programs

888.8. The department may enter into any agreements, execute any documents, establish and manage any accounts or deposits, or take any other action that may be appropriate to receive and expend funds from the federal government in connection with state or local agency bicycle programs and nonmotorized transportation projects for which federal funds are available. The department may undertake demonstration projects and perform technical studies.

889-889.2 (Bike Routes of National, State or Regional Significance)

889. This article shall be known and may be cited as the California Bicycle Routes of National, State, or Regional Significance Act.

889.1. (a) The department may establish a process for identifying and promoting bicycle routes of national, state, or regional significance that meet specified criteria.

(b) In designating routes, the department may consider the following:

- (1) Historic routes.
- (2) Established training routes or other designated routes, including legs of the Tour of California.
- (3) Routes of unique scenic significance.

(c) In identifying bicycle routes of national, state, or regional significance, the department may work with the California Travel and Tourism Commission, the Department of Parks and Recreation, federal agencies that operate and maintain roadways for public use, statewide trade organizations, including the California Chamber of Commerce and the California Bicycle Coalition, local tourism entities, chambers of commerce, and local bicycle organizations.

(d) The department may form an advisory committee to help implement the provisions of this section. The department may establish a process whereby organizations, including, but not limited to, local bicycle organizations, private entities, or local or state governmental entities may nominate a route for inclusion in the system of bicycle routes of national, state, or regional significance.

(e) The department may develop criteria for the design, placement, and installation of signs relative to bicycle routes of national, state, or regional significance.

(f) It is the intent of the Legislature that city or county participation in establishing local routes of significance under this article shall be voluntary, similar to the State Scenic Highway Program.

889.2. (a) The department may install bicycle route signs, identifying bicycle routes of national, state, or regional significance, that are associated only with the state highway system, which includes state highways, United States highways, and interstate freeways, and state-financed public transportation systems. The physical placement of bicycle route signs on all other roads and transit systems shall be left to the appropriate local jurisdiction. However, when requested by a city or county and reimbursed, the department shall place bicycle route signs on the state highway system and state-financed public transportation systems that direct traffic to bicycle routes on city or county roads.

(b) Bicycle route signs shall meet the standards and specifications established pursuant to Section 21400 of the Vehicle Code.

(c) The cost to purchase, erect, and maintain bicycle route signs may be paid by applicants or nominating entities, as determined by the department. These costs may be reimbursed to the department at their actual cost, including administrative expenses.

Bicycle Transportation System

890. It is the intent of the Legislature, in enacting this article, to establish a bicycle transportation system. It is the further intent of the Legislature that this transportation system shall be designed and developed to achieve the functional commuting needs of the employee, student, business person, and shopper as the foremost consideration in route selection, to have the physical safety of the bicyclist and bicyclist's property as a major planning component, and to have the capacity to accommodate bicyclists of all ages and skills.

Bicycle Defined (See Also CVC Sect. 321 and 39000 and U.S. Govt. Code Sect 652.3 (a))

890.2. As used in this chapter, "bicycle" means a device upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having either two or three wheels in a tandem or tricycle arrangement.

Bicycle Commuter (Defined)

890.4. As used in this article, "bicycle commuter" means a person making a trip by bicycle primarily for transportation purposes, including, but not limited to, travel to work, school, shopping, or other destination that is a center of activity, and does not include a trip by bicycle primarily for physical exercise or recreation without such a destination.

Bikeway / Bike Path / Bike Lane / Bike Route Defined (See Also U.S. Govt. Code 652.3(b), (c), (d) & (e))

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

- (a) Class I bikeways, such as a "bike path," which provide a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with cross flows by motorists minimized.
- (b) Class II bikeways, such as a "bike lane," which provide a restricted right-of-way designated for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and cross flows by pedestrians and motorists permitted (Note - but see U.S. Code Section 652.7(b)(3)(iii) in regard to parking prohibitions with Federal Aid Projects).
- (c) Class III bikeways, such as an onstreet or offstreet "bike route," which provide a right-of-way designated by signs or permanent markings and shared with pedestrians or motorists.

Minimum Design Standards for Bikeways

890.6. The department, in cooperation with county and city governments, shall establish minimum safety design criteria for the planning and construction of bikeways and roadways where bicycle travel is permitted. The criteria shall include, but not be limited to, the design speed of the facility, minimum widths and clearances, grade, radius of curvature, pavement surface, actuation of automatic traffic control devices, drainage, and general safety. The criteria shall be updated biennially, or more often, as needed.

Uniform Specifications & Symbols for Signs, Markers and Traffic Control Devices (MUTCD Implied)

890.8. The department shall establish uniform specifications and symbols for signs, markers, and traffic control devices to designate bikeways, regulate traffic, improve safety and convenience for bicyclists, and alert pedestrians and motorists of the presence of bicyclists on bikeways and on roadways where bicycle travel is permitted.

Uniform Signs & Safety Criteria for Signs, Markers and Traffic Control Devices (MUTCD Implied)

891. All city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted shall utilize all minimum safety design criteria and uniform specifications and symbols for signs, markers, and traffic control devices established pursuant to Sections 890.6 and 890.8.

Bicycle Transportation Plan (City and/or County)

891.2. A city or county may prepare a bicycle transportation plan, which shall include, but not be limited to, the following elements:

- (a) The estimated number of existing bicycle commuters in the plan area and the estimated increase in the number of bicycle commuters resulting from implementation of the plan.
- (b) A map and description of existing and proposed land use and settlement patterns which shall include, but not be limited to, locations of residential neighborhoods, schools, shopping centers, public buildings, and major employment centers.
- (c) A map and description of existing and proposed bikeways.
- (d) A map and description of existing and proposed end-of-trip bicycle parking facilities. These shall include, but not be limited to, parking at schools, shopping centers, public buildings, and major employment centers.
- (e) A map and description of existing and proposed bicycle transport and parking facilities for connections with and use of other transportation modes. These shall include, but not be limited to, parking facilities at transit stops, rail and transit terminals, ferry docks and landings, park and ride lots, and provisions for transporting bicyclists and bicycles on transit or rail vehicles or ferry vessels.
- (f) A map and description of existing and proposed facilities for changing and storing clothes and equipment. These shall include, but not be limited to, locker, restroom, and shower facilities near bicycle parking facilities.
- (g) A description of bicycle safety and education programs conducted in the area included within the plan, efforts by the law enforcement agency having primary traffic law enforcement responsibility in the area to enforce provisions of the Vehicle Code pertaining to bicycle operation, and the resulting effect on accidents involving bicyclists.
- (h) A description of the extent of citizen and community involvement in development of the plan, including, but not limited to, letters of support.
- (I) A description of how the bicycle transportation plan has been coordinated and is consistent with other local or regional transportation, air quality, or energy conservation plans, including, but not limited to, programs that provide incentives for bicycle commuting.
- (j) A description of the projects proposed in the plan and a listing of their priorities for implementation.
- (k) A description of past expenditures for bicycle facilities and future financial needs for projects that improve safety and convenience for bicycle commuters in the plan area.

Bicycle Plan - City & County - Approval Process

891.4. (a) A city or county that has prepared a bicycle transportation plan pursuant to Section 891.2 may submit the plan to the county transportation commission or transportation planning agency for approval. The city or county may submit an approved plan to the department in connection with an application for funds for bikeways and related facilities which will implement the plan. If the bicycle transportation plan is prepared, and the facilities are proposed to be constructed, by a local agency other than a city or county, the city or county may submit the plan for approval and apply for funds on behalf of that local agency.

(b) The department may grant funds applied for pursuant to subdivision (a) on a matching basis which provides for the applicant's furnishing of funding for 10 percent of the total cost of constructing the proposed

bikeways and related facilities. The funds may be used, where feasible, to apply for and match federal grants or loans.

Call Boxes on Class 1 Paths in Sacramento Area

891.5. The Sacramento Area Council of Governments, pursuant to subdivision (d) of Section 2551, may purchase, operate, and maintain call boxes on class 1 bikeways.

Powers of Local Agencies to Establish Bikeways

891.8. The governing body of a city, county, or local agency may do all of the following:

- (a) Establish bikeways.
- (b) Acquire, by gift, purchase, or condemnation, land, real property, easements, or rights-of-way to establish bikeways.
- (c) Establish bikeways pursuant to Section 21207 of the Vehicle Code.

Abandonment of Right-of-Ways

892. (a) Rights-of-way established for other purposes by cities, counties, or local agencies shall not be abandoned unless the governing body determines that the rights-of-way or parts thereof are not useful as a nonmotorized transportation facility.

(b) No state highway right-of-way shall be abandoned until the department first consults with the local agencies having jurisdiction over the areas concerned to determine whether the right-of-way or part thereof could be developed as a nonmotorized transportation facility. If an affirmative determination is made, before abandoning the right-of-way, the department shall first make the property available to local agencies for development as nonmotorized transportation facilities in accordance with Sections 104.15 and 887.6 of this code and Section 14012 of the Government Code.

Bicycle Transportation Account Continues in Existence

892.2. (a) The Bicycle Transportation Account is continued in existence in the State Transportation Fund, and, notwithstanding Section 13340 of the Government Code, the money in the account is continuously appropriated to the department for expenditure for the purposes specified in Section 892.4. Unexpended moneys shall be retained in the account for use in subsequent fiscal years.

(b) Any reference in law or regulation to the Bicycle Lane Account is a reference to the Bicycle Transportation Account.

Bicycle Transportation Funds - Distribution of

892.4. The department shall allocate and disburse moneys from the Bicycle Transportation Account according to the following priorities:

- (a) To the department, the amounts necessary to administer this article, not to exceed 1 percent of the funds expended per year.
- (b) To counties and cities, for bikeways and related facilities, planning, safety and education, in accordance with Section 891.4.

Bicycle Transportation Account - Continuously Appropriated Funds

892.5. The Bikeway Account, created in the State Transportation Fund by Chapter 1235 of the Statutes of 1975, is continued in effect, and, notwithstanding Section 13340 of the Government Code, money in the account is hereby continuously appropriated to the department for expenditure for the purposes specified in this chapter. Unexpended money shall be retained in the account for use in subsequent fiscal years.

Justification for Expenditure of Funds for Bikeways

892.6. The Legislature finds and declares that the construction of bikeways pursuant to this article constitutes a highway purpose under Article XIX of the California Constitution and justifies the expenditure of highway funds therefore.

Bicycle Transportation Account - Distribution of Funds

893. The department shall disburse the money from the Bicycle Transportation Account pursuant to Section 891.4 for projects that improve the safety and convenience of bicycle commuters, including, but not limited to, any of the following:

- (a) New bikeways serving major transportation corridors.
- (b) New bikeways removing travel barriers to potential bicycle commuters.
- (c) Secure bicycle parking at employment centers, park-and-ride lots, rail and transit terminals, and ferry docks and landings.
- (d) Bicycle-carrying facilities on public transit vehicles.
- (e) Installation of traffic control devices to improve the safety and efficiency of bicycle travel.
- (f) Elimination of hazardous conditions on existing bikeways.
- (g) Planning.
- (h) Improvement and maintenance of bikeways.

In recommending projects to be funded, due consideration shall be given to the relative cost effectiveness of proposed projects.

Bicycle Transportation Account - Limits on Use of Federal Funds

893.2. The department shall not finance projects with the money in accounts continued in existence pursuant to this article which could be financed appropriately pursuant to Article 2 (commencing with Section 887), or fully financed with federal financial assistance.

Retention of Priority - Shortage of Funds

893.4. If available funds are insufficient to finance completely any project whose eligibility is established pursuant to Section 893, the project shall retain its priority for allocations in subsequent fiscal years.

Funding of Projects in Proportion to the Population

893.6. The department shall make a reasonable effort to disburse funds in general proportion to population. However, no applicant shall receive more than 25 percent of the total amounts transferred to the Bicycle Transportation Account in a single fiscal year.

Distribution of Funds - Agreements with Local Agencies

894. The department may enter into an agreement with any city or county concerning the handling and accounting of the money disbursed pursuant to this article, including, but not limited to, procedures to permit prompt payment for the work accomplished.

Bicycle Transportation Plan/Account - Adoption of Guidelines for the BTA Plan & Account

894.2. The department, in cooperation with county and city governments, shall adopt the necessary guidelines for implementing this article.

In Regard to County Highways

901. All county highways, once established, shall continue to be county highways until abandoned by order of the board of supervisors of the county in which such highways are situated

906.5. On construction under a contract advertised for bids after July 1, 1973, the board of supervisors shall install on the surface of county highways upon which the operation of bicycles is permitted only those types of grates which are not hazardous to bicycle riders.

Expressway (Definition)

941.4. (h) As used in this section, "expressway" means a highway having partial or complete control of access, whether or not divided or with separations of grade at intersections.

Cooperation By Counties

1712. (a) A county and a city or cities may join in the acquisition of rights-of-way, construction, maintenance, improvement, or repair of bicycle routes or paths, or portions thereof, located within or without the city or cities.

(b) The cost or expense thereof shall be apportioned among the county and the city or cities as the legislative bodies thereof determine by agreement.

(c) The authority and responsibility for the acquisition and work shall vest in the county or in the city or cities, or in both, as provided in the agreement apportioning the cost or expense thereof.

City Streets

1800. The legislative body of any city may do any and all things necessary to lay out, acquire, and construct any section or portion of any street or highway within its jurisdiction as a freeway, and to make any existing street or highway a freeway.

1805.5. On construction under a contract advertised for bids after July 1, 1973, the legislative body of a city shall install on the surfaces of city streets upon which the operation of bicycles is permitted only those types of grates which are not hazardous to bicycle riders.

Golf Cart Lanes

1951 The following definitions apply to this chapter:

(c) "Golf cart lanes" means all publicly owned facilities that provide for golf cart travel including roadways designated by signs or permanent markings which are shared with pedestrians, bicyclists, and other motorists in the plan area.

City Of Lincoln & Rocklin, Ca – NEV Plans (Bicycle Requirements)

1963.4. If the City of Lincoln or the City of Rocklin adopts a NEV transportation plan, it shall do both of the following:

(a) Establish minimum general design criteria for the development, planning, and construction of separated NEV lanes, including, but not limited to, the design speed of the facility, the space requirements of the NEV, and roadway design criteria.

(b) In cooperation with the department, establish uniform specifications and symbols for signs, markers, and traffic control devices to control NEV traffic; to warn of dangerous conditions, obstacles, or hazards; to designate the right-of-way as between NEVs, other vehicles, and bicycles; to state the nature and destination of the NEV lane; and to warn pedestrians, bicyclists, and motorists of the presence of NEV traffic.

Bicycle Transportation Account

2106. A sum equal to the net revenue derived from one and four one-hundredths cent (\$0.0104) per gallon tax under the Motor Vehicle Fuel License Tax Law (Part 2 (commencing with Section 7301) of Division 2 of the Revenue and Taxation Code) shall be apportioned monthly from the Highway Users Tax Account in the Transportation Tax Fund among the counties and cities as follows:

(b) Commencing on July 31, 2007, and on the last day of each month after that date, the sum of six hundred thousand dollars (\$600,000) per month shall be transferred to the Bicycle Transportation Account in the State Transportation Fund.

Safe Routes to School (State Program)

2333.5. (a) The department, in consultation with the Department of the California Highway Patrol, shall establish and administer a "Safe Routes to School" construction program for construction of bicycle and pedestrian safety and traffic calming projects.

(b) The department shall award grants to local governmental agencies under the program based on the results of a statewide competition that requires submission of proposals for funding and rates those proposals on all of the following factors:

(3) Potential of the proposal for encouraging increased walking and among students.

(5) Identification of current and potential walking and bicycling routes to school.

Acquisition of Abandoned Railroad Rights-of-Way – Policy Statement

2540. The Legislature hereby declares that it is the policy of the state to acquire abandoned railroad lines when the right-of-way for such lines has a potential public transportation use including, but not limited to, a use for highways, busways, bicycles, pedestrians, or guideways.

Use of Eminent Domain to Acquire Abandoned Railroad Rights-of-Way

2548. In the name of the people of the State of California or, upon authorization from a city, county, or transit district, in the name of such city, county, or transit district, the department may condemn for public transportation purposes, under the provisions of the Code of Civil Procedure relating to eminent domain, any right-of-way underlying an abandoned railroad line in fee or any lesser interest found by the department to be necessary.

The Legislature hereby finds and declares that the acquisition of such property is a public necessity and is compatible with the greatest public good and the least private injury.

Parking Lane (Defined in Streets & Highway Code)

5871 As used in this subdivision, "parking lane" means a paved area adjacent to the curb which is used exclusively for on-street parking.

5870-5873 (Definition of a Parking Lane)

5871 (c) Notwithstanding subdivision (b), this chapter applies to the construction of sidewalks, curbs, and gutters appurtenant thereto...parking lanes.....

As used in this subdivision, "parking lane" means a paved area adjacent to the curb which is used exclusively for on-street parking. It does not include any portion of the street used for through traffic or as a bicycle lane.

30100-30113 (California Toll Bridge Authority)

30100. Whenever, in the opinion of the commission and of the department, it is necessary or desirable to do so, the commission shall authorize and direct the department to build or acquire for, and in the name of, the state any or all of the following:

(c) Additional transportation facilities connecting or coordinated with any such toll bridge or other highway crossing or the transportation facilities thereon.

30112. The department and commission shall consider the inclusion of bicycle and pedestrian facilities on each new toll bridge designed and constructed pursuant to this division, including appropriate connections thereto. Such facilities shall be included on each such new bridge if the commission finds that they are economically and physically feasible. If the commission finds such facilities are not feasible, it shall report its findings to the Legislature at least one year prior to commencement of construction, including the facts on which the commission based its decision.

The cost of the bicycle and pedestrian facilities on the approaches to the toll bridge shall be paid by the commission as a part of the cost of construction of the toll bridge, unless the cost of such facilities is to be paid by a governmental agency other than a state agency. The feasibility study for such facilities shall reflect whether the commission or a governmental agency other than a state agency shall pay the cost of such facilities.

The Legislature finds that the increased use of the bicycle is a desirable activity which should be encouraged by the improvement of access available to that mode of transportation. It is the intent of the Legislature, in enacting this section, to provide for the use of toll bridges by both pedestrians and bicycles, wherever this is economically and physically feasible.

30910-30922 (San Francisco Bay Area Bridges)

30910. (a) The state-owned toll bridges within the geographic jurisdiction of the Metropolitan Transportation Commission are the following bridges:

- (1) Antioch Bridge. (2) Benicia-Martinez Bridge. (3) Carquinez Bridges. (4) Dumbarton Bridge.
- (5) Richmond-San Rafael Bridge. (6) San Mateo-Hayward Bridge. (7) San Francisco-Oakland Bay Bridge.

Toll Increase – Uses of

30913 (b) The toll increase approved in 1988, which authorized a uniform toll of one dollar (\$) for two-axle vehicles on the bridges and corresponding increases for multi-axle vehicles.....

Portions of the 1988 toll increase were dedicated to transit purposes, and these amounts shall be calculated as up to 2 percent of the revenue generated each year by the collection on all bridges of the base toll at the level established by the 1988 toll increase. The Metropolitan Transportation Commission shall allocate two-thirds of these amounts for transportation projects, other than those specified in Sections 30912 and 30913 and in subdivision (a) of Section 30914, which are designed to reduce vehicular traffic congestion and improve bridge operations on any bridge, including, but not limited to, bicycle facilities and for the planning, construction, operation, and acquisition of rapid water transit systems.....

(e) At the time the first of the new bridges specified in paragraphs (2) and (3) of subdivision (a) is opened to the public, there shall be a lane for the exclusive use of pedestrians and bicycles available on at least, but not limited to, the original span at Benicia or Carquinez, or the additional or replacement spans planned for those bridges. The design of these bridges shall not preclude the subsequent addition of a lane for the exclusive use of pedestrians and bicycles.

Major Projects Funded By Tolls

30914. (a) In addition to any other authorized expenditures of toll bridge revenues, the following major projects may be funded from toll revenues of all bridges:

(11) Greenbrae Interchange/Larkspur Ferry Access Improvements. Provide enhanced regional and local access..... and rehabilitating the Cal Park Hill Rail Tunnel and right-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit Center with the Larkspur Ferry Terminal. Sixty-five million dollars (\$65,000,000).

(20) Safe Routes to Transit: Plan and construct bicycle and pedestrian access improvements in close proximity to transit facilities. Priority shall be given to those projects that best provide access to regional transit services..... The City Car Share project is sponsored by City Car Share and the Safe Routes to Transit project is jointly sponsored by the East Bay Bicycle Coalition and the Transportation and Land Use Coalition

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California Government Code

Liability on Public Facilities

Hazardous Recreational Activity (Bicycle Racing) - Limits of Liability to Public Agencies

831.7. (a) Neither a public entity nor a public employee is liable to any person who participates in a hazardous recreational activity, including any person who assists the participant, or to any spectator who knew or reasonably should have known that the hazardous recreational activity created a substantial risk of injury to himself or herself and was voluntarily in the place of risk, or having the ability to do so failed to leave, for any damage or injury to property or persons arising out of that hazardous recreational activity.

(b) As used in this section, "hazardous recreational activity" means a recreational activity conducted on property of a public entity which creates a substantial (as distinguished from a minor, trivial, or insignificant) risk of injury to a participant or a spectator.

"Hazardous recreational activity" also means:

(3) bicycle racing or jumping, mountain bicycling, ...For the purposes of this subdivision, "mountain bicycling" does not include riding a bicycle on paved pathways, roadways, or sidewalks.

(c) Notwithstanding the provisions of subdivision (a), this section does not limit liability which would otherwise exist for any of the following:

(1) Failure of the public entity or employee to guard or warn of a known dangerous condition ...

(2) Damage or injury suffered in any case where permission to participate in the hazardous recreational activity was granted for a specific fee. For the purpose of this paragraph, a "specific fee" does not include a fee

or consideration charged for a general purpose such as a general park admission charge, a vehicle entry or parking fee, or an administrative or group use application or permit fee,...

(3) Injury suffered to the extent proximately caused by the negligent failure of the public entity or public employee to properly construct or maintain in good repair any structure, recreational equipment or machinery, or substantial work of improvement utilized in the hazardous recreational activity out of which the damage or injury arose.

(4) Damage or injury suffered in any case where the public entity or employee recklessly or with gross negligence promoted the participation in or observance of a hazardous recreational activity. For purposes of this paragraph, promotional literature or a public announcement or advertisement which merely describes the available facilities and services on the property does not in itself constitute a reckless or grossly negligent promotion

(5) An act of gross negligence by a public entity or a public employee which is the proximate cause of the injury

State Property

Parking Facility Requirements at State Agencies & Building (See Also CCR Section 1867 below)

14679.5. (a) Any state agency which has under its jurisdiction or control any parking facility, which is available to state officers and employees or to private persons who desire to conduct business with a state agency, shall construct, operate, and maintain bicycle and moped parking facilities for the use of bicycle and moped riders.

(b) If no parking facility under the jurisdiction and control of a state agency is available to state officers and employees or to private persons who desire to conduct business with a state agency, the state agency shall request the local authority having jurisdiction over streets and sidewalks immediately adjacent to the property of the state agency to provide parking spaces upon which parking facilities for use by bicycle and moped riders shall be constructed, operated, and maintained by such agency.

(c) As used in this section, "parking facility" means any facility or combination of facilities for parking which contains six or more parking spaces.

Emergency Response – Rescue – Cost of

53154. The expense of an emergency response shall be a charge against the person liable for expenses under this article. The charge constitutes a debt of that person and is collectible by the public agency incurring those costs in the same manner as in the case of an obligation under a contract, expressed or implied, except that liability for the expenses provided for in this article shall not be insurable and no insurance policy shall provide or pay for the expenses.

53155. In no event shall a person's liability under this article for the expense of an emergency response exceed twelve thousand dollars (\$12,000) for a particular incident.

53156. As used in this article:

(a) "Expense of an emergency response" means reasonable costs incurred by a public agency in reasonably making an appropriate emergency response to the incident, but shall only include those costs directly arising because of the response to the particular incident. Reasonable costs shall include the costs of providing police, firefighting, rescue, and emergency medical services at the scene of the incident, as well as the salaries of the personnel responding to the incident.

(d) Unless otherwise provided by law, this section shall apply to all persons, regardless of whether the person is on foot, on skis or snowshoes, or is operating a motor vehicle, bicycle, vessel, watercraft, raft, snowmobile, all-terrain vehicle, or any other boat or vehicle of any description.

Transportation Planning & Programming (65080.1 - 65086.5)

Regional Transportation Plan

65080.1 (a) Each transportation planning agency designated under Section 29532 or 29532.1 shall prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, including, but not limited to, mass transportation, highway, railroad, maritime, bicycle, pedestrian,

goods movement, and aviation facilities and services. The plan shall be action-oriented and pragmatic, considering both the short-term and long-term future, and shall present clear, concise policy guidance to local and state officials.....

(b) The regional transportation plan shall include all of the following:

(b)(1) A policy element that describes the transportation issues in the region, identifies and quantifies regional needs, and describes the desired short-range and long-range transportation goals, and pragmatic objective and policy statements.....The policy element of transportation planning agencies with populations that exceed 200,000 persons may quantify a set of indicators including, but not limited to, all of the following:

(b)(1)(C) Measures of means of travel, including, but not limited to, percentage share of all trips (work and non-work) made by all of the following(vi) Walking. (v) Bicycling.....

(b)(3)(B) The financial element of transportation planning agencies with populations that exceed 200,000 persons may include a project cost breakdown for all projects proposed for development during the 20-year life of the plan that includes total expenditures and related percentages of total expenditures for all of the following: ...(vii) Pedestrian and bicycle facilities.

Congestion Management (65088.1 - 65089.10)

Definitions (For a definition of “Non-Motorized” see Streets & Highway Code 887)

65088.1. As used in this chapter the following terms have the following meanings:

(j) "**Multimodal**" means the utilization of all available modes of travel that enhance the movement of people and goods, including, but not limited to, highway, transit, nonmotorized, and demand management strategies including, but not limited to, telecommuting. The availability and practicality of specific multimodal systems, projects, and strategies may vary by county and region in accordance with the size and complexity of different urbanized areas.

In-fill Housing Waiver

65088.4. (a) It is the intent of the Legislature to balance the need for level of service standards for traffic with the need to build infill housing and mixed use commercial developments within walking distance of mass transit facilities, downtowns, and town centers and to provide greater flexibility to local governments to balance these sometimes competing needs.

(b)(1)(B) Increased use of alternative transportation modes, such as mass transit, bicycling, and walking.

(2) Approve a list of flexible level of service mitigation options that includes roadway expansion and investments in alternate modes of transportation that may include, but are not limited to, transit infrastructure, pedestrian infrastructure, and ridesharing, vanpool, or shuttle programs.

Congestion Management Program

65089. (a) A congestion management program shall be developed, adopted, and updated biennially, consistent with the schedule for adopting and updating the regional transportation improvement program, for every county that includes an urbanized area, and shall include every city and the county. The program shall be adopted at a noticed public hearing of the agency. The program shall be developed in consultation with, and with the cooperation of, the transportation planning agency, regional transportation providers, local governments, the department, and the air pollution control district or the air quality management district, either by the county transportation commission, or by another public agency, as designated by resolutions adopted by the county board of supervisors and the city councils of a majority of the cities representing a majority of the population in the incorporated area of the county.

(b) The program shall contain all of the following elements:

(1) (A) Traffic level of service standards established for a system of highways and roadways designated by the agency. The highway and roadway system shall include at a minimum all state highways and principal arterials. No highway or roadway designated as a part of the system shall be removed from the system

(3) A travel demand element that promotes alternative transportation methods, including, but not limited to, carpools, vanpools, transit, bicycles, and park-and-ride lots;

Trip Reduction Plan (This Section Applies **ONLY** to the South Coast Air Quality Management District)

65089.10 (a) For purposes of this section, "plan" means a trip reduction plan or a related or similar proposal submitted by an employer to a local public agency for adoption or approval that is designed to facilitate employee ridesharing, the use of public transit, and other means of travel that do not employ a single-occupant vehicle.

(b) An agency may require an employer to provide rideshare data bases; an emergency ride program; a preferential parking program; a transportation information program; a parking cash-out program, as defined in subdivision (f) of Section 65088.1; a public transit subsidy in an amount to be determined by the employer; bicycle parking areas; and other non-cash value programs which encourage or facilitate the use of alternatives to driving alone.

(c) Employers shall provide employees reasonable notice of the content of a proposed plan and shall provide the employees an opportunity to comment prior to submittal of the plan to the agency for adoption.....

Deficiency Plan

65089.4 (a) A local jurisdiction shall prepare a deficiency plan when highway or roadway level of service standards are not maintained on segments or intersections of the designated system. The deficiency plan shall be adopted by the city or county at a noticed public hearing.

(c) The deficiency plan shall include all of the following:

(1) An analysis of the cause of the deficiency. This analysis shall include the following:

(3) A list of improvements, programs, or actions.....that will

(B) contribute to significant improvements in air quality, such as improved public transit service and facilities, improved non-motorized transportation facilities, high occupancy vehicle facilities, parking cash-out programs, and transportation control measures....

Transit Village Development

65460. This act shall be known, and may be cited, as the Transit Village Development Planning Act of 1994.

65460.1. (a) The Legislature hereby finds and declares all of the following:

(1) Federal, state, and local governments in California are investing in new and expanded transit systems in areas throughout the state, including Los Angeles County, the San Francisco Bay area, San Diego County, Santa Clara County, and Sacramento County.

(3) Recent studies of transit ridership in California indicate that persons who live within a quarter-mile radius of transit stations utilize the transit system in far greater numbers than does the general public

65460.2. A city or county may prepare a transit village plan for a transit village development district that addresses the following characteristics:

(a) A neighborhood centered around a transit station that is planned and designed so that residents, workers, shoppers, and others find it convenient and attractive to patronize transit.

(b) A mix of housing types, including apartments, within not more than a quarter mile of the exterior boundary of the parcel on which the transit station is located.

(d) Pedestrian and bicycle access to the transit station, with attractively designed and landscaped pathways.

(e) A transit system that should encourage and facilitate intermodal service, and access by modes other than single occupant vehicles.

Dedication of Real Property For Public Use

66475. There may be imposed by local ordinance a requirement of dedication or irrevocable offer of dedication of real property within the subdivision for streets, alleys, including access rights and abutter's rights, drainage, public utility easements and other public easements. Such irrevocable offers may be terminated as provided in subdivisions (c) and (d) of Section 66477.2.

66475.1. Whenever a subdivider is required pursuant to Section 66475 to dedicate roadways to the public, the subdivider may also be required to dedicate additional land as may be necessary and feasible to provide bicycle paths for the use and safety of the residents of the subdivision.

66475.2. (a) There may be imposed by local ordinance a requirement of a dedication or an irrevocable offer of dedication of land within the subdivision for local transit facilities such as bus turnouts, benches, shelters, landing pads and similar items that directly benefit the residents of a subdivision.

Public Access to Public Coastline, Shoreline, Waterways, Rivers and Streams

66478.4. (a) No local agency shall approve either a tentative or a final map of any proposed subdivision to be fronted upon a public waterway, river, or stream which does not provide, or have available, reasonable public access by fee or easement from a public highway to that portion of the bank of the river or stream bordering or lying within the proposed subdivision.

(b) In making the determination of what shall be reasonable access, the local agency shall consider all of the following:

- (1) That access may be by highway, foot trail, bike trail, horse trail, or any other means of travel.

66478.5. (a) No local agency shall approve either a tentative or a final map of any proposed subdivision to be fronted upon a public waterway, river, or stream which does not provide for a dedication of a public easement along a portion of the bank of the river or stream bordering or lying within the proposed subdivision.

(b) In making the determination for reasonably defining the extent, width, and character of the public easement, the local agency shall consider all of the following:

- (1) That the easement may be for a foot trail, bicycle trail, or horse trail.

66478.11. (a) No local agency shall approve either the tentative or the final map of any subdivision fronting upon the coastline or shoreline which subdivision does not provide or have available reasonable public access by fee or easement from public highways to land below the ordinary high water mark on any ocean coastline or bay shoreline within or at a reasonable distance from the subdivision.

Any public access route or routes provided by the subdivider shall be expressly designated on the tentative or final map, and the map shall expressly designate the governmental entity to which the route or routes are dedicated.

(c) In making the determination of what shall be reasonable public access, the local agency shall consider:

- (1) That access may be by highway, foot trail, bike trail, horse trail, or any other means of travel.

66478.12. (a) No local agency shall approve either the tentative or the final map of any subdivision fronting upon any lake or reservoir which is owned in part or entirely by any public agency including the state, which subdivision does not provide or have available reasonable access by fee or easement from public highways to any water of the lake or reservoir upon which the subdivision borders either within the subdivision or a reasonable distance from the subdivision.

Any public access route or routes provided by the subdivider shall be expressly designated on the tentative or final map, and the map shall expressly designate the governmental entity to which the route or routes are dedicated and its acceptance of the dedication.

(c) In making the determination of what shall be reasonable access, the local agency shall consider:

- (1) That access may be by highway, foot trail, bike trail, horse trail, or any other means of travel.

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California Health & Safety Code

Air Pollution Control Districts

44220 The Legislature hereby finds and declares as follows:

(a) This chapter is intended to ensure that any county air pollution control district, or unified or regional air pollution control district, may, upon adoption of a resolution by the district governing board, exercise fee authority

44241(b) Fee revenues generated under this chapter shall be allocated by the bay district to implement the following mobile source and transportation control projects and programs that are included in the plan adopted pursuant to Sections 40233, 40717, and 40919:

10) Implementation of bicycle facility improvement projects that are included in an adopted countywide bicycle plan or congestion management program.

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California Labor Code

Employment of Minors

1285. It is the intent of the Legislature in enacting Sections 1286 to 1289, inclusive, to establish a citation system for the imposition of prompt and effective civil sanctions against violators of the laws and regulations of this state relating to the employment of minors.

1286. As used in this article:

(a) "Director" means the Director of Industrial Relations or his or her designee.

1294.3. Minors 14 and 15 years of age may be employed in occupations not otherwise prohibited by this chapter, including, but not limited to, the following:

(e) Errand and delivery work by foot, bicycle, and public transportation.

1294.4. Nothing in this chapter shall be construed to prohibit a minor engaged in the delivery of newspapers to consumers from making deliveries by foot, bicycle, public transportation, or by an automobile driven by a person 16 years of age or older.

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California Public Utilities Code

Yolo County Transportation District Act

60000. This part shall be known and may be cited as the Yolo County Transportation District Act.

60060. Transportation funding and project prioritization decisions made by the board of directors shall endeavor to be mode neutral, not biased in favor of any one transportation mode with the district seeking local concurrence when appropriate. Those decisions shall take into account the needs of the local jurisdictions, the overall county needs relative to streets, roads, transit, pedestrian, bicycle, telecommuting, light rail, heavy rail, and other alternative transportation mode projects, shall consider the movement of information and freight as well as people, and shall attempt to balance all transportation choices in order to most effectively utilize limited funding sources to the best advantage of Yolo County residents and others in the region.

Local Transportation Fund

99230. The designated transportation planning agency shall, from an analysis and evaluation of the total amount anticipated to be available in the local transportation fund...

99233. “..... the fund shall be allocated by the designated transportation planning agency for the purposes specified in Sections 99233.1 to 99233.9, inclusive, in the sequence provided in those sections.

99233.3. Two percent of the remaining money in the fund shall be made available to counties and cities for facilities provided for the exclusive use of pedestrians and bicycles unless the transportation planning agency finds that the money could be used to better advantage for the purposes stated in Article 4 (commencing with Section 99260) and Article 4.5 (commencing with Section 99275), or for local street and road purposes in those areas where the money may be expended for such purposes, in the development of a balanced transportation system. Of the amount made available to a city or county pursuant to this section, 5 percent thereof may be expended to supplement moneys from other sources to fund bicycle safety education programs, but shall not be used to fully fund the salary of any one person.

99233.11. Funds made available to the County of Stanislaus and the cities in that county shall be allocated in the following order:

(c) To pedestrian and bicycle facilities, not more than 2 percent of the funds remaining, in accordance with Section 99233.3.

99234. (a) Claims for facilities provided for the exclusive use of pedestrians and bicycles or for bicycle safety education programs shall be filed according to the rules and regulations adopted by the transportation planning agency.

(b) The money shall be allocated for the construction, including related engineering expenses, of those facilities pursuant to procedures or criteria established by the transportation planning agency for the area within its jurisdiction, or for bicycle safety education programs.

(c) The money may be allocated for the maintenance of bicycling trails that are closed to motorized traffic pursuant to procedures or criteria established by the transportation planning agency for the area within its jurisdiction.

(e) Facilities provided for the use of bicycles may include projects that serve the needs of commuting bicyclists, including, but not limited to, new trails serving major transportation corridors, secure bicycle parking at employment centers, park and ride lots, and transit terminals where other funds are unavailable.

(I) In addition to the purposes authorized in this section, a portion of the amount available to a city or county pursuant to Section 99233.3 may be allocated to develop a comprehensive bicycle and pedestrian facilities plan, with an emphasis on bicycle projects intended to accommodate bicycle commuters rather than recreational bicycle users. An allocation under this subdivision may not be made more than once every five years.

(j) Up to 20 percent of the amount available each year to a city or county pursuant to Section 99233.3 may be allocated to restripe class II bicycle lanes.

99400. Claims may be filed under this article with the transportation planning agency by counties and cities for the following purposes and by transit districts for the purposes specified in subdivisions (c) to (e), inclusive:

(a) Local streets and roads, and projects which are provided for use by pedestrians and bicycles.

99400.7. Notwithstanding Sections 99232, 99268.3, and 99405, cities within the County of San Diego may file a claim under this article with the transportation planning agency to provide commuter ferry service on San Diego Bay for the purpose of serving peak period commute trips for pedestrians and bicycles. The commuter ferry service may be located anywhere on San Diego Bay, but shall be consistent with the regional transportation plan, shall serve employment centers and high volume activity centers, and may be provided by contract with operators, private entities operating under a franchise or license, or nonprofit corporations organized pursuant to Division 2 (commencing with Section 5000) of Title 1 of the Corporations Code.

99401.5. Prior to making any allocation not directly related to public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrians and bicycles, the transportation planning agency shall annually do all of the following:

Clean Air & Transportation Improvement Act

99610. The Clean Air and Transportation Improvement Fund is hereby created.

99613. (a) The commission shall allocate money from the fund ...for the preservation, acquisition, construction, or improvement of any of the following:

(8) Paratransit vehicles, bicycle facilities, and water-borne ferry vessels and facilities.

99620. This chapter sets forth the purposes and the amounts for which allocations shall be made from the fund. Money from the fund shall be awarded as grants by the commission pursuant to Sections 99622 to 99651, inclusive, for the purposes specified in those sections. The amount of a grant awarded pursuant to any of those sections shall not exceed the amount specified therein. The department and local agencies may implement service funded pursuant to this chapter on an incremental basis. Partial grants may be made for preliminary engineering and design purposes.

99650. (a) Twenty million dollars (\$20,000,000) shall be allocated to fund a program of competitive grants to local agencies for capital outlay for bicycle improvement projects which improve safety and convenience for bicycle commuters.

(b) Grants for the establishment of separate bicycle paths and ways shall be awarded only if the department determines that the route established will be principally used by bicycle commuters.

99682. All passenger rail and water borne ferry equipment and facilities acquired or constructed pursuant to this part and intended for public use shall be accessible to persons with physical disabilities, including wheelchair users. All passenger vehicles and vessels shall be accessible to wheelchair users at all stops, stations and terminals whether or not staffed.

99683. All passenger vehicles and vessels acquired pursuant to this part shall provide reasonable access to bicycles. All stations acquired or constructed pursuant to this part shall provide convenient and secure bicycle parking facilities.

Santa Clara Valley Transportation Authority Act

100000. This part shall be known and may be cited as the "Santa Clara Valley Transportation Authority Act."

100001.5. The Legislature hereby finds and declares: (a) Since the formation of the Santa Clara County Transit District, unprecedented growth has occurred in the San Francisco Bay area and in Santa Clara County in particular. It has become apparent that additional measures are required

(d) This goal is best achieved in Santa Clara County by vesting in the authority the ability to plan, design, and construct road and highway improvements, as well as bicycle, pedestrian, and other transportation facilities, under the conditions set forth in this part.

100110. The district has perpetual succession...

100115.5. (b) The authority may do any and all things necessary to ensure the completion of any projects established in a plan as set forth in subdivision (a). These projects may include, but are not limited to, all of the following:

(4) The construction and improvement of bicycle and transportation facilities.

Sacramento Regional Transit District Act

102000. This part shall be known and may be cited as the "Sacramento Regional Transit District Act."

102120. The board of directors is the legislative body of the district and shall determine all questions of district policy.

102122. (a) The board of directors may adopt ordinances that do any of the following:

(4) Specify conditions under which a passenger may board a district vehicle with a bicycle and where the bicycle may be stowed.

Sonoma-Marín Area Rail Transit District Act

105000. This part shall be known and may be cited as the Sonoma-Marín Area Rail Transit District Act.

105001. It is the intent of the Legislature in enacting this part to provide for a unified, comprehensive institutional structure for the ownership and governance of a passenger rail system within the Counties of Sonoma and ..

105003. As used in this part, the following terms have the following meanings:

(c) "Rail transit works" or "rail transit facilities" means any or all real and personal property, equipment, rights or interests owned or to be acquired by the district for rail transit service purposes, including ancillary bicycle and pedestrian pathways that provide connections between and access to station sites.

105096. (a) The district may acquire, construct, own, operate, control, or use rights-of-way, rail lines, stations, platforms, switches, yards, terminals, parking lots, and any and all other facilities necessary or convenient for rail transit within and without the district, together with all physical structures necessary or convenient for the access of persons and vehicles thereto, including ancillary bicycle and pedestrian pathways, and may acquire or contract for any interest in or rights to the use or joint use of any or all of the foregoing.

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California Penal Code

(Editor’s Note – The next few sections would most likely apply to any person, or persons, who knowingly throws objects at, or in some manner strikes or intimidates a bicyclist while riding on a roadway (i.e. such as trying to run the bicyclist off the road)

Assault Defined

240 An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.

Penalties for Assault (See Also CVC Sect. 23110, 23111 & 23112 Above)

245(a) (1) Any person who commits an assault upon the person of another with a deadly weapon or instrument other than a firearm or by any means of force likely to produce great bodily injury shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not exceeding one year, or by a fine not exceeding ten thousand dollars (\$10,000), or by both the fine and imprisonment.

Theft (Sections 484 – 502.9)

484 (a) Every person who shall feloniously steal, take, carry, lead, or drive away the personal property of another is guilty of theft

499(b). (a) Any person who shall, without the permission of the owner thereof, take any bicycle for the purpose of temporarily using or operating the same, is guilty of a misdemeanor, and shall be punishable by a fine not exceeding four hundred dollars (\$400), or by imprisonment in a county jail not exceeding three months, or by both that fine and imprisonment.

Personal Property – Stolen Property & Removal of Identification/Serial Number (See Also CVC 39007)

537e (a) Any person who knowingly buys, sells, receives, disposes of, conceals, or has in his or her possession any personal property from which the manufacturer's serial number, identification number, electronic serial

number, or any other distinguishing number or identification mark has been removed, defaced, covered, altered, or destroyed, is guilty of a public offense, punishable as follows:

(1) If the value of the property does not exceed four hundred dollars (\$400), by imprisonment in a county jail not exceeding six months.

(2) If the value of the property exceeds four hundred dollars (\$400), by imprisonment in a county jail not exceeding one year.

For purposes of this subdivision, "personal property" includes, but is not limited to, the following:

(6) Any bicycle, exercise equipment, or any other entertainment or recreational equipment.

(b) When property described in subdivision (a) comes into the custody of a peace officer it shall become subject to the provision of Chapter 12 (commencing with Section 1407) of Title 10 of Part 2, relating to the disposal of stolen or embezzled property.

Sections 639-653.1 (Miscellaneous Offenses)

640. (a) Any of the acts described in subdivision (b) is an infraction punishable by a fine not to exceed two hundred fifty dollars (\$250) and by community service for a total time not to exceed 48 hours over a period not to exceed 30 days, during a time other than during his or her hours of school attendance or employment, when committed on or in any of the following:

(1) A facility or vehicle of a public transportation system as defined by Section 99211 of the Public Utilities Code.

(2) A facility of, or vehicle operated by any entity subsidized by, the Department of Transportation.

(b)(10) Skateboarding, roller skating, bicycle riding, or roller blading in a system facility, vehicle, or parking structure. This paragraph does not apply to an activity that is necessary for utilization of the transit facility by a bicyclist, including, but not limited to, an activity that is necessary for parking a bicycle or transporting a bicycle aboard a transit vehicle, if that activity is conducted with the permission of the transit agency in a manner that does not interfere with the safety of the bicyclist or other patrons of the transit facility.

Great Bodily Injury Defined

12022.7. (a) Any person who personally inflicts great bodily injury on any person other than an accomplice in the commission of a felony or attempted felony shall be punished by an additional and consecutive term of imprisonment in the state prison for three years.

(f) As used in this section, "great bodily injury" means a significant or substantial physical injury.

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California Public Resources Code

Collier-Keen State Hostel Facilities Act

5050. This article shall be known and may be cited as the Collier-Keene State Hostel Facilities Act.

5051. The Legislature finds that a substantial number of Californians bicycle and walk for recreational enjoyment and that, given safer routes and more suitable accommodations, would choose such travel means to reach and enjoy scenic areas and recreation facilities throughout the state. The Legislature finds that it is in the public interest to provide means for bicyclists and hikers to reach safely, and utilize conveniently, units of the state park system and local and regional parks and recreation areas. The Legislature specifically finds that the existing mix of motor vehicles and bicycles on the highways of the state creates hazards to motorists and cyclists alike and demands immediate remedial action.

5052. As used in this article, unless the context clearly requires a different meaning:

(a) "Hostel facility" means a supervised overnight lodging or sleeping accommodation provided primarily for use by persons, including bicyclists and hikers, arriving at state park system units and local and regional parks and recreation areas

...(b) "Recreational trail" means a pathway situated and constructed so as to provide safe and convenient means for persons, including bicyclists, hikers, and horsemen, to travel to and between state park system units other than by motor vehicle.

Statewide System Of Recreation Trails

5070.7. The director [Department of Parks and Recreation] shall cause to be prepared, and continuously maintained, a comprehensive plan for the development and operation of a statewide system of recreation trails. The plan, which shall be titled the California Recreational Trails System Plan, shall: (a) Assess the present and future demand for trail-oriented recreation uses. (b) Recommend an integrated and interconnecting system of trail routes designed to provide a wide range of recreational opportunities and to assure access and linkage to scenic, natural, historic, and recreational areas of statewide significance.

Elements of State Recreational Trails

5071. The plan shall contain, but shall not be limited to, the following elements:

- (a) Pedestrian trails.
- (b) Bikeways.

Community Parklands Act of 1986

5712. The grant funds authorized for the program may be expended by the recipient for any of the following purposes or any combination thereof:

- (f) Hiking, bicycling, and equestrian trails.

California Wildlife Coastal & Park Land Conservation Fund of 1988

5906. The California Wildlife, Coastal, and Park Land Conservation Fund of 1988 is hereby created.

5907. All money deposited in the fund shall be available for expenditure, in accordance with Section 5921, for the purposes set forth below, in amounts not to exceed the following:

(a) One hundred sixty-six million dollars (\$166,000,000) to the Department of Parks and Recreation for grants to counties, cities, cities and counties, districts, and nonprofit organizations for acquisition, development, rehabilitation, or restoration of real property for parks, beaches, wildlife habitat, natural lands, recreation, or preservation of historical resources, including an amount not to exceed two million four hundred ninety thousand dollars (\$2,490,000) for state administrative costs, in accordance with the following schedule:

(5) Five million dollars (\$5,000,000) for competitive grants to public agencies and nonprofit organizations for acquisition and development of land and rights-of-way for bicycle, horse, hiking, and handicapped access trails.

Environmental Quality - General

21081.2. (a) Except as provided in subdivision (c), if a residential project, not exceeding 100 units, with a minimum residential density of 20 units per acre and within one-half mile of a transit stop, on an infill site in an urbanized area is in compliance with the traffic, circulation, and transportation policies of the general plan, applicable community plan, applicable specific plan, and applicable ordinances of the city or county with jurisdiction over the area where the project is located, and the city or county requires that the mitigation measures approved in a previously certified project area environmental impact report applicable to the project be incorporated into the project, the city or county is not required to comply with subdivision (a) of Section 21081 with respect to the making of any findings regarding the impacts of the project on traffic at intersections, or on streets, highways, or freeways.

(b) Nothing in subdivision (a) restricts the authority of a city or county to adopt feasible mitigation measures with respect to the impacts of a project on pedestrian and bicycle safety.

California Coastal Act (Sea Ranch Development – Sonoma County)

30000. This division shall be known and may be cited as the California Coastal Act of 1976

30600. (a) Except as provided in subdivision (e), and in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, any person, as defined in Section

21066, wishing to perform or undertake any development in the coastal zone, other than a facility subject to Section 25500, shall obtain a coastal development permit.

30610.6. (a) The Legislature hereby finds and declares that it is in the public interest to provide by statute for the resolution of the lengthy and bitter dispute involving development of existing legal lots within the unincorporated area of Sonoma County, commonly known as the Sea Ranch. The reasons for the need to finally resolve this dispute include the following:

(g) The realignment of internal roads within the Sea Ranch shall not be required by any state or local agency acting pursuant to this division. However, appropriate easements may be required by the County of Sonoma to provide for the expansion of State Highway 1 for the development of turnout and left-turn lanes and for the location of a bicycle path, when the funds are made available for those purposes. The Legislature finds and declares that this subdivision is adequate to meet the requirements of this division to ensure that new development at the Sea Ranch will not overburden the capacity of State Highway 1 to the detriment of recreational users.

#####

California Revenue & Taxation Code

Metropolitan Transportation Commission

8501. As used in this chapter, the following definitions have the following meanings:

(a) "Commission" means the Metropolitan Transportation Commission created by Title 7.1 (commencing with Section 66500) of the Government Code.

Motor Vehicle Fuel Tax – Uses For:

8502. The commission may impose, in addition to any other tax authorized by this division, a tax on the privilege of selling within the region, motor vehicle fuel, as defined by Section 7326. The tax shall not apply to motor vehicle fuel used to power aircraft. The tax shall be levied at a rate established by the commission, but not exceeding ten cents (\$0.10) per gallon. Commencing on January 1 of the year following the election approving the tax, the tax may be imposed for a period not to exceed 20 years.

8503. (a) Prior to imposing the tax, the commission shall adopt a regional transportation expenditure plan for the revenues derived from the tax. The regional transportation expenditure plan shall describe specific proposed transportation projects and the estimated cost of each project.

(b)(4) To be eligible for inclusion in the expenditure plan, a project shall meet at least one of the following regional transportation needs:

(A) Fund maintenance and rehabilitation of local streets, roads, sidewalks, or bicycle routes, or close a gap in the local street and road system.

Installation of Rideshare/Bike Facilities (Deductible Expenses)

24343.5. (a) In addition to the deduction allowed by Section 24343, a deduction shall be allowed to an employer as an ordinary and necessary expense paid or incurred during the taxable year in carrying on any trade or business for those expenses involved in any of the following ridesharing arrangements:

(8) Making facility improvements to encourage employees, for the purpose of commuting from their homes, to participate in ridesharing arrangements, to use bicycles, or to walk. These facility improvements may include, but are not limited to, any of the following: the construction of bus shelters; the installation of bicycle racks and other bicycle-related facilities, such as showers and locker rooms; and parking lot modifications to provide carpools, vanpools, or buspools with preferential treatment. The cost of these facility improvements shall be allowed as a depreciation deduction. Notwithstanding subdivision (c), the depreciation deduction shall, be allowable over a 36-month period.

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California Welfare & Institutions Code

Child Health and Safety Fund

18285. (a) There is hereby created in the State Treasury the Child Health and Safety Fund for the purposes specified in this section.

(b) Moneys for this fund shall be derived from the license plate program provided for pursuant to Section 5028 of the Vehicle Code and from civil penalties on child day care facility providers.

(c) Moneys in the fund shall be expended, upon appropriation by the Legislature, for the purposes specified in subdivisions (d), (e) and (f).

(e) Fifty percent of moneys derived from the license plate program pursuant to Section 5072 of the Vehicle Code shall be available, upon appropriation, for programs which address any of the following child health and safety concerns and that are either to be carried out within a two-year period or whose implementation is dependent upon one-time initial funding:

- (5) Bicycle safety.

#####

California Civil Code

Common Carrier (Defined)

2168. Every one who offers to the public to carry persons, property, or messages, excepting only telegraphic messages, is a common carrier of whatever he thus offers to carry.

Baggage – Charge for

2180. A common carrier of persons, unless his vehicle is fitted for the reception of persons exclusively, must receive and carry a reasonable amount of baggage for each passenger without charge, except for an excess of weight over one hundred pounds to a passenger; if such carrier is a proprietor of a stage line, he need not receive and carry for each passenger by such stage line, without charge, more than sixty pounds of baggage.

Baggage (Defined)

2181. Luggage may consist of whatever the passenger takes with him for his personal use and convenience, according to the habits or wants of the particular class to which he belongs, either with reference to the important necessities or to the ultimate purposes of his journey. Luggage within the meaning of this section shall include the samples, case, wares, appliances and catalogs of commercial travelers or their employers, used by them for the purpose of transacting their business and carried with them solely for that purpose, when securely packed and locked in substantial trunks or sample cases of convenient shape and weight for handling. No crate cover or other protection shall be required for any bicycle carried as luggage, but no passenger shall be entitled to carry as luggage more than one bicycle.

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California Code of Regulations (CCR)

TITLE 2. ADMINISTRATION, DIVISION 1, ADMINISTRATIVE PERSONNEL, CHAPTER 3, DEPARTMENT OF PERSONNEL ADMINISTRATION, SUBCHAPTER 1, GENERAL CIVIL SERVICE RULES, ARTICLE 2, TRAVELING EXPENSES

Special Transportation.

§ 599.627. (c) Where a privately owned bicycle is used in the conduct of official state business, the employee will be allowed to claim 4 cents per 1.6 kilometers (mile).

Special Transportation

§ 599.627.1. Special Transportation - Excluded Employees.

(c) Where a privately owned bicycle is used in the conduct of official state business, the employee will be allowed to claim 4 cents per mile.

TITLE 2. ADMINISTRATION, DIVISION 2, FINANCIAL OPERATIONS, CHAPTER 1, VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD, ARTICLE 8, TRAVELING EXPENSES

Special Transportation.

§ 712. (c) Where a privately owned bicycle is used in the conduct of official state business, the employee will be allowed to claim 4 cents per 1.6 kilometers (mile).

TITLE 2. ADMINISTRATION, DIVISION 2. FINANCIAL OPERATIONS, CHAPTER 3. DEPARTMENT OF GENERAL SERVICES, SUBCHAPTER 2, CALIFORNIA STATE POLICE DIVISION, ARTICLE 1. GENERAL

Operation and Use of Bicycles, Roller skates, Skateboards, and Other Wheeled Conveyances on State Owned Property.

§ 1209. (a) The riding, operation or use of bicycles, roller skates, skateboards, tricycles, or other wheeled conveyances is prohibited on State buildings and grounds except as follows:

(1) That portion of Capitol Park known as the "Thirteenth Street Walk" and described as that portion of Thirteenth Street between L and N Streets.....

(b) The parking of bicycles on State buildings and grounds is prohibited except at designated bicycle parking racks or facilities established by the Department.

(c) Otherwise permissible riding or operation of wheeled conveyances under this section shall be prohibited if such conveyance is operated or ridden in a manner other than is reasonable or prudent having due regard for pedestrians, weather, visibility, the traffic on, and the surface and width of the area's grounds. In no event shall a wheeled conveyance be operated or ridden at a speed which endangers the safety of persons or property.

TITLE 2. ADMINISTRATION, DIVISION 2. FINANCIAL OPERATIONS, CHAPTER 3. DEPARTMENT OF GENERAL SERVICES, SUBCHAPTER 4. OFFICE OF PUBLIC SCHOOL CONSTRUCTION, SUBGROUP 3.5. REGULATIONS RELATING TO SURPLUS SCHOOL PROPERTY; USE OF PROCEEDS, SUBGROUP 5.5. REGULATIONS RELATING TO THE LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998: (SCHOOL FACILITY PROGRAM), ARTICLE 8. NEW CONSTRUCTION AND MODERNIZATION GRANT DETERMINATIONS

New Construction - Additional Grant for High Performance Incentive.

§ 1859.71.6. (a) In addition to any other funding authorized by these Regulations, the Board shall provide the grant amounts identified in Subsection (b) if all the following are met:

(1) The project includes all the prerequisites in each of the five HPRC to include Sustainable Sites, Water, Energy, Materials and Indoor Environmental Quality and related subcategory credits.

(2) Once the prerequisites in (a)(1) have been met, the district may select the criteria and credits it wishes to pursue to determine point award. Category, criteria and associated points are as follows:

(A) Sustainable Sites.

2. Transportation:

b. Bicycles equals one point;

TITLE 2. ADMINISTRATION, DIVISION 3, STATE PROPERTY OPERATIONS, CHAPTER 3, CALIFORNIA MUSEUM OF SCIENCE AND INDUSTRY ARTICLE 1, GENERAL

Bicycles Use at California Museum of Science & Industry.

§ 4007. The riding of bicycles in the park is prohibited except in and upon that portion of the park used by vehicular traffic.

TITLE 5. EDUCATION, DIVISION 2. CALIFORNIA STATE LIBRARY, CHAPTER 3, CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000, ARTICLE 2, CALIFORNIA LIBRARY CONSTRUCTION AND RENOVATION PROGRAM

Grant Application Requirements.

§ 20440. (a) Application for Bond Act grant funds

(1) For each application cycle, applicants shall submit:

(C) The conceptual plan submittal shall consist of the following:

2. A site plan showing the library building, automobile and bicycle parking, access roads, bicycle and pedestrian pathways, and any anticipated future expansion of the building and parking.....”

TITLE 5. EDUCATION, DIVISION 5, BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITIES, CHAPTER 1, CALIFORNIA STATE UNIVERSITY, SUBCHAPTER 5, ADMINISTRATION, ARTICLE 9, USE OF CALIFORNIA STATE UNIVERSITY BUILDINGS AND GROUNDS

Bicycles, Skateboards, Roller Skates, and Animals.

§ 42353.1. (a) The president of the campus may permit forms of transportation on the campus in accordance with reasonable directives issued by the campus president. No person shall use forms of transportation upon the campus driveways, pathways, parking facilities or grounds except in accordance with directives issued by the campus president. The campus president may designate the campus areas that shall be open to use of forms of transportation, and shall place appropriate signs indicating the time and the conditions for their use. "Forms of transportation," shall include bicycles, motorized bicycles, scooters, motorized scooters, skateboards, roller skates including inline skates, and other forms of transportation that are not motor vehicles.

TITLE 13. MOTOR VEHICLES, DIVISION 2, DEPARTMENT OF THE CALIFORNIA HIGHWAY PATROL, CHAPTER 2, LIGHTING EQUIPMENT, ARTICLE 1, LIGHTING EQUIPMENT SUBJECT TO REGULATION

Federally Regulated Equipment - Bike Lighting & Reflectors (See Also CVC 31201 & 21201.5)

§ 621. Lighting equipment for which the department {CHP} is authorized to establish requirements and for which there is a mandatory Federal Motor Vehicle Safety Standard or Federal Consumer Product Safety Commission Regulation shall comply with the requirements in that standard or regulation. This provision applies not only to federally required original equipment devices and their replacements but also to additional devices of the same type that are not required by those standards but are regulated by the Vehicle Code.....This provision applies to the following items:

Type of Equipment

Bicycle reflectors, reflectorized pedals and reflectorized tires

CPSC No. FMVSS No

Part 1512

Referenced Publications for Bicycle Reflectors.

§ 624. (a) Consumer Product Safety Commission regulations for bicycle reflectors, reflectorized pedals, and reflectorized tires may be obtained at the following address: Consumer Product Safety Commission, Washington, D.C. 20207.

TITLE 13. MOTOR VEHICLES, DIVISION 2. DEPARTMENT OF THE CALIFORNIA HIGHWAY PATROL, CHAPTER 4. SPECIAL EQUIPMENT, ARTICLE 4, FEDERALLY REGULATED EQUIPMENT

Safety Helmet Requirements for Motorized Bicycles & Motorcycles.

§ 982. Motorcycle and motorized bicycle safety helmets governed by Vehicle Code Section 27802 shall meet Federal Motor Vehicle Safety Standard No. 218.

Title 13. MOTOR VEHICLES, DIVISION 2, DEPARTMENT OF THE CALIFORNIA HIGHWAY PATROL, CHAPTER 11, RULES APPLICABLE TO THE USE OF STATE PROPERTY, ARTICLE 3,. RESTRICTIONS ON THE USE OF STATE BUILDINGS AND GROUNDS.

1867. Operation & Use of Bicycles, Roller Skates, Skateboards, and Other Wheeled Conveyances On State Property (See also Government Code Section 14679.5 above)

(a) The riding, operation or use of bicycles, roller skates, skateboards, or other wheeled conveyances is prohibited in or upon state property (as defined for this chapter [editor's note - see Section 1851 below]) except as follows: (editor's note - no exceptions for bicycles were listed under subsections (a-c))

(d) The parking of bicycles in or upon state property is prohibited except at designated bicycle parking racks or facilities established by the agency in control of a given state property.

(f) This section shall not apply to any location defined as a street or highway under applicable provisions of the California Vehicle Code.

Editor's Note - Section 1851(found earlier within Article 1) defines state property under this section as NOT including - property under the control of the University of California, the California state college system, the state fair grounds, state hospitals, state parks and beaches, state prisons, the youth authority and property under the jurisdiction of Caltrans as defined in the Streets and Highway Code Sections 660-670.

TITLE 14. NATURAL RESOURCES, DIVISION 1, FISH AND GAME COMMISSION - DEPARTMENT OF FISH AND GAME, SUBDIVISION 2, GAME AND FURBEARERS CHAPTER 11, ECOLOGICAL RESERVES

Bicycle Restrictions at Ecological Reserves.

§ 630. The areas specified in this chapter have been declared by the Fish and Game Commission to be ecological reserves..... Ecological reserves are established to provide protection for rare, threatened or endangered native plants, wildlife, aquatic organism and specialized terrestrial or aquatic habitat types. Public entry and use of ecological reserves shall be compatible with the primary purposes of such reserves, and subject to the following applicable general rules and regulations, except as otherwise provided for in the special area regulations:

(a) General Rules and Regulations:

(4) Motor Vehicles. No person shall drive, operate, leave, or stop any motor vehicle, bicycle, tractor, or other type of vehicle in an ecological reserve except on designated access roads and parking areas.

TITLE 14. NATURAL RESOURCES, DIVISION 1, FISH AND GAME COMMISSION - DEPARTMENT OF FISH AND GAME, SUBDIVISION 2, GAME AND FURBEARERS CHAPTER 8, WILDLIFE AND PUBLIC SHOOTING AREAS

Hunting, Firearms, and Archery Equipment Use and Permit Requirements on State and Federal Areas.

§ 551. Editors Note - This section lists page after page of Federal & State wildlife areas where the use of bicycles are prohibited. Please consult the website listed below for specific locations.

TITLE 14. NATURAL RESOURCES, DIVISION 3, DEPARTMENT OF PARKS AND RECREATION, CHAPTER 2, VEHICLES, BOATS, AIRCRAFT, HORSES, AND OPERATOR PROPELLED DEVICES

Dangerous Vehicle Operation.

§ 4354. No person shall operate any vehicle, motor vehicle, off-highway vehicle, or bicycle negligently or willfully in such a manner as to pursue, harass, endanger, or injure any person or animal.

TITLE 14. NATURAL RESOURCES, DIVISION 3, DEPARTMENT OF PARKS AND RECREATION, CHAPTER 14. CALIFORNIA EXPOSITION AND STATE FAIR (CAL-EXPO)

Vehicles - Operation, Stopping, Parking, Removal by Peace Officers.

§ 4961. (e) No person shall operate or ride a bicycle, scooter, skateboard or other operator-propelled device on the grounds of Cal Expo unless authorized in writing by the General Manager.

TITLE 14. NATURAL RESOURCES, DIVISION 6, RESOURCES AGENCY, CHAPTER 3, GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), ARTICLE 19, CATEGORICAL EXEMPTIONS

15300. Categorical Exemptions (Includes Bike Facilities) (See also Title 25, Division 1 - for Bike Exemptions Related to Housing Developments)

Section 21084 of the Public Resources Code requires these Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA In response to that mandate, the Secretary for Resources has found that the following classes of projects listed in this article do not have a significant effect on the environment, and they are declared to be categorically exempt from the requirement for the preparation of environmental documents.

15301. Existing Facilities. - Operation, Repair or Maintenance of

Class 1 - consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).

15304. Minor Alterations to Land, Water and/or Vegetation

Class 4 - consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:

(h) The creation of bicycle lanes on existing rights-of-way.

TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS, DIVISION 7, BUREAU OF SECURITY AND INVESTIGATIVE SERVICES, ARTICLE 9, SKILLS TRAINING COURSE FOR SECURITY GUARDS

Appendix

III. Elective Course Outlines - Objective: To familiarize and instruct the individual in basic employer requirements relating to the performance of guard duties. Additionally, to provide the employer and the individual with the opportunity to select additional course work to improve the skills and knowledge of the individual. The listed courses should include a mixture of written materials, lecture and exercises.....

O. Driver Safety - 4 Hrs. Maximum

2. Bicycles

TITLE 20. PUBLIC UTILITIES AND ENERGY, DIVISION 2, STATE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION, CHAPTER 5, SITE CERTIFICATION, ARTICLE 6. POWER PLANT AND TRANSMISSION LINE JURISDICTIONAL INVESTIGATIONS, EXPEDITED CLEARANCE PROCESS

Information Requirements for an Application

(g) Environmental Information

(6) Visual Resources

(C) In consultation with Energy Commission staff, identify I) any designated scenic roadways or scenic corridors and any visually sensitive areas that would be affected by the proposed project, including recreational and residential areas and ii) the locations of the key observation points to represent the most critical viewing locations from which to conduct detailed analyses of the visual impacts of the proposed project. Indicate the approximate number of people using each of these sensitive areas and the estimated number of residences with views of the project. Also identify any major public roadways and trails of local importance that would be visually impacted by the project and indicate the types of travelers (e.g., local residents, recreationists, workers, commuters, etc.) and the approximate number of vehicles, bicyclists and/or hikers per day.

TITLE 21. PUBLIC WORKS, DIVISION 3. BUSINESS, TRANSPORTATION AND HOUSING AGENCY, CHAPTER 2, TRANSPORTATION DEVELOPMENT ACT, ARTICLE 1, PURPOSE AND AUTHORITY, CHAPTER 2, TRANSPORTATION DEVELOPMENT ACT

Application

§ 6602. References to "operator" or "public transportation system" or "transit service claimant", under Article 4 (commencing with section 6630), are not applicable to claims filed or allocations made for local streets and roads or for facilities provided for use by pedestrians and bicycles or bicycle safety education programs pursuant to Public Utilities Code sections 99234 and 99400(a).

TITLE 21. PUBLIC WORKS, DIVISION 3, BUSINESS, TRANSPORTATION AND HOUSING AGENCY, CHAPTER 2, TRANSPORTATION DEVELOPMENT ACT, ARTICLE 5, RESPONSIBILITIES OF TRANSPORTATION PLANNING AGENCY

Funds Reserved for Pedestrian and Bicycle Facilities

§ 6655.2. The transportation planning agency may reserve moneys in the fund for later allocation to claimants for pedestrian and bicycle facilities or bicycle safety education programs pursuant to Public Utilities Code Section 99233.3 without designating the claimants to receive allocations from the amount. Such moneys may be allocated to claimants on such terms and conditions as the transportation planning agency may determine in accordance with Public Utilities Code Section 99234. Whenever the transportation planning agency finds that the amount, or any portion of the amount, so reserved could be used to better advantage for other purposes, that amount shall be added to the apportionments determined in accordance with Section 6644.

TITLE 21. PUBLIC WORKS, DIVISION 4, CALIFORNIA TRANSPORTATION COMMISSION, CHAPTER 2, GUIDELINES FOR THE PREPARATION OF THE STATE AND REGIONAL TRANSPORTATION PROGRAMS

Project Listings Content, Priority Rankings, and Submission of Project Differences.

§ 8118. The PSTIP, RTIPs, and STIP shall contain a listing of projects for the five-year period including the immediately upcoming fiscal year and the following four years.

(a) Project Listings. The PSTIP, the RTIPs, and the adopted STIP shall contain a geographic listing of major and minor projects (as defined in Section 8112(b)(4)).

(d) Minor Projects Information. The following information, to the extent possible, shall be included for minor projects:

(1) Minor projects in the State Highway Noise Attenuation, bicycle, and planting programs shall be identified and listed in the PSTIP and RTIPs in the same manner and detail as major projects.

TITLE 22. SOCIAL SECURITY, DIVISION 3, HEALTH CARE SERVICES, SUBDIVISION 1, CALIFORNIA MEDICAL ASSISTANCE PROGRAM, CHAPTER 3, HEALTH CARE SERVICES, ARTICLE 4, SCOPE AND DURATION OF BENEFITS

Durable Medical Equipment

§ 51321. (a) Durable medical equipment, as defined in Section 51160, is covered in accordance with the standards set forth in section 51303(a) and when provided on the written prescription of licensed practitioners within the scope of their practice as established in California law.....

(e) The following items are not covered by the program:

(6) Bicycles, tricycles, or exercise equipment

TITLE 23. WATERS, DIVISION 1, RECLAMATION BOARD, CHAPTER 1, ORGANIZATION, POWERS AND STANDARDS, ARTICLE 8, STANDARDS

Bicycle Trails On Levees - Construction Of (See Also CVC Section 21116)

§ 132. (a) It is the board's policy to permit the construction of paved and unpaved bicycle trails by public agencies on levees and within floodways under the board's jurisdiction, provided that the flood control purpose of the floodway facilities remains primary. Bicycle trails must meet the following general conditions:

(1) Where feasible, the bicycle trail must be located off of the levee.

(2) Repair or replacement of the bicycle trail that is damaged during an emergency flood fight procedure, routine maintenance, or any required improvement activity within an adopted plan of flood control must be made by, and at the sole expense of, the permittee or in accordance with an agreement for maintenance between the permittee and a public agency.

(3) The board and the local flood control maintaining agency retain the right to temporarily close the bicycle trail for improvement, maintenance, or during emergency flood fight activities.

(4) Bicycle trails within an adopted plan of flood control must be maintained to a level safe for bicycle traffic and acceptable to the local flood control maintaining agency and the Department of Water Resources.

(b) Bicycle trails on a levee section are permitted under the following conditions:

(1) The permittee shall defend, hold harmless, and indemnify the State of California and the local maintaining agency, and each of their boards, elected officials, officers, employees, and agents against all damages and claims of liability of whatever nature which arise from the use of the levee as a bicycle trail.

(2) The permittee must submit proposed use restrictions for the bicycle trail, and a plan for enforcement of the restrictions satisfactory to the board, prior to commencing construction. The restrictions, at a minimum, must restrict public access to the trail and to designated adjacent areas only, and must prohibit equestrian and motorized vehicle traffic, except as may be necessary for maintenance, restriction enforcement, and providing for public safety.

(3) The permittee must agree to bear the cost of any repairs to a flood control project facility that are made necessary by the presence or use of the bicycle trail.

(4) Paved bicycle trails constructed on the levee crown must have a minimum pavement width of twelve (12) feet and a minimum shoulder width of one (1) foot on each side of the pavement. The outer edges of the finished pavement may be no higher than the adjacent shoulders and the cross-section must be shaped and trimmed to produce a smooth transition from pavement to shoulder.

(5) Paved bicycle trails on the levee crown must be designed and paved to withstand a maximum load of 68,000 pounds from two consecutive sets of tandem axles. Soil tests may be required to determine design of the trail.

(6) The structural section of paved bicycle trails must consist of a minimum of six (6) inches of aggregate base beneath two (2) inches of asphalt concrete pavement, or equivalent, on a well compacted levee crown.

(7) The aggregate base shall extend beyond the pavement to allow drainage.

(8) The bicycle trail and all bicycle access ramps must be sloped to drain away from the levee crown.

(9) Bicycle access ramps on levee slopes must conform to the criteria set forth in the standards for access ramps in section 130.

(10) The bicycle trail may not be cut into the levee section but may be placed on fill along the levee slope provided it will not interfere with maintenance.

(11) The permittee must maintain the bicycle trail or provide evidence of agreement with a public agency for that agency to provide maintenance.

(12) The permittee may be required to prevent unauthorized vehicular access to bicycle trails by physical barriers, which must be removable to allow access for maintenance, inspection, and emergency vehicles. Vehicular access barriers will be secured by locks. Keys shall be provided to the Department of Water Resources and the local flood control maintaining agency.

(13) The permittee shall install permanent safety signs at all bicycle access points and at periodic intervals along the trail containing such language as: Levee Maintenance Road - Watch for Patrolling Vehicles.

(14) The permittee shall install permanent signs at all bicycle access points to control unauthorized use of bicycle trails.

(c) Bicycle trails within a leveed floodway are permitted under the following conditions:

(1) The permittee must submit proposed use restrictions for the bicycle trail and a plan for enforcement of such restrictions satisfactory to the board, prior to commencing construction. The restrictions, at a minimum, must restrict public access to the trail and to designated adjacent areas only, and shall prohibit equestrian and motorized vehicle traffic, except as may be necessary for maintenance, restriction enforcement, and providing for public safety.

(2) The permittee must agree to bear the cost of any repairs to a flood control project facility that are made necessary by the presence or use of the bicycle trail.

(3) Bicycle trails must be constructed at natural ground level wherever possible, and all fills greater than three (3) feet in height must be supported by appropriate engineering studies.

(4) The permittee must maintain the bicycle trail or provide evidence of an agreement with a public agency for that agency to provide maintenance.

(5) The permittee is required to prevent unauthorized vehicular access to bicycle trails by physical barriers, which must be removable to allow access for maintenance, inspection, and emergency vehicles. Vehicular access barriers will be secured by locks. Keys shall be provided to the Department of Water Resources and the local flood control maintaining agency.

(6) The permittee must install permanent signs at all bicycle access points to control unauthorized use of bicycle trails.

(d) Paved bicycle trails within ten (10) feet of the landside levee toe must have appropriate features that intercept seepage and prevent particle migration.

TITLE 25. HOUSING AND COMMUNITY DEVELOPMENT, DIVISION 1, HOUSING AND COMMUNITY DEVELOPMENT, CHAPTER 6.5, PROGRAM OPERATIONS SUBCHAPTER 3, CALIFORNIA ENVIRONMENTAL QUALITY ACT, ARTICLE 3, EXEMPT ACTIVITIES.

Categorical Exemptions For Bike Facilities Improvements & Repairs In Housing Developments (See Also Title 14, Division 6, Resources Agency - for Bicycle Facility Exemptions Under CEQA)

§ 6962. The Guidelines establish classes of projects which have been determined not to have a significant effect on the environment and are therefore categorically exempt. Provided below are only those exempt classes from Article 8 of the State EIR Guidelines which might be relevant to departmental activities. All class exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. Classes 3, 4, 5, 6, and 11 are not exempt if the project may impact on an environmental resource of hazardous or critical concern which is designated, precisely mapped and officially adopted pursuant to law by federal, state or local agencies. (Areas of concern include critical air basins and coastal zones.) A categorical exemption shall not be used where there is a reasonable possibility that the activity will have a significant effect due to unusual circumstances.

(a) Class 1: Existing Facilities. Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

- (3) Highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities;

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U.S. GOVERNMENT CODE (REGARDING USE OF FEDERAL FUNDS)

TITLE 23 - HIGHWAYS, CHAPTER 1 -- FEDERAL-AID HIGHWAYS

Section 101 - Transportation Enhancement Activities

101(a) Definitions--In this title, the following definitions apply:

(35) Transportation enhancement activities.--The term 'transportation enhancement activity' means, with respect to any project or the area to be served by the project, any of the following activities as the activities relate to surface transportation:

- (a) Provision of facilities for pedestrians and bicycles.
- (b) Provision of safety and educational activities for pedestrians and bicyclists.
- (g) Rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals).
- (h) Preservation of abandoned railway corridors (including the conversion and use of 2 the corridors for pedestrian or bicycle trails).

Section 103 - Federal-aid Systems (Eligibility for National Highway System Funds)

103(b)(6) Eligible Projects for NHS.--Subject to approval by the Secretary, funds apportioned to a State under section 104(b)(1) for the National Highway System may be obligated for any of the following:

- (K) Bicycle transportation and pedestrian walkways in accordance with section 217.

Section 109 - (Severing of Existing Non-Motorized Facilities) (See Also S & H Code 888)

109(m) Protection of Nonmotorized Transportation Traffic. --The Secretary shall not approve any project or take any regulatory action under this title that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless such project or regulatory action provides for a reasonable alternate route or such a route exists.

Section 130 - Railway-Highway Crossings

130(a) - Subject to section 120 and subsection (b) of this section, the entire cost of construction of projects for the elimination of hazards of railway-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, and the relocation of highways to eliminate grade crossings, may be paid from sums apportioned in accordance with section 104 of this title.....

(b-j) deleted for brevity

- (j) Bicycle Safety. - In carrying out projects under this section, a State shall take into account bicycle safety.

Section 133 - Surface Transportation Program (Eligibility for Surface Transportation Program Funds)

133(b) Eligible Projects.--A State may obligate funds apportioned to it under section 104(b)(3) for the surface transportation program only for the following: (3) Carpool projects, fringe and corridor parking facilities and programs, bicycle transportation and pedestrian walkways in accordance with section 217, and modification of public sidewalks to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(8) Transportation enhancement activities.

(c) Location of Projects.--Except as provided in subsection (b)(1), surface transportation program projects (other than those described in subsections (b)(3) and (4)) may not be undertaken on roads functionally

classified as local or rural minor collectors, unless such roads are on a Federal-aid highway system on January 1, 1991, and except as approved by the Secretary.

Section 134 - Metropolitan Transportation Planning

(a) Policy: It is in the national interest to:

(1) encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter.....

(b) Deleted for brevity.

(c) General Requirements:

(1) Development of long-range plans and TIPs. To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall develop long-range transportation plans and transportation improvement programs for metropolitan planning areas of the State.

(2) Contents.--The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.

(d), (e), (f) and (g) deleted for brevity.

(h) Scope of Planning Process:

(1) In general - The metropolitan planning process for a metropolitan planning area under this section shall provide for consideration of projects and strategies that will:

(B) increase the safety of the transportation system for motorized and nonmotorized users;

(C) increase the security of the transportation system for motorized and nonmotorized users;

Section 135 - Statewide Transportation Planning

(a) General Requirements:

(1) Development of plans and programs. - To accomplish the objectives stated in section 134(a), each State shall develop a statewide transportation plan and a statewide transportation improvement program (STIP) for all areas of the State, subject to section 134.

(2) Contents. - The STIP and the TIP developed for each State shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation ...facilities) that will function as an intermodal transportation system for the State and an integral part of an intermodal transportation system for the United States.

(b) and (c) deleted for brevity.

(d) Scope of Planning Process:

(1) In general. - Each State shall carry out a statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will:

(B) increase the safety of the transportation system for motorized and nonmotorized users;

(C) increase the security of the transportation system for motorized and nonmotorized users;

Sec. 148. Highway Safety Improvement Program

(a) Definitions. - In this section, the following definitions apply:

(3) Highway safety improvement project. -

(B) The term "highway safety improvement project" includes a project for one or more of the following:

(I) An intersection safety improvement.

(ii) Pavement and shoulder widening (including addition of a passing lane to remedy an unsafe condition).

(iii) Installation of rumble strips or another warning device, if the rumble strips or other warning devices do not adversely affect the safety or mobility of bicyclists, pedestrians, and the disabled.

(v) An improvement for pedestrian or bicyclist safety or safety of the disabled.

- (ix) Construction of a traffic calming feature.
- (xix) Installation and maintenance of signs (including fluorescent, yellow-green signs) at pedestrian-bicycle crossings and in school zones.
- (xx) Construction and yellow-green signs at pedestrian- bicycle crossings and in school zones.

(6) State Strategic Highway Safety Plan. - The term "State strategic highway safety plan" means a plan developed by the State transportation department that –

- (A) is developed after consultation with -
 - (I) a highway safety representative of the Governor of the State;
 - (ii) regional transportation planning organizations and metropolitan planning organizations, if any;
 - (iii) representatives of major modes of transportation;
 - (iv) State and local traffic enforcement officials;
 - (v) persons responsible for administering section 130 at the State level;
 - (vi) representatives conducting Operation Lifesaver;
 - (vii) representatives conducting a motor carrier safety program under section 31102, 31106, or 31309 of title 49;
 - (viii) motor vehicle administration agencies; and
 - (ix) other major State and local safety stakeholders;
 - (B) analyzes and makes effective use of State, regional, or local crash data;
 - (C) addresses engineering, management, operation, education, enforcement, and emergency services elements (including integrated, interoperable emergency communications) of highway safety as key factors in evaluating highway projects;
 - (D) considers safety needs of, and high-fatality segments of, public roads;
- (2) Identification and analysis of highway safety problems and opportunities. - As part of the State strategic highway safety plan, a State shall -
- (A) have in place a crash data system with the ability to perform safety problem identification and countermeasure analysis;
 - (B) based on the analysis required by subparagraph (A):
 - (i) identify hazardous locations, sections, and elements (including roadside obstacles, railway-highway crossing needs, and unmarked or poorly marked roads) that constitute a danger to motorists including motorcyclists), bicyclists, pedestrians, and other highway users; and
 - (C) adopt strategic and performance-based goals that –
 - (iii) identifies hazardous locations, sections, and elements on public roads that constitute a danger to motorists (including motorcyclists), bicyclists, pedestrians, the disabled, and other highway users; and.....
 - (d) Eligible Projects. -
 - (1) In general. - A State may obligate funds apportioned to the State under section 104(b)(5) to carry out -
 - (A) any highway safety improvement project on any public road or publicly owned bicycle or pedestrian pathway or trail; or.....

Section 152 - Hazard Elimination Program

152 (a) - In General

- (1) Program. - Each State shall conduct and systematically maintain an engineering survey of all public roads to identify hazardous locations, sections, and elements, including roadside obstacles and unmarked or poorly marked roads, which may constitute a danger to motorists, bicyclists, and pedestrians, assign priorities for the correction of such locations, sections, and elements, and establish and implement a schedule of projects for their improvement.
- (2) Hazards. - In carrying out paragraph (1), a State may, at its discretion -
 - (A) identify, through a survey, hazards to motorists, bicyclists, pedestrians, and users of highway facilities; and
 - (B) develop and implement projects and programs to address the hazards.

- (b) The Secretary may approve as a project under this section any safety improvement project, including a project described in subsection (a).
- (c) Funds authorized to carry out this section shall be available for expenditure on -
 - (2) any public surface transportation facility or any publicly owned bicycle or pedestrian pathway or trail; or
 - (3) any traffic calming measure.
- (d) The Federal share payable on account of any project under this section shall be 90 percent of the cost thereof.
- (g) Each State shall report to the Secretary of Transportation not later than December 30 of each year, on the progress being made to implement safety improvement projects for hazard elimination and the effectiveness of such improvements

Section 166 – HOV Facilities

- (a) In General:
 - (1) Authority of state agencies. - A State agency that has jurisdiction over the operation of a HOV facility shall establish the occupancy requirements of vehicles operating on the facility.
 - (2) Occupancy requirement. - Except as otherwise provided by this section, no fewer than two occupants per vehicle may be required for use of a HOV facility.
- (b) Exceptions. -
 - (1) In general. - Notwithstanding the occupancy requirement of subsection (a)(2), the exceptions in paragraphs (2) through (5) shall apply with respect to a State agency operating a HOV facility.
 - (2) Motorcycles and bicycles. -
 - (A) In general. - Subject to subparagraph (B), the State agency shall allow motorcycles and bicycles to use the HOV facility.
 - (B) Safety exception. -
 - (i) In general. - A State agency may restrict use of the HOV facility by motorcycles or bicycles (or both) if the agency certifies to the Secretary that such use would create a safety hazard and the Secretary accepts the certification.

TITLE 23 - HIGHWAYS - CHAPTER 2 - OTHER HIGHWAYS

Section 204 - Federal Lands Highways Program

- (a) **Establishment** - (1) In general. - Recognizing the need for all Federal roads that are public roads to be treated under uniform policies similar to the policies that apply to Federal-aid highways, there is established a coordinated Federal lands highways program that shall apply to public lands highways, park roads and parkways, refuge roads, and Indian reservation roads and bridges.
- (2) Transportation planning procedures. - In consultation with the Secretary of each appropriate Federal land management agency, the Secretary shall develop, by rule, transportation planning procedures that are consistent with the metropolitan and statewide planning processes required under sections 134 and 135.
- (4) Inclusion in other plans. - All regionally significant Federal lands highways program projects (A) shall be developed in cooperation with States and metropolitan planning organizations; and (B) shall be included in appropriate Federal lands highways program, State, and metropolitan plans and transportation improvement programs.
- (5) Inclusion in state programs. - The approved Federal lands highways program transportation improvement program shall be included in appropriate State and metropolitan planning organization plans and programs....
- (h) **Eligible Projects**. - Funds available for each class of Federal lands highways may be available for the following:
 - (5) Provision for pedestrians and bicycles.

Section 206 - Recreational Trails Program

- (a) **Definitions**.— In this section, the following definitions apply:
 - (1) **Motorized recreation**.— The term “motorized recreation” means off-road recreation using any motor-powered vehicle, except for a motorized wheelchair.
 - (2) **Recreational trail**.— The term “recreational trail” means a thoroughfare or track across land or snow, used for recreational purposes such as—

(E) bicycling or use of other human-powered vehicles;

(d) Use of Apportioned Funds.—

(2) **Permissible uses.**— Permissible uses of funds apportioned to a State for a fiscal year to carry out this section include—

- (A) maintenance and restoration of existing recreational trails;
- (B) development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails;
- (C) purchase and lease of recreational trail construction and maintenance equipment;
- (D) construction of new recreational trails.

Section 217 - Bicycle Transportation and Pedestrian Walkways

(a) Use of STP and Congestion Mitigation Program Funds ...” ... a State may obligate funds apportioned to it . for construction of pedestrian walkways and bicycle transportation facilities and for carrying out non-construction projects related to safe bicycle use.

(b) Use of National Highway System Funds -- “... a State may obligate funds apportioned to it for construction of pedestrian walkways and bicycle transportation facilities on land adjacent to any highway on the National Highway System.

(c) Use of Federal Lands Highway Funds -- “... shall be available, ... for the construction of pedestrian walkways and bicycle transportation facilities in conjunction with such trails, roads, highways, and parkways.

(d) State Bicycle and Pedestrian Coordinators --Each State receiving an apportionment under sections 104(b)(2) and 104(b)(3) of this title shall use such amount of the apportionment as may be necessary to fund in the State department of transportation a position of bicycle and pedestrian coordinator for promoting and facilitating the increased use of nonmotorized modes of transportation, including developing facilities for the use of pedestrians and bicyclists and public education, promotional, and safety programs for using such facilities.

(e) Bridges -- In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations.

(f) Federal Share -- For all purposes of this title, construction of a pedestrian walkway and a bicycle transportation facility shall be deemed to be a highway project and the Federal share payable on account of such construction shall be determined in accordance with section 120(b).

(g) Planning and Design (1) In general --Bicyclists and pedestrians shall be given due consideration in the comprehensive transportation plans developed by each metropolitan planning organization and State in accordance with sections 134 and 135, respectively. Bicycle transportation facilities and pedestrian walkways shall be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation facilities, except where bicycle and pedestrian use are not permitted.

(2) Safety considerations --Transportation plans and projects shall provide due consideration for safety and contiguous routes for bicyclists and pedestrians. Safety considerations shall include the installation, where appropriate, and maintenance of audible traffic signals and audible signs at street crossings.

(h) Use of Motorized Vehicles --Motorized vehicles may not be permitted on trails and pedestrian walkways under this section, except for--

- (1) maintenance purposes;
- (2) when snow conditions and State or local regulations permit, snowmobiles;
- (3) motorized wheelchairs;
- (4) when State or local regulations permit, electric bicycles; and

(i) Transportation Purpose.--No bicycle project may be carried out under this section unless the Secretary has determined that such bicycle project will be principally for transportation, rather than recreation, purposes.

(j) Definitions --In this section, the following definitions apply:

(1) Bicycle transportation facility --The term “bicycle transportation facility” means a new or improved lane, path, or shoulder for use by bicyclists and a traffic control device, shelter, or parking facility for bicycles.

(2) Electric bicycle --The term “electric bicycle” means any bicycle or tricycle with a low-powered electric motor weighing under 100 pounds, with a top motor-powered speed not in excess of 20 miles per hour.

(3) Pedestrian --The term “pedestrian” means any person traveling by foot and any mobility-impaired person using a wheelchair.

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CODE OF FEDERAL REGULATIONS (CFR)

TITLE 23 - VOLUME #1 - HIGHWAYS

CHAPTER I - FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 652—PEDESTRIAN AND BICYCLE ACCOMMODATIONS AND PROJECTS

652.1 Purpose.

To provide policies and procedures relating to the provision of pedestrian and bicycle accommodations on Federal-aid projects, and Federal participation in the cost of these accommodations and projects.

652.3 Definitions (See Calif. Vehicle Code Sect. 231 and Calif. S & H Code Sect. 890.4 (a), (b) & (c))

- (a) **Bicycle** - A vehicle having two tandem wheels, propelled solely by human power, upon which any person or persons may ride.
- (b) **Bikeway** - Any road, path, or way which in some manner is specifically designated as being open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.
- (c) **Bicycle Path (Bike Path)** - A bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way.
- (d) **Bicycle Lane (Bike Lane)** - A portion of a roadway which has been designated by striping, signing and pavement markings for the preferential or exclusive use of bicyclists.
- (e) **Bicycle Route (Bike Route)** - A segment of a system of bikeways designated by the jurisdiction having authority with appropriate directional and informational markers, with or without a specific bicycle route number.
- (f) **Shared Roadway** - Any roadway upon which a bicycle lane is not designated and which may be legally used by bicycles regardless of whether such facility is specifically designated as a bikeway.
- (g) **Pedestrian Walkway or Walkway** - A continuous way designated for pedestrians and separated from the through lanes for motor vehicles by space or barrier.
- (h) **Highway Construction Project** - A project financed in whole or in part with Federal-aid or Federal funds for the construction, reconstruction or improvement of a highway or portions thereof, including bridges and tunnels.
- (i) **Independent Bicycle Construction Project (Independent Bicycle Project)** - A project designation used to distinguish a bicycle facility constructed independently and primarily for use by bicyclists from an improvement included as an incidental part of a highway construction project.
- (j) **Independent Pedestrian Walkway Construction Project (Independent Walkway Project)** - A project designation used to distinguish a walkway constructed independently and solely as a pedestrian walkway project from a pedestrian improvement included as an incidental part of a highway construction project.
- (k) **Incidental Bicycle or Pedestrian Walkway Construction Project (Incidental Feature)** - One constructed as an incidental part of a highway construction project.

(l) **Non-construction Bicycle Project** - A bicycle project not involving physical construction which enhances the safe use of bicycles for transportation purposes.

652.5 Policy

The safe accommodation of pedestrians and bicyclists **should be** given full consideration during the development of Federal-aid highway projects, and during the construction of such projects. The special needs for the elderly and the handicapped shall be considered in all Federal-aid projects that include pedestrian facilities. Where current or anticipated pedestrian and/or bicycle traffic presents a potential conflict with motor vehicle traffic, every effort shall be made to minimize the detrimental effects on all highway users who share the facility. On highways without full control of access where a bridge deck is being replaced or rehabilitated, and where bicycles are permitted to operate at each end, the bridge shall be reconstructed so that bicycles can be safely accommodated when it can be done at a reasonable cost. Consultation with local groups of organized bicyclists is to be encouraged in the development of bicycle projects.

652.7 Eligibility

(a) Independent bicycle projects, incidental bicycle projects, and non-construction bicycle projects must be principally for transportation rather than recreational use and must meet the project conditions for authorization where applicable.

(b) The implementation of pedestrian and bicycle accommodations may be authorized for Federal-aid participation as either incidental features of highways or as independent projects where all of the following conditions are satisfied.

(1) The safety of the motorist, bicyclist, and/or pedestrian will be enhanced by the project.

(2) The project is initiated or supported by the appropriate State highway agency(ies) and/or the Federal land management agency. Projects are to be located and designed pursuant to an overall plan, which provides due consideration for safety and contiguous routes.

(3) A public agency has formally agreed to:

(i) Accept the responsibility for the operation and maintenance of the facility,

(ii) Ban all motorized vehicles other than maintenance vehicles, or snowmobiles where permitted by State or local regulations, from pedestrian walkways and bicycle paths, and

(iii) Ban parking, except in the case of emergency, from bicycle lanes that are contiguous to traffic lanes.

(4) The estimated cost of the project is consistent with the anticipated benefits to the community.

(5) The project will be designed in substantial conformity with the latest official design criteria. (See §652.13.)

652.9 Federal Participation.

(a) Independent walkway projects, independent bicycle projects and non-construction bicycle projects shall be financed with 100 percent Federal-aid primary, secondary or urban highway funds, provided the total amount obligated for all such projects in any one State in any fiscal year does not exceed \$4.5 million of Federal-aid funds or a lesser amount apportioned by the Federal Highway Administrator to avoid exceeding the annual \$45 million cost limitation on these projects for all States in a fiscal year. The Federal Highway Administrator may, upon application, waive this limitation for a State for any fiscal year. This limitation also applies to projects funded under §652.9(d). This limitation does not apply to projects of the type described in §652.9(c). The FHWA Offices of Direct Federal Programs and Engineering will coordinate projects of the type described in §652.9(d) to ensure that the annual cost limitations will not be exceeded.

(b) Specific eligibility requirements for Federal-aid participation in independent and non-construction projects are:

(1) An independent walkway project must be constructed on highway right-of-way or easement, or right-of-way acquired for this purpose. Independent walkway projects may be constructed separately or in conjunction with a Federal-aid highway construction project. Where an independent walkway project is located away from the Federal-aid highway right-of-way, it must serve pedestrians who would normally desire to use the Federal-aid route.

(2) An independent bicycle project may include the acquisition of land needed for the facility, or such projects may be constructed on existing highway right-of-way or easement acquired for this purpose. Independent

bicycle projects may include construction of bicycle lanes, paths, shelters, bicycle parking facilities and other roadway and bridge work necessary to accommodate bicyclists.

(3) Non-construction bicycle projects must be related to the safe use of bicycles for transportation, and may include safety educational material and route maps for safe bicycle transportation purposes. Non-construction bicycle projects shall not include salaries for administration, law enforcement, maintenance and similar items required to operate transportation networks and programs, but may include cost of staff or consultants for development of specific non-construction projects.

(c) Bicycle and pedestrian accommodations may also be constructed as incidental features of highway construction projects. These incidental features may be financed with the same type of Federal-aid funds, including funds of the type described in §652.9(d) (except Interstate construction funds) and at the same Federal share payable as a basic highway project. These accommodations are not subject to the funding limitations for independent walkway, independent bicycle and non-construction bicycle projects. In the case of the Interstate construction projects, Federal-aid Interstate construction funds may only be used to replace existing facilities that would be interrupted by construction of the project, or to mitigate specific environmental impacts. Interstate 4R funds provided by 23 U.S.C. 104(b)(5)(B) may be used only for incidental features. As incidental features, these accommodations must be part of a highway improvement and must be located within the right-of-way of the highway, including land acquired under 23 U.S.C. 319 (Scenic Enhancement Program).

(d) Funds authorized for Federal lands highways (forest highways, public lands highways, park roads, parkways, and Indian reservation roads which are public roads), forest development roads and trails (i.e. , roads or trails under the jurisdiction of the Forest Service), and public lands development roads and trails (i.e. roads or trails which the Secretary of the Interior determines are of primary importance for the development, protection, administration, and utilization of public lands and resources under his/her control), may be used for independent bicycle routes and independent walkway projects. These funds may not be used for non-construction bicycle projects.

652.11 Planning

Federally aided bicycle and pedestrian projects implemented within urbanized areas must be included in the transportation improvement program/annual (or biennial) element unless excluded by agreement between the State and the metropolitan planning organization.

652.13 Design And Construction Criteria

(a) The American Association of State Highway and Transportation Officials' "Guide for Development of New Bicycle Facilities, 1981" (AASHTO Guide) or equivalent guides developed in cooperation with State or local officials and acceptable to the division office of the FHWA, shall be used as standards for the construction and design of bicycle routes. Copies of the AASHTO Guide may be obtained from the American Association of State Highway and Transportation Officials, 444 North Capitol Street, NW., Suite 225, Washington, DC 20001.

(b) Curb cuts and other provisions as may be appropriate for the handicapped are required on all Federal and Federal-aid projects involving the provision of curbs or sidewalks at all pedestrian crosswalks.

PART 655 - TRAFFIC OPERATIONS

Subpart F - Traffic Control Devices on Federal-Aid and Other Streets and Highways

655.603 - Standards

(a) National MUTCD. The MUTCD approved by the Federal Highway Administrator is the national standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel in accordance with 23 U.S.C. 109(d) and 402(a). For the purpose of MUTCD applicability, open to public travel includes toll roads and roads within shopping centers, parking lot areas, airports, sports arenas, and other similar business and/or recreation facilities that are privately owned but where the public is allowed to travel without access restrictions. Military bases and other gated properties where access is restricted and private highway-rail grade crossings are not included in this definition.

(b) State or Other Federal MUTCDs (1) Where State or other Federal agency MUTCDs or supplements are required, they shall be in substantial conformance with the National MUTCD. Substantial conformance means

that the State MUTCD or supplement shall conform as a minimum to the standard statements included in the National.

(d) Compliance (2) New or reconstructed highways. Federal-aid projects for the construction, reconstruction, resurfacing, restoration, or rehabilitation of streets and highways shall not be opened to the public for unrestricted use until all appropriate traffic control devices, either temporary or permanent, are installed and functioning properly. Both temporary and permanent devices shall conform to the MUTCD.

(3) Construction Area Activities. All traffic control devices installed in construction areas using Federal-aid funds shall conform to the MUTCD. Traffic control plans for handling traffic and pedestrians in construction zones and for protection of workers shall conform to the requirements of 23 CFR part 630, subpart J, Traffic Safety in Highway and Street Work Zones.

****Note to Readers - Disclaimer ****- The above assemblage of California & U.S. Codes, and code subsections, was compiled between January 2005 and April 2010 by the former Caltrans District 6 (Fresno) Bicycle Facilities Coordinator (559) 348-1633 or (805) 984-2631 and is intended to be a “guide” to California & U.S. laws relating to bicycles. Actual wording (but not section headings and emphasis underlining) was obtained from either the “www.leginfo.ca.gov”, the “www.dmv.ca.gov/pubs/vctop/vc/vc.htm”, the www.ceres.ca.gov/topic/envlaw/ceqa/guidelines” or the “<http://ccr.oal.ca.gov>” (*look for the link to CCR*) websites and is therefore deemed reliable. However - many sections and sub-sections obtained from those sites have been deleted or shortened for the sake of brevity and as such, readers should NOT rely solely upon the text contained herein without consulting the above listed websites to view the complete wording, and any changes, of any section(s) or subsection(s) presented herein - or contact the desired agency to obtain a hard copy of their entire code. Any errors or omissions discovered by the reader should be directed to the phone numbers listed above.