

MOTION

In September 2022, Governor Newsom approved AB 2147 (Ting), the Freedom to Walk Act, and AB 1909 (Friedman), the OmniBike Bill. Both pieces of legislation change provisions of the California Vehicle Code regarding walking and bicycling, and the obligations of motorists toward people who are walking or bicycling. It is important that all Angelenos become aware of these changes. In addition, because these laws change some violations under the Vehicle Code, and limit the circumstances when citations may be issued to people who are walking or bicycling, it is also important for the Los Angeles Police Department to ensure that its officers are aware of these changes.

Under the Freedom to Walk Act (AB 2147), as long as a person walking uses due care, they may cross a street at any location (sometimes referred to as "jaywalking," a term promoted by automobile interests 100 years ago to help ensure automobile domination of our streets). A peace officer may no longer cite a pedestrian for violations of various statutes regulating pedestrian behavior "unless a reasonably careful person would realize there is an immediate danger of a collision with a moving vehicle or other device moving exclusively by human power." AB 2147 also adds to many sections of the Vehicle Code an explicit statement of the general rule that a driver of a vehicle has the duty to exercise due care for the safety of any pedestrian within the roadway. These provisions become effective January 1, 2023.

Also under AB 2147, effective January 1, 2024, people who are bicycling may cross a street when allowed by a pedestrian signal, which will have the most effect at intersections with leading pedestrian intervals.

Under the OmniBike Bill (AB 1909), local jurisdictions may no longer ban electric bicycles on bike paths. More importantly, it changes the rules motorists must observe when passing bicyclists on multi-lane roads. Just as if passing another vehicle, motorists must make a complete lane change before passing a bicyclist.

I THEREFORE MOVE that the Department of Transportation, with the assistance of the Police Department, but be instructed to report within 90 days on the resources needed to conduct a robust public education campaign to educate Angelenos about AB 2147 and AB 1909 that is focused on motorists' obligations to exercise due care for the safety of pedestrians and bicyclists;

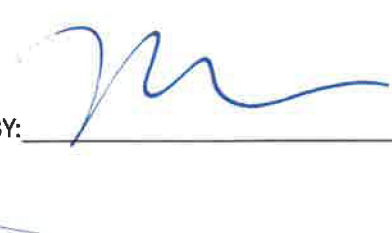
I FURTHER MOVE that the Department of Transportation, with the assistance of the Recreation and Parks Department and any other department that has responsibility for any bike path in the City, be instructed to remove, by June 30, 2023, any signs that purport to exclude electric bicycles from any bike path;

I FURTHER MOVE the Police Department be instructed to report within 90 days regarding the steps it is taking to ensure that its officers are aware of the changes in AB 2147 and AB 1909, and its plans regarding enforcement of the new passing rule in AB 1909.

PRESENTED BY:


BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY:



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