

Date of Hearing: March 19, 2024

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 2259 (Boerner) – As Introduced February 8, 2024

SUBJECT: Transportation: bicycle safety handbook

SUMMARY: Requires the California State Transportation Agency (CalSTA), upon appropriation by the Legislature, to develop and distribute a handbook on bicycling safety on or before September 1, 2025. 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; and,
 - 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; and,
 - 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 (DMV Handbook). (Vehicle Code Section (VEH) 1656)

FISCAL EFFECT: Unknown

COMMENTS:

DMV publishes the DMV Handbook annually which provides a synopsis of existing law and rules of the road. The DMV 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. The latest DMV Handbook is 92 pages and contains information on the rules of the road for both motorists and bicyclists. In addition, page 47 of the DMV Handbook lays out the responsibilities of bicyclists, special responsibilities for bicycling at night, and where on the road a bicyclist is required to ride.

In addition to several pages in the DMV Handbook dedicated to the rights and responsibilities exclusive to bicyclists, DMV also 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 for wearing a helmet, how to signal turns, the requirements to have reflectors, and where cyclists are allowed to ride on the road.

According to the author, "In August 2022, the Carlsbad city council approved an emergency proclamation due to a 233% increase in accidents involving e-bikes and bicycles. The proclamation included the implementation of several traffic safety efforts directed specifically toward making the city's roads safer for cyclists. Shortly thereafter in May 2023, a teenager in the City of Encinitas lost his life in an e-bike collision with a motorized vehicle. 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."

Several states have created bicycle-specific handbooks, including Colorado, Oregon, Pennsylvania, New Jersey and Texas.

The California Association of Bicycling Organizations (CABO), writing in support of this bill, argue "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.”

Committee concerns: The DMV Handbook already provides useful information for cyclists. The DMV Handbook in its most recent iteration contains a page on the specific rights and responsibilities of bicyclists and includes much of the information this bill wants to include in a separate handbook, including tips for cyclists on how to ride at night.

Unlike the DMV Handbook, the handbook this bill requires CalSTA to create is not required to be updated annually to reflect any new rules of the road. 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 and already has pages in that handbook for bicyclists, is in a better position to write a separate handbook specifically for bicyclists. The author may also wish to better align when the bicycle handbook has to be updated and released with the release of the handbook for motorists.

In addition, DMV is currently trying to reduce the number of individuals that come into a DMV field office to better manage wait times. It is doing so by increasingly digitizing the functions of the DMV. In line with this digital shift, the author may want to consider removing the provisions of the bill requiring physical copies of the new bicycle handbook to be printed out and placed in DMV offices and instead limit the bicycle handbook to a digital form.

Previous Legislation: AB 1188 (Boerner of 2023) was nearly identical to this bill. That bill was held on suspense in the Assembly Appropriations Committee.

AB 1946 (Boerner), Chapter 147, Statutes of 2022 required CHP to develop statewide safety guidelines and training programs, covering topics including general e-bike safety, emergency maneuver skills, rules of the road and laws on electronic bicycles.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Bicycling Organizations

Opposition

None on file

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