

Date of Hearing: July 1, 2024

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

SB 1216 (Blakespear) – As Amended April 16, 2024

**SENATE VOTE:** 30-9

**SUBJECT:** Transportation projects: Class III bikeways: prohibition

**SUMMARY:** Prohibits an agency from installing a sharrow on a highway where bicycle travel is permitted that has a posted speed limit greater than 30 miles per hour (mph) and prohibits the Active Transportation Program from funding projects that create a Class III bikeway on a highway with a design speed greater than 25 mph. Specifically, **this bill:**

- 1) Prohibits any agency responsible for the development or operation of bikeways or highways where bicycle travel is permitted from installing or restriping a sharrow on a highway that has a posted speed limit greater than 30 mph.
- 2) Defines, for the purpose of this legislation, “sharrow” as a shared lane bicycle marking as described in the California Manual on Uniform Traffic Devices.
- 3) Allows installation of “Bicycles May Use Full Lane” signs on roads with a speed greater than 30 mph if they are not considered part of a Class III bikeway for the purpose of evaluating bicycle or complete streets targets and goals by Caltrans and the installing agency.
- 4) Prohibits, beginning January 1, 2026, the ATP from funding projects that create a Class III bikeway or sharrow unless:
  - a) It is on a highway with a design speed limit of 25 mph or less; and,
  - b) The project will implement improvements to reduce the design speed limit to 25 mph or less;
- 5) Requires the California Transportation Commission (CTC) to update their project eligibility guidelines to on or after January 1, 2026 exclude the development of Class III bikeways or sharrows and not consider Class III bikeways or sharrows as contributing to improving the connectivity of non-motorized users unless:
  - a) They are installed on a highway with a speed limit of 25 mph or less;
  - b) They are part of a project that will implement improvements to reduce the speed limit to 25 mph or less; or;
  - c) The project applicant demonstrates that the use of the Class III bikeway or marking is appropriate for the local community context and advances a lower stress environment or a low-stress network.
- 6) Requires the California Department of Transportation (Caltrans) to submit a report to the Legislature regarding the use of sharrows and Class III bikeways on state and local highways by July 1, 2026, including applicable safety considerations for, and the number of sharrows and Class III bikeways on state and local highways.

**EXISTING LAW:**

- 1) Defines “bikeway” as all facilities that provide primarily for, and promote, bicycle travel. Categorizes bikeways as follows:
  - a) Class I bikeways as bike paths or shared paths which provide a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized;
  - b) Class II bikeways as bike lanes which provide restricted right-of-way designated for the semi exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted;
  - c) Class III bikeways as bike routes which provide right-of-way on-street or off-street designated by signs or permanent markings and shared with pedestrians and motorists; and,
  - d) Class IV bikeways as cycle tracks or separated bikeways which provide a right-of-way designated exclusively for bicycle travel adjacent to a roadway and which are separated from vehicular traffic. (Streets and Highways Code (SHC) 890.4)
- 2) Establishes the Active Transportation Program within Caltrans to encourage increased use of active modes of transportation, such as biking and walking. (SHC 2380)
- 3) Requires funds for the program to be appropriated to Caltrans in the annual Budget Act and allocated to eligible projects by the CTC. (SHC 2381)
- 4) Requires the CTC to develop guidelines and project selection criteria for the program in consultation with various agencies and interested parties. (SHC 2381)
- 5) Requires the CTC to initially adopt a two-year program of projects for the program, with subsequent four-year programs thereafter. (SHC 2381)
- 6) Requires all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to use the minimum safety design criteria developed by Caltrans for bikeways unless the local agency develops their own minimum safety design criteria that are reviewed by a Caltrans engineer. (SHC 891)

**FISCAL EFFECT:** According to the Senate Appropriations Committee, this bill will have negligible state costs pursuant to Senate Rule 28.8.

**COMMENTS:** There are four classes of bikeways. Class I bikeways, or marked bike lanes, provide a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized. Class II bikeways provide restricted right-of-way designated for the semi exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted. On Class III bikeways cyclists share the road with motor vehicles on the street, and the road is marked by a sharrow or sign indicating shared use. Finally, Class IV bikeways are completely separated from road traffic.

Class III bikeways are the least safe for cyclists because they provide no protection for the cyclist from road traffic. Instead they are intended to be used sparingly and meant to provide continuity to the bikeway system or to designate preferred routes through high demand corridors. The use of sidewalks as Class III bikeways is strongly discouraged. Caltrans design documents say Class III bikeways should only be used if; 1) they provide for direct travel in bicycle-demand corridors; 2) they connect discontinuous segments of bike lanes; 3) they provide traffic actuated signals for bicycles and appropriate assignment of right-of-way at intersections to give greater priority to bicyclists, as compared with alternative streets; 4) street parking has been removed or restricted in areas of critical width to provide improved safety; 5) surface imperfections or irregularities have been corrected (e.g., utility covers adjusted to grade, potholes filled, etc.); or 6) maintenance of the route will be at a higher standard than that of other comparable streets (e.g., more frequent street sweeping).

Caltrans in its planning documents identifies three categories of Class III bikeways. “Bicycle boulevards” are streets where all types of vehicles are allowed but the roadway has been improved to enhance bicycle safety and convenience, typically with roadway improvements that calm traffic and improve pedestrian safety. Such improvements include signage, unique pavement, pavement legends, landscaping, traffic circles, bulb outs, traffic signals, and highly visible sidewalks. Bicycle boulevards are generally not approved for use on the State Highway System due to the moderate to higher traffic volumes and speeds associated with highways that also serve as community main streets. Instead, bicycle boulevards are supposed to be used on local streets and roads.

The second category of Class III bikeways are widened curb lanes. A wide lane usually allows an average size motor vehicle to pass a bicyclist without crossing over into the adjacent lane. Caltrans guidance says these bikeways are meant for streets where shoulder bikeways or bike lanes are warranted but cannot be provided due to severe physical constraints. Bike lanes should resume where the restriction ends.

The last type of Class III bikeways are referred to as “sharrows”. These bikeways consist of pavement markings on the highway of a bicycle and two arrows designed to direct a cyclist to travel closer to the middle of the roadway to avoid being struck by a suddenly opened car door and to encourage motorists to be aware of cyclists sharing the roadway. Sharrows are only meant to be used on roads where the rightmost lane on a Class III bikeway is too narrow to be safely shared side-by-side by cyclists and passing motorists. Sharrows can also be used outside of a Class III bikeway to guide cyclists in short gaps between existing bicycling infrastructure.

This bill prohibits the use of sharrows on roads 30 mph or greater, and allows the ATP to allocate funding for sharrows and Class III bikeways only if the project is on a highway with a design speed limit of 25 mph or less, the project will implement improvements to reduce the design speed limit to 25 mph or less, or the project applicant demonstrates that the use of the Class III bikeway or marking is appropriate for the local community context and advances a lower stress environment or a low-stress network.

*Effectiveness of sharrows.* The use of sharrows is relatively new. They first appeared in the 1993 Denver Bicycle plan and were further experimented with and developed in San Francisco starting in the late 90s and early 00s. The San Francisco Department of Parking and Traffic (SF DPT) conducted a study and found, the stencil markings significantly improved both motorists’ and cyclists’ positions in the roadway and reduced sidewalk and wrong-way riding. Based on

this study, the California Traffic Control Devices Committee approved the shared lane marking as an optional marking for roadways in 2004. Then in 2009, sharrows were added to the Federal Highway Administration's Manual on Uniform Traffic Control devices and became approved for general use across the country.

Further research since those early studies has complicated the initial findings of the safety effectiveness of sharrows. A 2010 evaluation of shared lane markings in three separate cities showed that sharrows increased the operating space for bicyclists, though the effect was small. Other research has found that shared use facilities like sharrows provide no significant protection from motor vehicle accidents. One recent study from Atlanta even found that sharrows and painted bike lanes increased bicycle risk, likely because several of the sharrows in the study were inappropriately installed on roads with high levels of traffic volume. Research shows that the other classes of bikeways provide greater safety benefits than sharrows, underscoring the importance of limiting their use to specific circumstances where other bikeways are not appropriate.

*State consensus on sharrows.* Earlier this year Caltrans released Design Information Bulletin (DIB) 94, which provides contextual design guidance for complete streets facilities, including bikeways. Local jurisdictions must comply with the guidance in this document unless they establish their own minimum safety design criteria in collaboration with Caltrans.

DIB 94 states that Class III bikeways are not considered a dedicated bicycle facility and class III route linear footage does not count towards performance targets for bicycle and pedestrian facilities in the State Highway System Management Plan. The DIB states that Class III shared lanes should only be used in very low speed and volume locations and should be a last resort when there are no other viable alternatives for redistributing space. The type of class III bikeway recommended depends on the type of road, for example in an urban area a sharrow or bicycle boulevard is to be preferred, but in undeveloped and transitional areas that connect to rural main streets a shared shoulder may be considered due to the low volume of bicyclists. The design document makes no explicit posted speed recommendation for Class III bikeways, though it does recommend an average daily traffic volume of around 2,000 vehicles or less.

Additionally, the California Manual on Uniform Traffic Control Devices (MUTCD), the standard for traffic signs, road surface markings, and traffic signals, outlines appropriate applications for shared lane markings, including; assisting bicyclists with lateral positioning in lanes that are too narrow for a motor vehicle and a bicycle to travel side by side within the same traffic lane, encouraging safe passing of bicyclists by motorists, and alerting road users of the lateral location bicyclists are likely to occupy within the traveled way.

*Active Transportation Program (ATP).* The ATP was established in 2013, and consolidates several federal and state transportation programs, including the Transportation Alternatives Program, Bicycle Transportation Account, and State Safe Routes to School, into a single program. It is administered by the Office of Active Transportation and Special Programs (OAT) in Caltrans' Division of Local Assistance. The ATP aims to increase the number of bicycling and walking trips, increase safety and mobility for bicyclists and pedestrians, reduce greenhouse gas emissions through active transportation, enhance public health, and provide benefits to disadvantaged communities. The ATP has funded over 800 active transportation projects across the state in both urban and rural areas, and remains oversubscribed.

*Class III and the ATP.* The current ATP program guidelines do not have any explicit limitations on the types of bikeways a project may include, but do require applicants with projects that include bicycle improvements to discuss the considerations they made when evaluating and selecting the type of bikeway in their proposal. Applicants should discuss how the project advances a lower-stress environment or a low-stress network. Additionally, applicants should provide a description of the innovative features of the project or explain why the context of the project best lends itself to standard treatments/features. As required by statute, all bikeways must comply with Caltrans design guidance unless the local jurisdiction has developed its own minimum design criteria.

This bill prevents the ATP from Funding Class III bikeways or sharrows on roads with design speed limits greater than 25 mph, or unless the applicant demonstrates that the use of the Class III bikeway or marking is appropriate for the local community context and advances a lower stress environment or a low-stress network.

*According to the author,* “SB 1216 improves safety for road cyclists by limiting sharrows and class III bikeways. Without physical separation from large, fast-moving vehicles, cyclists face the danger of being struck and seriously injured or killed. This risk discourages many from cycling and leads some to choose to drive cars instead of riding a bike, which is healthier and better for the environment. This bill prohibits sharrows and class III bikeways on streets with a posted speed limit over 30 mph. This aligns with design guidelines recently published by Caltrans that class III bikeways should only be used in very low speed and volume locations, and as a last resort when no viable alternatives exist. SB 1216 also ensures proposed sharrows or class III bikeways on roads with a design speed greater than 25 mph aren’t eligible for active transportation program (ATP) funds and don’t count toward connectivity for ATP selection criteria.”

*In support,* Streets for All writes, “Given current knowledge about the dangers of sharrows, we propose in AB 1216 to exclude Class III bikeways from ATP funding. We firmly believe that California should not be funding infrastructure that causes net harm to cyclists. Further, the selection criteria of increasing and improving connectivity should no longer include adding any bikeways connected to a Class III bikeway. Lastly, would prohibit the installation or restriping of a Class III bikeway when the posted speed limit is over 30 miles per hour on any street, road, or highway in the state. Funds in the highly competitive ATP program should be prioritized to instead focus on roadways that promote safety for all users.”

*In opposition,* the California Association of Bicycling Organizations writes, “Bike routes are a useful component of the traffic engineer's toolbox to encourage and facilitate bicycling and promote safety, and if you have concerns about them, we'd like to understand why... It is not a matter of eliminating the use of shared lane markings and replacing them with bicycle facilities of your preferred variety. They are not suitable for the same locations. All you would achieve is the loss of a useful traffic control device.”

*Committee comments.* Along with statewide guidance, according to the Federal Highway Administration (FHWA) bikeway selection guide, shared lane bikeways are an appropriate bikeway selection for lanes with lower vehicle speeds and volumes, and where there is no ability to imply right-of-way priority to bicyclists. However, shared lanes rely on perfect user behavior

to avoid crashes. This bill prohibits the installation of shared lanes on roads greater than 30 mph. While this may be an appropriate threshold to limit the use of sharrows, this is a decision that locals should be able to make when planning a bicycle network. Additionally, it is unclear how many sharrows and Class III lanes are being installed at the local and state level. By prohibiting sharrows and Class III, this bill significantly limits the use of a potentially useful bikeway. The author may wish to consider the following amendments:

- 1) Strike “or restripe a Class III bikeway or” from SHC 891.9 (a) (1);
- 2) Strike current SHC 891.9 (b);
- 3) Amend SHC 2382 (f) (1) to read;  
“(f) In developing the guidelines with regard to project eligibility, the commission shall include, but need not be limited to, the following project types:
  - (1) Development of new bikeways and walkways, or improvements to existing bikeways and walkways, that improve mobility, access, or safety for nonmotorized users. On and after January 1, 2026, the guidelines with regard to project eligibility shall not include the development of Class III bikeways, as described in Section 890.4, or the marking in Figure 9C-9 of the 2014 California Manual on Uniform Traffic Control Devices, Revision 8, unless ~~the~~ *any of the following apply*:
    - (A) *The Class III bikeway or marking is on a highway with a design speed limit of 25 miles per hour or less or the less.*
    - (B) *The project will implement improvements to reduce the design speed limit to 25 miles per hour or less.*
    - (C) *The project applicant demonstrates that the use of the Class III bikeway or marking is appropriate for the local community context and advances a lower stress environment or a low-stress network.*
- 4) Amend SHC 2384 (b) to read;  
“(b) On and after January 1, 2026, the program of projects shall not add a project that creates a Class III bikeway, as described in Section 890.4, or the marking in Figure 9C-9 of the 2014 California Manual on Uniform Traffic Control Devices, Revision 8, unless the *any of the following apply*:
  - (1) *The Class III bikeway or marking is on a highway with a design speed limit of 25 miles per hour or less or the less.*
  - (2) *The project will implement improvements to reduce the design speed limit to 25 miles per hour or less.*
  - (3) *The project applicant demonstrates that the use of the Class III bikeway or marking is appropriate for the local community context and advances a lower stress environment or a low-stress network.*

*Previous and related legislation.* AB 2290 (Friedman) of 2024 would, among other requirements, restrict the ATP from awarding funding to a Class III bikeway unless the project is on a residential street with a posted speed limit of 25 miles per hour or less. This bill passed this committee 11-4.

SB 127 (Wiener) of 2019 would have changed state policies for the management of the state highway system, including requiring Caltrans to incorporate new pedestrian and bicycle facilities into projects in specified areas.

SB 1 (Beall), Chapter 5, Statutes of 2017 increased several taxes and fees to raise the equivalent of roughly \$52.4 billion over ten years in new transportation revenues and makes adjustments for inflation every year; directed the funding to be used towards deferred maintenance on the state highways and local streets and roads, and to improve the state's trade corridors, transit, and active transportation facilities.

SB 99 (Senate Committee on Budget and Fiscal Review), Chapter 359, Statutes of 2013 created the “Active Transportation Program” which distributes funding for human-powered transportation projects and programs.

AB 1358 (Leno), Chapter 657, Statutes of 2008 created the Complete Streets Act of 2008, which required the Office of Planning and Research to amend its “General Plan Guidelines” for the circulation element to specify how local officials can accommodate safe and convenient travel and for cities and counties to modify their circulation elements to plan for a balanced multi-modal transportation network that meets the needs of all users of streets, roads, and highways.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Active San Gabriel Valley  
Bike East Bay  
Bike LA  
California Bicycle Coalition  
Car-Lite Long Beach  
Conor Lynch Foundation  
East Bay for Everyone  
Everybody's Long Beach  
Long Beach Bike Co-Op  
Los Angeles Walks  
Marin County Bicycle Coalition  
Pedal Movement  
Safe Routes Partnership  
San Francisco Physicians for Social Responsibility  
SanDiego350  
So-Cal Families for Safe Streets  
Streets for All  
Streets for Everyone  
Transbay Coalition  
Youth Climate Strike Los Angeles

**Opposition**

Butte County Association of Governments  
Coachella Valley Association of Governments  
El Dorado County Transportation Commission  
Lassen County Transportation Commission  
Merced County Association of Governments  
Nevada County Transportation Commission  
San Deigo Cylo-Vets (unless amended)  
Siskiyou County Local Transportation Commission  
Tulare County Association of Governments

**Analysis Prepared by:** Julia Kingsley / TRANS. / (916) 319-2093