

AMENDED IN ASSEMBLY MARCH 24, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 122

**Introduced by Assembly Member Boerner Horvath Members
Boerner Horvath, Friedman, and Ting
(Coauthors: Assembly Members Ward and Wicks)
(Coauthor: Senator Becker)**

December 18, 2020

An act to ~~amend~~ amend, repeal, and add Section 22450 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 122, as amended, Boerner Horvath. Vehicles: required stops: bicycles.

Existing law requires the driver of any vehicle, including a person riding a bicycle, when approaching a stop sign at the entrance of an intersection, to stop before entering the intersection. A violation of this requirement is an infraction.

This bill ~~would instead~~ would, until January 1, 2028, require a person riding a bicycle, when approaching a stop sign at the entrance of an intersection, to yield the right-of-way to any vehicles that have stopped at the entrance of the intersection, have entered the intersection, or that are approaching on the intersecting highway close enough to constitute an immediate hazard, and ~~shall~~ continue to yield the right-of-way to those vehicles until reasonably safe to proceed. *The bill would require other vehicles to yield the right-of-way to a bicycle that, having yielded as prescribed, has entered the intersection.*

The bill would also require the Commissioner of the California Highway Patrol to submit a report to the Legislature, as specified, regarding the effects of this bill.

By changing the elements of an existing crime, this bill would impose a state-mandated cost: *local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 ~~SECTION 1. Section 22450 of the Vehicle Code is amended~~
2 ~~to read:~~
3 ~~22450. (a) The driver of any vehicle, except a bicycle or~~
4 ~~electric bicycle, approaching a stop sign at the entrance to, or~~
5 ~~within, an intersection shall stop at a limit line, if marked, otherwise~~
6 ~~before entering the crosswalk on the near side of the intersection.~~
7 ~~If there is no limit line or crosswalk, the driver shall stop at the~~
8 ~~entrance to the intersecting roadway.~~
9 ~~(b) The driver of a vehicle approaching a stop sign at a railroad~~
10 ~~grade crossing shall stop at a limit line, if marked, otherwise before~~
11 ~~crossing the first track or entrance to the railroad grade crossing.~~
12 ~~(c) A person riding a bicycle, including an electric bicycle,~~
13 ~~approaching a stop sign at the entrance to, or within, an intersection~~
14 ~~shall yield the right-of-way to any vehicles that have stopped at~~
15 ~~the entrance of the intersection, have entered the intersection, or~~
16 ~~that are approaching on the intersecting highway close enough to~~
17 ~~constitute an immediate hazard, and shall continue to yield the~~
18 ~~right-of-way to those vehicles until reasonably safe to proceed.~~
19 ~~(d) Notwithstanding any other law, a local authority may adopt~~
20 ~~rules and regulations by ordinance or resolution providing for the~~
21 ~~placement of a stop sign at any location on a highway under its~~
22 ~~jurisdiction where the stop sign would enhance traffic safety.~~
23 ~~SECTION 1. Section 22450 of the Vehicle Code is amended to~~
24 ~~read:~~

22450. (a) ~~The~~ Except as otherwise provided in subdivisions (d) and (e), the driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection shall stop at a limit line, if marked, otherwise before entering the crosswalk on the near side of the intersection.

If there is no limit line or crosswalk, the driver shall stop at the entrance to the intersecting roadway.

(b) The driver of a vehicle approaching a stop sign at a railroad grade crossing shall stop at a limit line, if marked, otherwise before crossing the first track or entrance to the railroad grade crossing.

(c) Notwithstanding any other provision of law, a local authority may adopt rules and regulations by ordinance or resolution providing for the placement of a stop sign at any location on a highway under its jurisdiction where the stop sign would enhance traffic safety.

(d) A person riding a bicycle approaching a stop sign at the entrance to, or within, an intersection shall, upon arriving at the sign, yield the right-of-way to any vehicles that have entered the intersection, or that are approaching on the intersecting highway close enough to constitute an immediate hazard, and shall continue to yield the right-of-way to those vehicles until it is reasonably safe to proceed.

(e) A person riding a bicycle, having yielded as prescribed in subdivision (d), may enter the intersection. The driver of any other approaching vehicle shall yield the right-of-way to that bicycle while it is within the intersection.

(f) The Commissioner of the California Highway Patrol shall submit a report to the Legislature, on or before January 1, 2027, about the effects of bicycles operating under the provisions of subdivisions (d) and (e). The report shall include, without limitation, information about statewide injury and fatal traffic crash data and any associated traffic-related safety issues. The report shall be submitted in compliance with Section 9795 of the Government Code.

(g) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.

SEC. 2. Section 22450 is added to the Vehicle Code, to read:

22450. (a) The driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection shall stop at a limit

1 line, if marked, otherwise before entering the crosswalk on the
2 near side of the intersection.

3 If there is no limit line or crosswalk, the driver shall stop at the
4 entrance to the intersecting roadway.

5 (b) The driver of a vehicle approaching a stop sign at a railroad
6 grade crossing shall stop at a limit line, if marked, otherwise before
7 crossing the first track or entrance to the railroad grade crossing.

8 (c) Notwithstanding any other provision of law, a local authority
9 may adopt rules and regulations by ordinance or resolution
10 providing for the placement of a stop sign at any location on a
11 highway under its jurisdiction where the stop sign would enhance
12 traffic safety.

13 (d) This section shall become operative on January 1, 2028.

14 ~~SEC. 2.~~

15 SEC. 3. No reimbursement is required by this act pursuant to
16 Section 6 of Article XIII B of the California Constitution because
17 the only costs that may be incurred by a local agency or school
18 district will be incurred because this act creates a new crime or
19 infraction, eliminates a crime or infraction, or changes the penalty
20 for a crime or infraction, within the meaning of Section 17556 of
21 the Government Code, or changes the definition of a crime within
22 the meaning of Section 6 of Article XIII B of the California
23 Constitution.