

California Laws on Legal Cycling

A bicycle is not a vehicle, but a rider is a driver

California Bicycle Regulations: CVC Division 11, Chapter 1, Article 4

A **person** riding a bicycle or operating a pedicab 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, . . . except those provisions which by their very nature can have no application. [21200](#) (a)

Bicycle Equipment. [21204](#)

Seat (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.

Passengers (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.

Brake [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. *(Fixed gears with out brakes are illegal)*

Light & Reflectors [21201](#) (d)

A bicycle operated during darkness (upon highways, sidewalks & bikeways) 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.

(Some lights only shine front, not to the sides)

(2) A **red reflector** or a solid or flashing **red light with a built-in 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.

(Most tail lights do NOT have reflectors built-in)

(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).

(Minimum! Adding extra lights & reflective clothing helps you be seen)

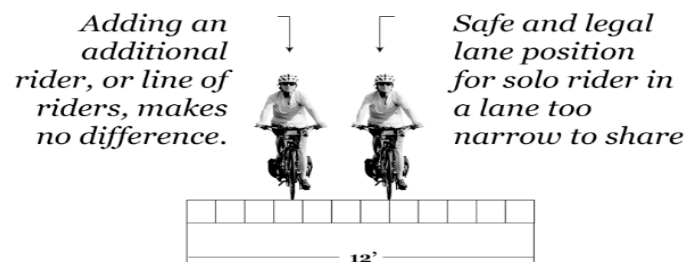
Helmet [21212](#) (a) A person under 18...shall not operate a bicycle/E-Bike ... unless that person is wearing a properly fitted and fastened approved bicycle helmet. This also applies to those who ride while in a restraining seat that is attached or in a trailer towed by the bicycle. **(Skate boards roller skates, & 'razors' too! All riders of Type3 E-Bikes are required to wear helmets and must be 16 or older to operate.)**

Bicycle Operation:

Group Riding

No California law restricts the number of bicyclists that may ride side-by-side in a travel lane when operating at the speed of traffic or when one or more of the exceptions in [21202](#) applies (see Roadway Position)

If a lane is too narrow to share, bicyclists riding two abreast have no different effect on traffic than bicyclists riding single file in control of a narrow lane. Groups riding two a breast are shorter and easier to pass.



Hitching Rides [21203](#) No person riding upon any... motorized bicycle, bicycle, ...shall attach the same or himself to any streetcar or vehicle on the roadway.

Going Straight at Turn Lanes [22101 \(e\)\(1\)](#) A person operating a bicycle may travel straight through a right- or left-hand turn only lane **when an official traffic control device indicates that the movement is permitted.**

Carrying Articles [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.

Obstructing Pedestrians [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.

Sidewalk Riding [21950](#), [21952](#), [21954](#)

There is no state law prohibiting bicycling on sidewalks in California, many cities prohibit sidewalk bicycling throughout the city or in business districts. Pedestrians have the right of way in crosswalks (marked or unmarked) and on sidewalks. Bicyclists are also required to “exercise due care” for the safety of pedestrians in the roadway who are not in a crosswalk.

With traffic [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.

[21650 \(g\)](#) 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. (***“Salmon Riding” upstream against traffic, is the number one Cyclist cause of crashes between cyclist sand motorists. It is never that hard to cross a road to ride on the correct side, bike lane, shoulder or side walk. If you DO “Salmon” on a side walk, go slower than a pedestrian even if alone; every motorist will be expecting normal traffic flow and you will be invisible...)***)

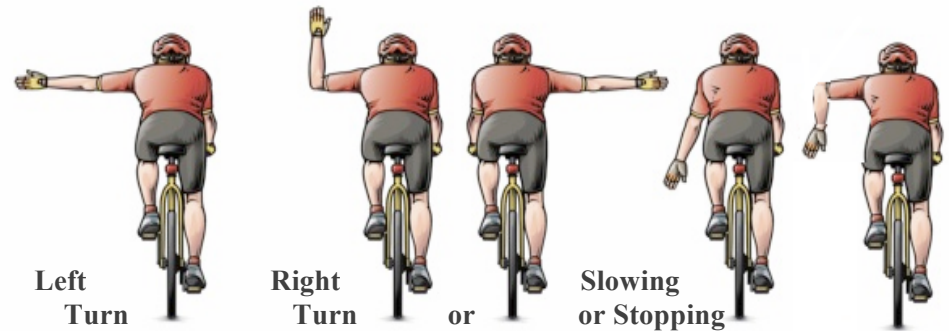


Overtake & Pass to Left [21750](#)

The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left at a safe distance without interfering with the safe operation of the overtaken vehicle. (*Bicycles should always pass on the left, not filter up on the right*)

Required Signals [22107](#)

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



Leaving a Bicycle 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 event that any vehicle may be affected by the movement. (*Signal early, look back, merge without impeding other road users*)

Basic Speed Law [22350](#).

Prohibits the driving of a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property. (*Even if going below the posted speed limit, safe operation may require slowing down. Exceeding a posted speed limit is obviously speeding – bicycle or vehicle*)

Minimum Speed Law [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.**

(“except those provisions which by their very nature can have no application. [21200 \(a\)](#)” makes this not applicable to cyclists, Cyclists can only go as fast as we can safely, go slower up grades, and are allowed to use the full lane when unsafe to ride the edge, inviting unsafe passing, or in the door zone of a narrow lane)

Turning Out : Slow-Moving Vehicles [21656](#)

On a two lane highway where passing is unsafe because of traffic in the opposite direction or other conditions, a slow moving 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 ... 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.

(Again; We are not driving a vehicle, so this does not apply to us especially on a road with more than 2 lanes; but many motorists expect us to move over as a slow moving vehicle should (or sooner!) IF SAFE, it is easier to pull over a bicycle when safest for you - so don't wait for a turn out or 5 cars back, before turning out... find a safe place & let the 'platoon' of traffic go by then return to the lane)

Littering [23112](#)

(a) No person shall throw or deposit... 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... ***(Why do cyclists, who have to dodge trash on the road think nothing of throwing down peels, wrappers, punctured tubes & spent CO2 cartridges? If you see a rock or stick, be helpful & briefly stop to clear the road for the next cyclist...)***

DUI [21200.5](#)

it is unlawful to ride a bicycle upon a highway while under the influence of an alcoholic beverage or any drug ***(Some think it better to ride a bike home from a party – or from bar to bar; less likely to kill another with a vehicle, but riding impaired is deadly and just as illegal. Call for a ride & throw your bike in the trunk...)***

Headsets and Earplugs [27400](#) A person operating a motor vehicle or bicycle may not wear a headset covering, or earplugs in, both ears. Effective 2016 this has expanded to include ear buds and resting on both ears. SB 491

Three Feet for Safety [21760](#)

(b) The driver of a motor vehicle overtaking and passing a bicycle ... on a highway shall pass in compliance with the requirements of this article applicable to overtaking and passing a vehicle, and shall do so at a safe distance that does not interfere with the safe operation of the overtaken bicycle, having due regard for the size and speed of the motor vehicle and the bicycle, traffic conditions, weather, visibility, and the surface and width of the highway.

(c) A driver of a motor vehicle shall not overtake or pass a bicycle ... on a highway at a distance of less than three feet between any part of the motor vehicle and any part of the bicycle or its operator.

(d) If the driver of a motor vehicle is unable to comply ... due to traffic or roadway conditions, the driver shall slow to a speed that is reasonable and prudent, and may pass only when doing so would not endanger the safety of the operator of the bicycle, taking into account the size and speed of the motor vehicle and bicycle, traffic conditions, weather, visibility, and surface and width of the highway.

(e) A violation ... is an infraction punishable by a fine of \$35. (2) If a collision occurs ... causing bodily injury to the operator of the bicycle, and the driver of the motor vehicle is found to be in violation, a \$220 fine shall be imposed on that driver.

(...yet to see an officer get out a yard stick, but remember that this is a law for Motorists – you are not required to stay 3 feet away from passing cars – in fact edge riding INVITES unsafe close passing)

Roadway Position

When No Bike Lane Exists. [21202](#) "Far To Right"

(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: (see exceptions below) (**Practicable** = Capable of being within the means and circumstances present, accounting for all conditions, dynamic and static).

When a Bicycle Lane Exists. [21208](#) "In Bicycle Lane"

(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: (see exceptions below)

Exceptions to both 21202 and 21208

except under any of the following situations: "**Bikes May Use Full Lane**"

Operational Necessity

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.

Safety Necessity

3. When approaching a place where a right turn is authorized.
4. 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.

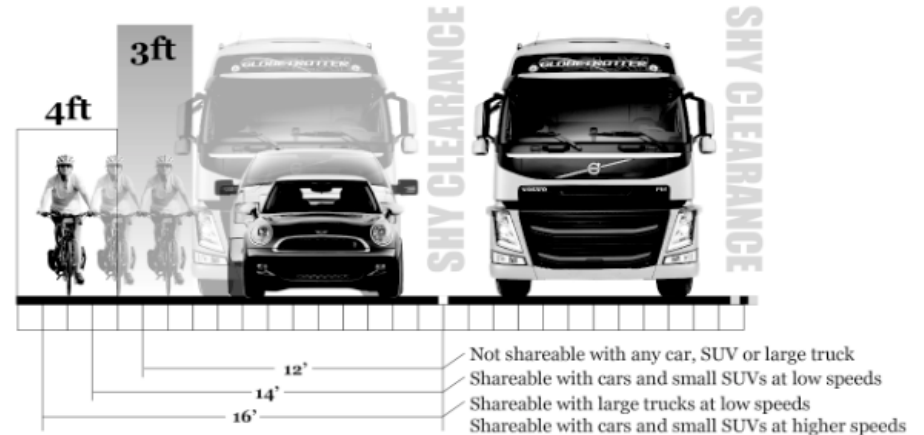
One-Way Roadways [21202](#)

4 (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.

Unsafe Conditions can include any hazard such as the potential for a parked car door to open, the potential to be a victim of a common crossing crash, the potential for a pedestrian to step into your path. Also the potential of a close passing vehicle...

"Substandard width lane" is a language mistake. It has no statutory meaning. It has been clarified by . . .

Lane Too Narrow: A bicyclist needs 4ft of operating space and now 3ft of statutory minimum passing clearance. Vehicles range in width from 6.5ft to 10ft (including mirrors). The statutory definition is "too narrow for a bicycle and a vehicle to travel safely side by side within the lane." Most travel lanes are 10-12ft wide and cannot be shared safely with any 4-wheeled vehicle. Lanes of 14-16ft can be found on some arterial roads. But these roads tend to have a higher volume of truck traffic. Many narrow lane roads now have **Sharrows** on them, well outside the door zone, directing bicyclist where to ride, and alerting motorist that **Bikes May Use Full Lane**.



Designated Bicycle Lanes: Must have a Bicycle or BIKE LANE stencil and / or bike lane signs. If not, it is a **shoulder** and its use is optional for bicycles but prohibited for vehicles. A standard bicycle lane is at least 4' wide from the edge, or minimum 5' from a curb face. 6' when speed is 40mph or more; 8' is preferred. *(Vehicles are required to turn right from the curb, so if not occupied by a bicyclist, vehicle drivers are supposed to use the bike lane to turn right, but may not enter more than 200' from the corner. They are not allowed to turn across a bike lane, but often do, so it is prudent to use "Exception 3" if going straight.)*

Edge of Roadway is defined in the following order: edge line (white line at right edge); if there is no white line, the gutter seam; if there is no gutter, the curb face; if there is no curb, the edge of the part of pavement used for vehicular travel. The edge line separates the roadway from the shoulder--no matter how wide the shoulder, it is not part of the roadway and it does not count toward the width of the travel lane.

Driver's Education for Bicycling:



BikeIrvine.org



OCBike.org



CyclingSavvy.org