

TRANSPORTATION COMMITTEE REPORT relative to motorist obligations in connection with pedestrian and bicyclist safety pursuant to AB2147 and AB1909.

Recommendations for Council action, pursuant to Motion (Blumenfield – Harris-Dawson):

1. INSTRUCT the Los Angeles Department of Transportation (LADOT), with the assistance of the Los Angeles Police Department (LAPD), to report within 90 days on the resources needed to conduct a robust public education campaign to educate Angelinos about AB 2147 and AB 1909 that is focused on motorists' obligations to exercise due care for the safety of pedestrians and bicyclists.
2. INSTRUCT the LADOT, with the assistance of the Department of Recreation and Parks 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.
3. INSTRUCT the LAPD 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.

Fiscal Impact Statement: The CAO reports that approval of the recommendations contained in the May 2, 2023 CAO report, attached to the Council File, will not result in a General Fund impact.

Community Impact Statement: Yes

For:
Westside Neighborhood Council

Summary:

On June 3, 2023, your Committee considered a Motion (Blumenfield – Harris-Dawson) relative to motorist obligations in connection with pedestrian and bicyclist safety pursuant to AB2147 and AB1909. According to the 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 Angelinos 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 LAPD 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. After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the Motion. This matter is now submitted to Council for its consideration.

Respectfully Submitted,
Transportation Committee

COUNCILMEMBER	VOTE
HUTT:	YES
PARK:	YES
HERNANDEZ:	YES
RAMAN:	ABSENT
YAROSLAVSKY:	ABSENT

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6/3/23

-NOT OFFICIAL UNTIL COUNCIL ACTS-