

BILL: AB 2259 (Boerner, D-Solana Beach)
Introduced February 8, 2024

SUBJECT: AB 2259 would require the California State Transportation Agency to annually develop and distribute a handbook related to bicycle and electric bicycle safety on or before September 1, 2025.

STATUS: Pending in the Assembly Transportation Committee

SUMMARY AS OF MARCH 6, 2024:

AB 2259 (Boerner, D-Solana Beach) seeks to increase the safe operation of bicycles and electric bicycles in California by creating a handbook that can be distributed to the public, with guidance on best practices, laws, and overall safety information for bicyclists and non-bicyclists alike.

AB 2259 would require the California State Transportation Agency (CalSTA) to develop and distribute a bicycle safety handbook on or before September 1, 2025. The bicycle safety handbook will include information on existing laws regulating bicycles and electric bicycles. The handbook will incorporate evidence-based practices and trends related to bicycle and electric bicycle safety. The safety handbook will include information on the following:

- Existing laws regulating bicycles and electric bicycles.
- Safety equipment requirements and recommendations.
- Ensuring a bicycle is in good condition before every ride.
- Strategies for lawfully and safely bicycling in various situations, including roads, bikeways, and trails.
- Bicycling after dark.
- Crash avoidance skills.
- Distracted and impaired riding.
- What to do when a bicycle crash occurs.
- Obeying traffic signs and signals.
- Reporting road concerns.
- How to teach children about bicycle safety.
- Electric bicycle types and handling characteristics.
- Recommendations for sharing roads and bikeways with motorists, pedestrians, and other bicyclists.

In addition to including information on a variety of bicycle and electric bicycle safety-related topics, CalSTA will collaborate with stakeholders from the following groups:

- The Department of Motor Vehicles.
- The Department of the California Highway Patrol.
- The California Office of Traffic Safety.
- The Department of Transportation.

- Representatives from various bicycling advocacy organizations.
- A representative from a statewide motorist service membership organization.
- Other relevant stakeholders that CalSTA deems necessary.

CalSTA will be required to post a downloadable electronic version of the bicycle safety handbook on the California Department of Motor Vehicles (DMV) website and any other state department or agency that CalSTA deems appropriate. This could include the California Department of Transportation, the Department of California Highway Patrol, and other related agencies. CalSTA will also be required to make a printed version of the safety handbook available to the public at the DMV, the Department of California Highway Patrol, state libraries, and any other state offices that CalSTA sees as appropriate.

EFFECTS ON ORANGE COUNTY:

The use of electric bicycles has grown steadily throughout Orange County in recent years. With Orange County growing as a hub for active transportation, there has also been an increase in reckless operation of electric bicycles. Although bicycles and electric bicycles offer benefits such as reducing greenhouse gas emissions, vehicle miles traveled, and overall dependency on cars for travel, there is confusion related to the current laws surrounding electric bicycle and bicycle use. The Orange County Transportation Authority (OCTA) has continued to work with cities in Orange County to help provide information to improve the safe operation of bicycles and electric bicycles, which has included attending community events, stakeholder discussions, and distribution of materials. AB 2259 will allow OCTA to further inform stakeholders and the public of safety tips, rules of the road, and other relevant information pertaining to bicycle and electric bicycle safety.

A SUPPORT position is consistent with OCTA's 2023-24 State Legislative Platform principle to "support funding and programs or policies that encourage the safe operation of an integrated multimodal system, which includes the interaction between roadways, rail lines, bikeways, and pedestrian ways, and the users of those facilities."

OCTA POSITION:

Staff recommends: SUPPORT

ASSEMBLY BILL

No. 2259

Introduced by Assembly Member Boerner

February 8, 2024

An act to add Section 13978.5 to the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2259, as introduced, Boerner. Transportation: bicycle safety handbook.

Existing law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. Existing law imposes various duties on the secretary, including advising the Governor on, and assisting the Governor in establishing, major policy and program matters affecting each department, office, or other unit within the agency.

This bill would, upon appropriation by the Legislature, require the agency to develop and distribute, on or before September 1, 2025, a bicycle safety handbook that includes information on, among other things, existing laws regulating bicycles and e-bikes. The bill would require the agency to make a downloadable electronic version of the bicycle safety handbook available on the internet, as specified, and in print at specified state offices, including, among others, all Department

of Motor Vehicles offices. In developing the handbook, the bill would require collaboration and consultation between the agency and prescribed state entities, including, among others, the Department of Motor Vehicles and the Department of the California Highway Patrol.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all the
2 following:

3 (a) Bicyclists are entitled to the full use of the state’s streets and
4 highways, unless otherwise prohibited, including safe use and
5 passage on the roadway.

6 (b) Bicycles are an integral part of the state’s transportation
7 system. The League of American Bicyclists released its 2022
8 Bicycle Friendly States report, ranking all 50 states on both their
9 policies and practices to make bicycling safer and the outcomes
10 in safety and ridership as a result of those efforts. California took
11 4th place in this annual ranking.

12 (c) It is in the best interests of California to encourage bicycle
13 transportation because of the resulting reduction in traffic
14 congestion, carbon dioxide (CO2) emissions, and motor vehicle
15 noise and pollution. According to the internet website
16 www.CoolCalifornia.org, choosing to walk or bike, even for only
17 a few trips, can reduce the carbon footprint of an average household
18 by up to 1,000 pounds of CO2 emissions annually.

19 (d) Efforts to improve safety and convenience for bicyclists are
20 a proper use of transportation funds. In December 2022, the
21 California Transportation Commission (CTC) approved
22 \$1,000,000,000 in funding for 93 new walking and biking projects
23 in disadvantaged communities as part of the 2023 Active
24 Transportation Program. The CTC also allocated more than
25 \$878,000,000 for projects to repair and improve transportation
26 infrastructure throughout the state.

27 (e) Bicyclists have the same rights and responsibilities as
28 motorists and are subject to the same rules and regulations. Thus,
29 it is crucial that bicyclists pay attention to traffic signs and signals
30 and follow all rules to reduce the risk of collisions while on the
31 road.

1 (f) According to the California Department of Transportation’s
2 Toward an Active California State Bicycle and Pedestrian Plan,
3 education for adult bicyclists and pedestrians is less widely
4 available than for youth and most widely distributed materials
5 emphasize bicycling with confidence in high-traffic situations.

6 SEC. 2. Section 13978.5 is added to the Government Code, to
7 read:

8 13978.5. (a) Upon appropriation by the Legislature, the agency
9 shall develop and distribute a state handbook on bicycling safety
10 on or before September 1, 2025.

11 (b) The handbook shall incorporate evidence-based practices
12 and emerging trends for bicycle and e-bike safety. The handbook
13 shall contain, but not be limited to, information on all of the
14 following topics:

- 15 (1) Existing laws regulating bicycles and e-bikes.
- 16 (2) Safety equipment requirements and recommendations.
- 17 (3) Ensuring a bicycle is in good condition before every ride.
- 18 (4) Strategies for lawfully and safely bicycling in various
19 situations, including roads, bikeways, and trails.
- 20 (5) Bicycling after dark.
- 21 (6) Crash avoidance skills.
- 22 (7) Distracted and impaired riding.
- 23 (8) What to do when a bicycle crash occurs.
- 24 (9) Obeying traffic signs and signals.
- 25 (10) Reporting road concerns.
- 26 (11) How to teach children about bicycle safety.
- 27 (12) E-bike types and handling characteristics.
- 28 (13) Recommendations for sharing roads and bikeways with
29 motorists, pedestrians, and other bicyclists.

30 (c) In developing the handbook, the agency shall collaborate
31 and consult with stakeholders from all of the following entities:

- 32 (1) The Department of Motor Vehicles.
- 33 (2) The Department of the California Highway Patrol.
- 34 (3) The California Office of Traffic Safety.
- 35 (4) The Department of Transportation.
- 36 (5) Representatives from various bicycling advocacy
37 organizations.
- 38 (6) A representative from a statewide motorist service
39 membership organization.
- 40 (7) Other relevant stakeholders the department deems necessary.

- 1 (d) The agency shall post a downloadable electronic version of
2 the bicycle safety handbook on the internet website of the
3 Department of Motor Vehicles and any other state department or
4 agency that the agency deems appropriate. The agency shall also
5 make printed copies of the bicycle safety handbook available to
6 the public at the following locations:
- 7 (1) Department of Motor Vehicles offices.
 - 8 (2) The Department of the California Highway Patrol offices.
 - 9 (3) State libraries.
 - 10 (4) Any other state offices the agency deems appropriate.