

AMENDED IN ASSEMBLY FEBRUARY 11, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 51

**Introduced by Assembly ~~Member~~ Members Quirk and Lackey
(Coauthor: Assembly Member Chu)**

December 1, 2014

An act to amend Section 21658 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL’S DIGEST

AB 51, as amended, Quirk. Vehicles: motorcycles: lane splitting.

(1) Existing law requires, whenever a roadway has been divided into 2 or more clearly marked lanes for traffic in one direction, that a vehicle ~~shall~~ be driven as nearly as practical entirely within a single lane and ~~shall~~ not be moved from the lane until the movement can be made with reasonable safety. A violation of the Vehicle Code is a crime.

This bill would authorize a motorcycle to be driven between rows of stopped or moving vehicles in the same lane if the speed of traffic is 35 30 miles per hour or less and the motorcycle is driven no more than 10 miles per hour faster than the speed of traffic. The bill would provide that these provisions do not authorize a motorcycle to be driven in contravention of other laws relating to the safe operation of a vehicle. By creating a new ~~crime~~ *crime*, this bill would impose a state-mandated local program.

(2) 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 21658 of the Vehicle Code is amended
2 to read:
3 21658. Whenever any roadway has been divided into two or
4 more clearly marked lanes for traffic in one direction, the following
5 rules apply:
6 (a) A vehicle shall be driven as nearly as practical entirely within
7 a single lane and shall not be moved from the lane until such
8 movement can be made with reasonable safety.
9 (b) Official signs may be erected directing slow-moving traffic
10 to use a designated lane or allocating specified lanes to traffic
11 moving in the same direction, and drivers of vehicles shall obey
12 the directions of the traffic device.
13 (c) (1) A motorcycle, as defined in Section 400, may be driven
14 between rows of stopped or moving vehicles in the same lane,
15 including both divided and undivided streets, roads, or highways,
16 if both of the following conditions are present:
17 (A) The speed of traffic moving in the same direction is ~~35~~ 30
18 miles per hour or less.
19 (B) The motorcycle is not driven more than 10 miles per hour
20 faster than the speed of traffic moving in the same direction.
21 (2) This subdivision does not authorize a motorcycle to be driven
22 in contravention of other laws relating to the safe operation of a
23 vehicle.
24 SEC. 2. No reimbursement is required by this act pursuant to
25 Section 6 of Article XIII B of the California Constitution because
26 the only costs that may be incurred by a local agency or school
27 district will be incurred because this act creates a new crime or
28 infraction, eliminates a crime or infraction, or changes the penalty
29 for a crime or infraction, within the meaning of Section 17556 of
30 the Government Code, or changes the definition of a crime within
31 the meaning of Section 6 of Article XIII B of the California
32 Constitution.