



constitute an immediate hazard, and must continue to yield until they can proceed with reasonable safety.

- 8) Allows a driver to proceed with a right hand turn or left hand turn from a one-way street onto a one-way street after stopping, if no vehicles or pedestrians have approached or are approaching the intersection.
- 9) Requires a vehicle approaching a “yield right-of-way” sign to yield the right-of-way to any vehicles which have entered the intersection, which have entered the intersection, or which are approaching the intersection, and to continue to yield the right-of-way until they can proceed with reasonable safety.

**This bill:**

- 1) Permits a person riding a bicycle approaching a stop sign at the entrance to, or within, an intersection, upon arriving at the sign, to yield the right-of-way, rather than stopping, to any vehicles that have entered the intersection, or are approaching the intersection on the intersecting highway close enough to constitute an immediate hazard, and continue to yield the right-of-way to those vehicles until it is reasonably safe to proceed.
- 2) Requires the driver of a vehicle approaching an intersection to yield the right-of-way to a bicycle that has entered the intersection, after yielding, from a different highway.
- 3) Requires the Commissioner of the California Highway Patrol (CHP) to submit report to the Legislature, on or before January 1, 2027, about the effects of bicycles operating under the provisions of the bill. Requires the report to include information about statewide injury and fatal crash data and any associated traffic-related safety issues, including but not limited to, a detail analysis of:
  - a) Changes in the frequency of collisions;
  - b) Changes in the severity of collisions;
  - c) Causes of and contributing factors in collisions;
  - d) Location of collisions, including an analysis of collision data;
  - e) Time of day of collisions;

- f) Ages of bicyclists involved, including a breakdown of minors versus adults; and
  - g) Types of bicycles involved in collisions, specifically differences between traditional bicycles and electric bicycles.
- 4) Requires the provisions of the bill to sunset on January 1, 2028.

**BACKGRUOND:**

- 1) *Bicycling in California.* Bicycling is on the rise in California. According to the California Transportation Plan 2050 (CTP 2050), a long range transportation plan developed by the California Department of Transportation (Caltrans) that provides a blueprint for the future of California transportation, “in the months following the outbreak of COVID-19, more Americans embraced active travel. California cities that typically have low bicycle ridership, such as Riverside and Oxnard, experienced a 90% to 125% increase in bicycle miles traveled. Stockton, Bakersfield, Fresno, Sacramento, and San Diego also experienced increases of more than 50%. Trends suggest that travelers shifted from transit to active travel when risks increased. In San Francisco, many residents who needed to make essential trips opted to walk or bike. Recreational biking and walking have also skyrocketed. The Rails-to-Trails Conservancy observed a 110% increase in trail use compared to the same period in 2019.”

Looking back, pre-COVID, at official travel data included in the CTP 2050, “in 2015, Californians took more than 13 million trips by biking or walking, making up nearly eight percent of total travel. Commuting by active modes has been slowly increasing since 2006, with about four percent of commuters now biking or walking to work. The rapid expansion of bike sharing programs starting in 2010 has contributed to the increase by providing residents with flexible, low-cost access to biking. E-bikes, which require less effort than a traditional bicycle and provide more range, are also contributing to growth. U.S. e-bike sales grew by 90 percent in the first quarter of 2019 compared to the previous year.”

Looking to the future, the CTP 2050 estimates that bicycle and pedestrian travel could increase by 45% by 2050. The Plan goes on to note that this increase only represents a half percent mode shift away from auto use, and that, “if we are to achieve our climate goals and improve public health and quality of life in California communities, we must do more to make active transportation a viable and competitive mode of transportation.”

- 2) *State policies support more active transportation.* The state and regions continue to work toward reducing greenhouse gas emissions and other forms of air pollution by increasing the mode shift from single occupant car trips to other forms of transportation, such as bicycling and walking. The state is making significant investments in bicycling and pedestrian infrastructure through the Active Transportation Program (ATP). Furthermore, state and local jurisdictions are putting local dollars into building “complete streets” with bikeways and pedestrian facilities.

With the passage of SB 1 (Beall), Chapter 5, Statutes of 2017, funding for the ATP program nearly doubled, as did funding for local streets and roads and state highways, with complete street elements eligible for all funds. The 2021-22 state budget recently passed by the Legislature included \$500 million in additional funding for the ATP program, recognizing that program is greatly oversubscribed. In fact, ATP has a nearly \$2 billion backlog of projects, with just 11% of applications funded in the latest cycle.

Additionally, in June 2020, Caltrans adopted an Action Plan to increase biking and walking, stating, “expanding these transportation opportunities reduces dependence on driving, promotes safety and emphasizes social equity by reconnecting communities that have been divided by freeways and high-speed roads.” Specifically, as part of the recently adopted 2020 State Highway Operation and Protection Program (SHOPP), the department committed significant funding to integrating bicycle and pedestrian improvements into the State Highway System. More than 40% of the nearly 900 SHOPP projects include complete street investments, with an additional \$100 million in funds explicitly allocated to expand bicycle and pedestrian access.

- 3) *Sharing the road.* As more people shift from their cars to bicycles as a form of transportation, safety is a paramount concern. Traffic laws set forth predictable “rules” that vehicles and bicyclists use to provide orderly movement of traffic and safe interactions with others. According to the data released in 2020 by the National Highway Traffic Safety Administration (NHTSA), traffic collisions killed 455 cyclists in California between 2016 and 2018, the highest rate in any three-year period since the mid-1990s. They also found that nearly 30% of cyclist fatalities occur at intersections.

According to the CHP, between 2015 and 2020, there were 3,059 crashes involving bicyclists at an intersection, in which the primary collision factor was failure to stop at a stop sign. Those crashes resulted in 25 fatalities. It was determined that for 22 of the 25 fatal crashes the bicyclist was at fault. Additionally, 2,744 bicyclists have been injured as a result of someone failing

to stop at a stop sign, 1,729 of which law enforcement attributed the cyclist to be at fault.

When it comes to enforcement, few tickets for failing to stop at a stop sign are issued by CHP. According to CHP, 767 cyclists have received a ticket for failing to stop at a stop sign between 2015 and 2020. Those numbers have been steadily declining, with 267 tickets being issued in 2015 to 191 being issued in 2019 and 51 in 2020. In comparison, CHP issued 14,461 tickets to motorists for failing to stop at a stop sign in 2020. Unlike crash and injury data, the citation data is not all-inclusive, as the CHP does not collect citation data from local law enforcement agencies.

- 4) *What is an Idaho stop?* The original so-called “Idaho stop” law was approved as part of a comprehensive revision of traffic code in 1982 by the State of Idaho, in response to concerns over clogging the court system with minor traffic offences, such as a cyclist failing to stop at stop signs. The original Idaho stop law allowed bicyclists to treat stop signs and traffic signals as yield signs. In 2005, the law was amended to restrict that signals be treated as stop signs, except that right turns on red remain as yield.

Since that time, other states have passed similar laws, with the most comprehensive being the state of Delaware. In 2017, Delaware passed what is now being referred to as the “Delaware yield.” Unlike the Idaho stop, Delaware’s law allows cyclist to treat stop signs as yield signs only on two lane roads. The law is set to sunset later this year. In 2019, Arkansas joined Idaho in becoming the second state to allow bicyclists to treat stop signs as yield signs and traffic lights as stop signs. Oregon became the third state to adopt the Idaho stop the same year. Since then, Washington, Utah, and North Dakota have passed variations of the “Delaware yield.”

## COMMENTS:

- 1) *Purpose.* According to the author, “we must do a better job in improving bicyclist safety in California. This pandemic has resulted in a significant increase of Californians opting for bicycling whether for recreation or by economic necessity. We owe it to them to ensure that we are enacting Stop-As-Yield in a judicious and timely manner. Other states have already learned that when bicyclists are allowed to yield at stop signs, they choose safer streets and will spend less time in dangerous intersections. Bicyclists in other states are safer as a result and it is now our time implement these policies. All roads must be safe for all road users.”

- 2) *Is the Idaho Stop/Delaware Yield safer?* AB 122 would create a statewide five-year pilot program for the use of a Delaware yield on all roads in California by permitting a bicyclist to treat a stop sign as a yield. Specifically, the bill requires the bicyclist to yield the right-of-way to any vehicles that have entered the intersection, or are approaching the intersection on the intersecting highway close enough to constitute an immediate hazard. Additionally, bicyclists would only be allowed to continue through the intersection when it is reasonably safe to proceed. The pilot would sunset on January 1, 2028.
- 3) It is unclear whether the Idaho stop/Delaware yield is safer for bicyclists and motorists. Lack of hard data has been an issue raised by both sides of this debate. Since the passage of the Delaware law in 2017, Bike Delaware, a cycling advocacy group behind the Delaware yield, collected data from the Delaware State Police both 30 months before and 30 months after the law's passage. Both prior to and after the change, zero cyclists were involved in fatal crashes at a stop sign-controlled intersection. In addition, injury crashes involving cyclists at a stop sign-controlled intersection decreased by 23%, helping contribute to an 11% decrease overall for all crashes involving cyclists.
- 4) As previously noted, the CHP found that between 2015 and 2020, 25 cyclists have died as a result of failing to stop at a stop sign, with the cyclist at fault in 22 of the 25 cases, with citations issued for the practice extremely low. However, this data may not reflect what is happening in localities around California. It is difficult to draw a direct cause and effect between the data we have and whether the change in AB 122 would be safer or more hazardous to cyclists, pedestrians, and drivers. As noted by the Auto Club of Southern California (AAA), "today, existing data only tells us intersections are dangerous locations for all vehicle types including bicycles. In California, we simply do not have a complete picture about safety regarding bicyclists who fail to stop at intersections."
- 5) To collect the necessary data to properly evaluate the safety of the change, the bill requires CHP to submit a report to the Legislature by January 2027 that details the statewide injury and fatal traffic crash data and other related traffic safety issues. The report will break down frequency and severity of collisions, including cases, locations, time of day, age of the bicyclist, and types of bicycles.
- 6) *Technical amendments.* To clarify that a bicycle must yield to a vehicle stopped at an intersection and yield to pedestrians in an intersection, the author will accept the following technical amendments:

- 7) On page 5, line 27 of the bill, revise Section 22450 (d) so it reads as follows:
- 8) 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 stopped at the entrance to the intersection**, have entered the intersection, or that are approaching on the intersecting highway close enough to constitute an immediate hazard, **and to pedestrians as required by section 21950**, and shall continue to yield the right-of-way to those vehicles **and pedestrians** until it is reasonably safe to proceed.
- 9) *Concerns.* According to the CHP, in a letter of concerns, “although the CHP has not taken a formal position on this bill, our mission makes it incumbent to highlight potential safety issues and foreseeable impacts of this bill.” Further, “permitting bicycles to stop-as-yield would put a high level of reliance on each bicyclist’s judgement, as well as perception and reaction time, to make a safe determination of right-of-way. However, differences in age, skill, and riding experience would create a safety risk that could increase crashes, injuries, and fatalities.”
- 10) *Arguments in support.* According to coalition of bicycle, pedestrians, environmental, and equity advocates, “as bicycling continues to grow as everyday transportation for Californians, the main barrier people face is traffic danger on the road.” Further, “the Safety Stop does not change the normal rules of yielding at an intersection. People on bikes will still be required to yield to pedestrians and to other traffic in the intersection or approaching the intersection with the right-of-way. It simply legalizes common practice, which is to slow down as they approach an intersection, check for traffic, proceed if it is safe, and stop if it is not. In fact, drivers of vehicles often deliberately encourage people on bikes to continue past a stop sign without stopping. People on bikes are often prepared to stop, but the driver waves them through inappropriately. While polite, this leads to confusion that can be dangerous. It is better to change and clarify the law to reflect practice so that everyone knows what to expect for safety purposes.
- 11) A full stop on a bicycle requires significant extra work for the person bicycling to pedal back up to a normal riding speed. Therefore, a typical person bicycling safely will use reasonable judgment when there is no oncoming or crossing traffic at an intersection, and often roll through stop signs on side streets to maintain their momentum. Penalizing this safe bicycling practice with unnecessary enforcement at stop signs is counterproductive to the larger goal of increasing bicycling, and discourages people bicycling from using side streets if they are required to come to a full stop every block.”

- 12) *Arguments in opposition.* Writing in opposition, the California Association of Highway Patrolmen, state, “current 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. AB 122 would remove that requirement and instead only require the bicycles to yield to oncoming traffic. There is a lot going on at intersections and we feel that allowing bicyclists to simply yield rather than stop will create a public safety risk. In addition, the bill includes a sunset date of 2028 and is not limited to certain cities; it is statewide. At the very least, we believe the sunset date should be shorter and that the bill should be limited to a few localities rather than statewide.”
- 13) According to the California Coalition for Children’s Safety and Health, “AB 122 redefines Stop signs as yield signs for all ages of bicycle riders and will make California’s roads less safe. This traffic safety change is inherently dangerous to all bicycle riders, but especially dangerous for California’s millions of bicycle riding children, and those who have never driven a car and do not know how to judge vehicle speed, distance to stop, nor having an understanding what distracted driving means.” Further, “it takes a car two to three seconds to travel a quarter of a city block going 35 miles an hour – around 196 feet. It takes a bicycle club group of riders that slows a bit but continues riding and does not stop at a Stop sign 4-6 seconds to enter and clear an intersection. It takes a child 5-10 seconds or longer to peddle across an intersection. Stop sign protected intersections create traffic safety and predictability for all vehicles, motorcycle riders, pedestrians, and bicycle riders. Most crashes happen at intersections. AB 122 removes predictability from intersections putting everyone at risk. If AB 122 passes and allows children and adults riding bicycles to go through Stop signs without stopping, everyone on the road will be at greater risk.”

#### **RELATED LEGISLATION:**

**AB 1103 (Olbernalte, 2017)**— Would have allowed a person operating a bicycle make a turn or proceed through an intersection without stopping if no vehicle or pedestrian is in the intersection or constitutes an immediate hazard to the cyclist while they are in the intersection. An amended version on the bill would have established a pilot program in at least three cities to allow a person operating a bicycle and approaching a stop sign to make a turn or proceed through an intersection without stopping. AB 1103 was heard twice but died in the Assembly Transportation Committee.

**FISCAL EFFECT:** Appropriation: No    Fiscal Com.: Yes    Local: Yes

**POSITIONS: (Communicated to the committee before noon on Wednesday, June 23, 2021.)**

**SUPPORT:**

California Bicycle Coalition (sponsor)  
Active San Gabriel Valley  
Adventure Cycling Association  
Asian Pacific Islander Forward Movement  
Berkeley; City of  
Better World Group; the  
Bicycle Kitchen/la Bici-cocina  
Bike Bakersfield  
Bike East Bay  
Bike Lodi  
Bike Santa Cruz County Education Fund  
Bike SLO County  
Bikesd  
Bike Ventura  
Breathe California  
California Association of Bicycling Organizations  
California Mountain Biking Coalition  
California Walks  
City Council Member, City of Gilroy  
City Heights Community Development Corporation  
City of Encinitas  
City of Los Angeles  
City of Sacramento  
City of Woodland  
Climate Action Campaign  
Climate Resolve  
Coalition for Clean Air  
Coalition for Sustainable Transportation  
Community Environmental Council  
Day One  
East Side Riders Bike Club  
Fresno Cycling Club  
Inland Empire Biking Alliance  
Institute for Transportation & Development Policy  
Investing in Place

Leadership Counsel for Justice & Accountability  
League of American Bicyclists  
Local Government Commission  
Los Angeles County Bicycle Coalition  
Los Angeles Walks  
Los Feliz Neighborhood Council  
Marin County Bicycle Coalition  
Merced Bicycle Coalition  
Move LA  
Napa County Bicycle Coalition (Napa Bike)  
Natural Resources Defense Council (NRDC)  
Pasadena Complete Streets Coalition  
People for Mobility Justice  
Peopleforbikes  
Planning and Conservation League  
Policylink  
Prevention Institute  
Public Health Advocates  
Sacramento Air Quality Management District  
Sacramento Area Bicycle Advocates  
Sacramento Bike Hikers  
Sacramento Trailnet  
Safe Routes Partnership  
San Carlos Bikes  
San Diego Climate Action Campaign  
San Diego County Bicycle Coalition  
San Francisco Bicycle Coalition  
San Jose Bike Clinic  
Santa Barbara Bicycle Coalition  
Santa Monica Safe Streets Alliance  
Santa Monica Spoke  
Shasta Living Streets  
Silicon Valley Bicycle Coalition  
Sonoma County Bicycle Coalition  
Southern Sierra Cyclists  
Streets are For Everyone (SAFE)  
Streets for All  
Streets for People Bay Area  
Supervisor Warren Slocum  
Transform  
Trust for Public Land  
Vision Zero Network

Walk Bike Berkeley  
Walk Bike Glendale  
Walk Long Beach  
Walk Sacramento  
Yolo-Solano Air Quality Management District

**OPPOSITION:**

Advocates for Highway and Auto Safety  
California Association of Highway Patrolmen  
California Coalition for Children's Safety and Health  
California Police Chiefs Association  
Del Norte Local Transportation Commission  
Impact Teen Drivers  
Peace Officers Research Association of California (PORAC)  
Valley Children's Healthcare

**OTHER:**

Department of the California Highway Patrol (Concerns)

**-- END --**