

Date of Hearing: April 24, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 1188 (Boerner) – As Amended March 9, 2023

SUBJECT: Transportation: bicycle safety handbook

SUMMARY: Requires the California State Transportation Agency (CalSTA) to develop and distribute a handbook on bicycling safety on or before September 1, 2024. Specifically, **this bill:**

- 1) Requires the handbook to incorporate evidence-based practices and emerging trends for bicycle and e-bike safety.
- 2) Requires the handbook to contain, but not be limited to, information on all of the following topics:
 - a) Existing laws regulating bicycles and e-bikes.
 - b) Safety equipment requirements and recommendations.
 - c) Ensuring a bicycle is in good condition before every ride.
 - d) Strategies for lawfully and safely bicycling in various situations, including roads, bikeways, and trails.
 - e) Bicycling after dark.
 - f) Crash avoidance skills.
 - g) Distracted and impaired riding.
 - h) What to do when a bicycle crash occurs.
 - i) Obeying traffic signs and signals.
 - j) Reporting road concerns.
 - k) How to teach children about bicycle safety.
 - l) E-bike types and handling characteristics.
 - m) Recommendations for sharing roads and bikeways with motorists, pedestrians, and other cyclists.
- 3) Requires the handbook to be developed in consultation with the following:
 - a) The Department of Motor Vehicles. (DMV)
 - b) The Department of the California Highway Patrol. (CHP)

- c) The California Office of Traffic Safety. (OTS)
 - d) The Department of Transportation. (Caltrans)
 - e) Representatives from major bicycling advocacy organizations.
 - f) Representatives from a statewide motorist service member organizations.
 - g) Other stakeholders the department deems necessary.
- 4) Requires CalSTA to post the handbook on the internet website of the DMV and any other state department or agency that the agency deems appropriate. Requires CalSTA to make printed copies of the bicycle safety handbook available to the public at the DMV, CHP offices, state libraries, and any other state offices the agency deems appropriate.

EXISTING LAW:

- 1) Requires DMV to publish a synopsis or summary of the laws regulating the operation of vehicles and the use of highways and to deliver a copy without charge with each original vehicle registration and with each original driver's license. This summary is referred to as the California Driver's Handbook. (Vehicle Code Section (VEH) 1656)
- 2) Requires the Handbook to include:
- a) A section on a driver's responsibility to carry valid evidence of automobile liability insurance and the consequences of failing to do so.
 - b) A section on a person's civil rights during a traffic stop.
 - c) A section on a driver's responsibility to file a report of an accident with DMV within 10 days of an accident if there were damages over \$1,000 and the consequences of failing to do so.
 - d) A section on rail transit safety.
 - e) A section on dumping of any animal on a highway.
 - f) A section on respecting the right-of-way of others, particularly pedestrians, bicycle riders, and motorcycle riders (VEH 1656.3)

FISCAL EFFECT: Unknown

COMMENTS:

DMV publishes the Handbook annually which provides a synopsis of existing law and rules of the road. The Handbook provides an accessible means for potential and current drivers to understand the rules of the road, and is used as the basis for a written exam when an applicant applies for a driver's license. DMV puts this document together consistent with statutory requirements for particular sections of the Handbook. The latest Handbook is 92 pages long and

contains information for motorists on bicycling laws and requirements regarding the sharing of the road with cyclists.

According to the author, “In August 2022, the Carlsbad city council approved an emergency proclamation due to a 233 percent increase in accidents involving e-bikes and bicycles. The proclamation included the implementation of several traffic safety efforts directed specifically towards making the city’s roads safer for cyclists.

We all know when you are on a bicycle or e-bike; you are the most vulnerable during an accident. This bicycle safety handbook is intended to provide information for safe bicycling in California, including the value of using proper equipment, rules of the road, safety tips, and a bicyclist’s rights and responsibilities. Having access to the information in the handbook and practicing safe riding skills will enable bicyclists to prevent the risk of serious injuries and even death.”

DMV has a webpage with safety tips for bicyclists. The page is located under the “Driver Guides” section on its education and safety page and is difficult to find unless you know it exists. The page has limited information, but includes recommendations to wear a helmet, how to signal turns, the requirements to have reflectors, and where cyclists are allowed to ride on the road.

The California Association of Bicycling Organizations, writing in support of this bill, argues “New California laws are continually being enacted to address bicycling traffic safety, such as the 3’ feet for Safety Act, the new change lanes to pass rule, and youth helmet requirements. In addition, roadway design, signs, and markings are regularly modified to improve bicycling and walking safety. New bikeway types, such as Cycle Tracks or separated bikeways (one-way and two-way), bicycle-specific traffic signals, shared lane marking or “sharrows”, green-paint highlighted bike lanes, traffic circles/roundabouts, are all important changes for increasing a bicyclist’s safety. Yet, many of these changes can be confusing for bicyclists even though they are intended to make bicycling a preferred choice of transportation and recreation. Successful bicycling while using these new safety rules and designs is more likely when this information is provided by an authoritative source, such as a California Bicycle Safety Handbook.”

Several states have created bicycle specific handbooks, including Colorado, Oregon, and Texas.

Committee comments: The DMV handbook provides useful information for cyclists, in addition to motorists, as bicycles are required to follow the rules of the road. However, the handbook does have information specific to cyclists. The website DMV maintains for cyclists rules is difficult to find and lacks information this bill seeks to include, including specific information on night riding, evasive maneuvers, and equipment recommendations.

This bill has CalSTA creates the handbook instead of DMV. Should this bill continue to move forward, the Legislature may want to consider if DMV, who is in charge of writing the handbook for motorists, is in a better position to write the bicycle handbook.

REGISTERED SUPPORT / OPPOSITION:

Support

AAA Northern California, Nevada, & Utah
Automobile Club of Southern California
California Association of Bicycling Organizations
California Bicycle Coalition
City of Carlsbad

Opposition

None on file

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