

**REVISED LEGISLATIVE DIGEST**

(12/15/2015, Amended in Board)

[Administrative Code - Bicycle Yield Enforcement Policy]

**Ordinance amending the Administrative Code to add Chapter 110 to establish the “San Francisco Right-of-Way Policy” to promote safety, tolerance, and harmony among all users of City Streets; make arrests and citations of bicyclists for failure to stop at a stop sign the lowest traffic enforcement priority provided that the bicyclist first slows to a safe speed and yields the right-of-way to any other vehicle or pedestrian in the intersection; require quarterly reports from the Police Department on statistics related to traffic enforcement, injuries, and fatalities; urge the Municipal Transportation Agency to develop a program to educate the public about the Bicycle Yield Enforcement Policy; and require notification of state officials of this ordinance.**

Existing Law

California Vehicle Code section 21200 requires bicyclists to abide by the Vehicle Code’s Rules of the Road, including Vehicle Code section 22450(a). Vehicle Code section 22450(a) requires that drivers stop at stop signs. Therefore, under state law, bicyclists are required to stop at stop signs. Neither State law, nor local law require particular traffic enforcement priorities.

Amendments to Current Law

This ordinance would amend the Administrative Code to establish the “San Francisco Right-of-Way Policy” to promote safety, tolerance, and harmony among all users of City Streets. In addition, this ordinance would require that law enforcement officers authorized to enforce the traffic laws make arrests and citations of bicyclists for failure to stop at a stop sign the lowest traffic enforcement priority provided that the bicyclist first slows to a safe speed (no more than six miles per hour) and yields the right-of-way to any other vehicle or pedestrian in the intersection. This ordinance does not intend to prohibit law enforcement officers authorized to enforce traffic laws from citing bicyclists for failing to stop at signs. Finally, this ordinance requires quarterly reports from the Police Department on statistics related to traffic enforcement, injuries, and fatalities; and requires notification of state officials of this ordinance.

The ordinance would also urge the Municipal Transportation Agency and the San Francisco County Transportation Authority to develop a program by March 31, 2016 to educate the public about the policy, prioritizing promoting pedestrian safety and educating bicyclists about their responsibility to safely yield to others at intersections.

Background Information

This legislative digest reflects amendments made by the Land Use and Transportation Committee on December 7, 2015, urging the SFMTA and the Transportation Authority to develop an education program, requiring additional demographic data in quarterly reports, providing that bicycles should yield at a speed of no more than six miles per hour, and making additional clarifying changes. The digest also reflects amendments adopted by the Board on December 15, 2015 providing that bicycles should yield more than six feet from the closest pedestrian, and providing additional clarifications.

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