

# A History of the Bicyclist-specific Far to the Right Law in California



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Robert M. Shanteau, PhD, PE

Registered Traffic Engineer

13 Primrose Cir

Seaside, CA 93955-4133

(831) 394-9420

email: [RMSlant@gmail.com](mailto:RMSlant@gmail.com)

# California Road Rules Progression

	1905	1915	1939	1943	1947	1963	1976
Bicycle	Undefined	Vehicle	Undefined			Device	
Bicyclist	Undefined	Driver	Undefined	Rights and duties of drivers			
Drivers' road position	Drive on right side of road, pass on left	Slower drivers keep right except to pass			Slower drivers use right lane except to pass		
Bicyclists' road position	Same as drivers					Ride as far right as practicable (as though lanes did not exist)	Exceptions added

## 1905 – CA regulates motor vehicles

- Drive on right side of road
- Persons operating motor vehicles to pass persons riding or driving a horse or other livestock, or any other vehicles on left
- “Vehicle” and “bicycle” not defined
- Bicycles apparently considered vehicles, because the LAW says it had made it possible for the “cyclor to ride the wheel on any street or highway in the United States”



*San Francisco Market Street 1906*

<http://www.youtube.com/watch?v=oubsaFBUCtc>

# 1915 – CA Motor Vehicle Act

- Definition of vehicle: “every wagon, hack, coach, carriage, omnibus, push-cart, bicycle, tricycle, automobile, cycle-car, motorcycle, sleigh, traction engine, tractor, other conveyance”
- Slower drivers to operate near right edge in order to allow “more swiftly moving vehicles reasonably free passage to the left”



*San Francisco Market Street 1906*

<http://www.youtube.com/watch?v=oubsaFBUCtc>

## 1931 – Definition of “operator” added to California Motor Vehicle Act

- “Operator” - Every person who drives, operates or is in actual physical control of a motor vehicle upon a public highway



*William Phelps Eno, Street Traffic Regulation, 1909*  
<http://books.google.com/books?id=oP08AAAAAYAAJ>

## 1939 – California Vehicle Code adopted

- “Vehicle” excludes devices moved exclusively by human power
- “Bicycle” not defined
- Bicyclists' rights not delineated
- “Upon all roadways of sufficient width a vehicle shall be driven upon the right half of, and as close as practicable to the right-hand curb or edge of, such roadway ...”



*The State Highways of California*

<http://books.google.com/books?id=yXwaAAAAAYAAJ>

# 1943 – CVC

- Bicyclists granted the rights and duties of drivers of vehicles



*You and Your Bicycle, Progressive Pictures, Oakland, CA*  
<http://www.youtube.com/watch?v=IPh3zJ6lmn8>



*Keri Caffrey and Dan Gutierrez*

# 1944 – Uniform Vehicle Code

- Bicyclists required to ride as far right as practicable, exercising due care when passing stopped or moving vehicles
- Interpreted to mean extreme right edge, adjacent to curb or parked cars, regardless of lanes, speed, or any other conditions such as hazards, narrow lanes, turning movements, etc.



*Laned roadways  
Dan Gutierrez*

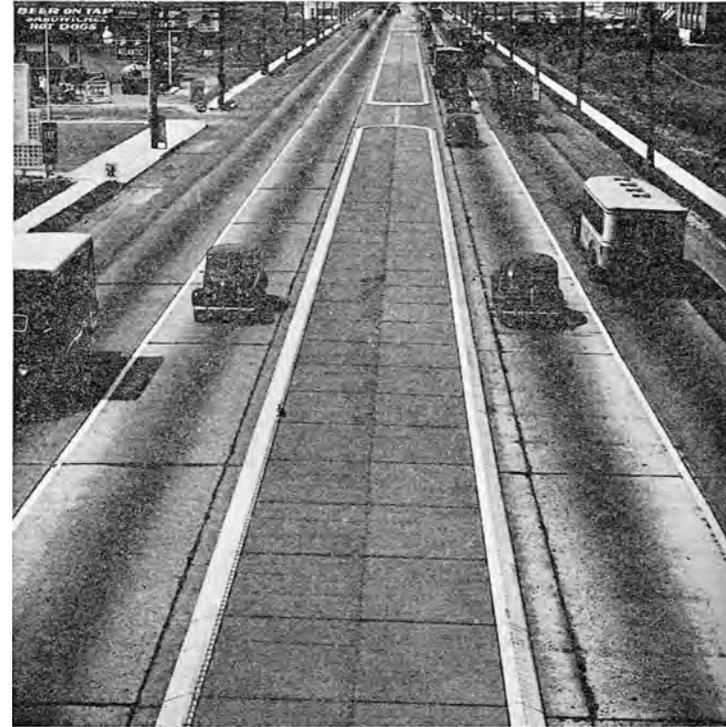
*Unlaned roadway*

*Bicycle Safety, Centron Corp, Lawrence, KS*

*Films <http://www.youtube.com/watch?v=7-w8MjpuCnk>*

# 1947 – CVC

- Slower vehicles to be driven in right-hand lane or at right edge



*Traffic Engineering Handbook, 1950*

# 1963 – CHP sponsors changes to conform with UVC

- Bicycle defined as device
- Bicyclists required to ride near right edge
- CHP: “This will enable the development of a more effective safety program when the youngsters can see the simple and clear cut rules they are to obey.”



Dan Gutierrez



*You and Your Bicycle, Progressive Pictures, Oakland, CA*  
<http://www.youtube.com/watch?v=IPh3zJ6lmn8>

# 1976-83 safety exceptions were added to allow bicyclists some lane use

- Speed
- Passing
- Left Turns
- Debris/Hazards
- Narrow Lanes
- Driveways and Intersections



*Dan Gutierrez*

## Present Day: Did exceptions work?

Exceptions have not changed societal perceptions that bicyclists:

- Cannot control most lanes, even though most lanes meet definition of being narrow per 21202(a)(3)
- Should NOT control lanes as drivers
  - Bicyclists are a hazard to faster drivers
  - Will be hit from behind
- Are at fault in crashes for either not being far right enough (e.g., being rear ended) or for being too far right (e.g. passing right turning truck on the right)
- Should not be “rude” and block traffic

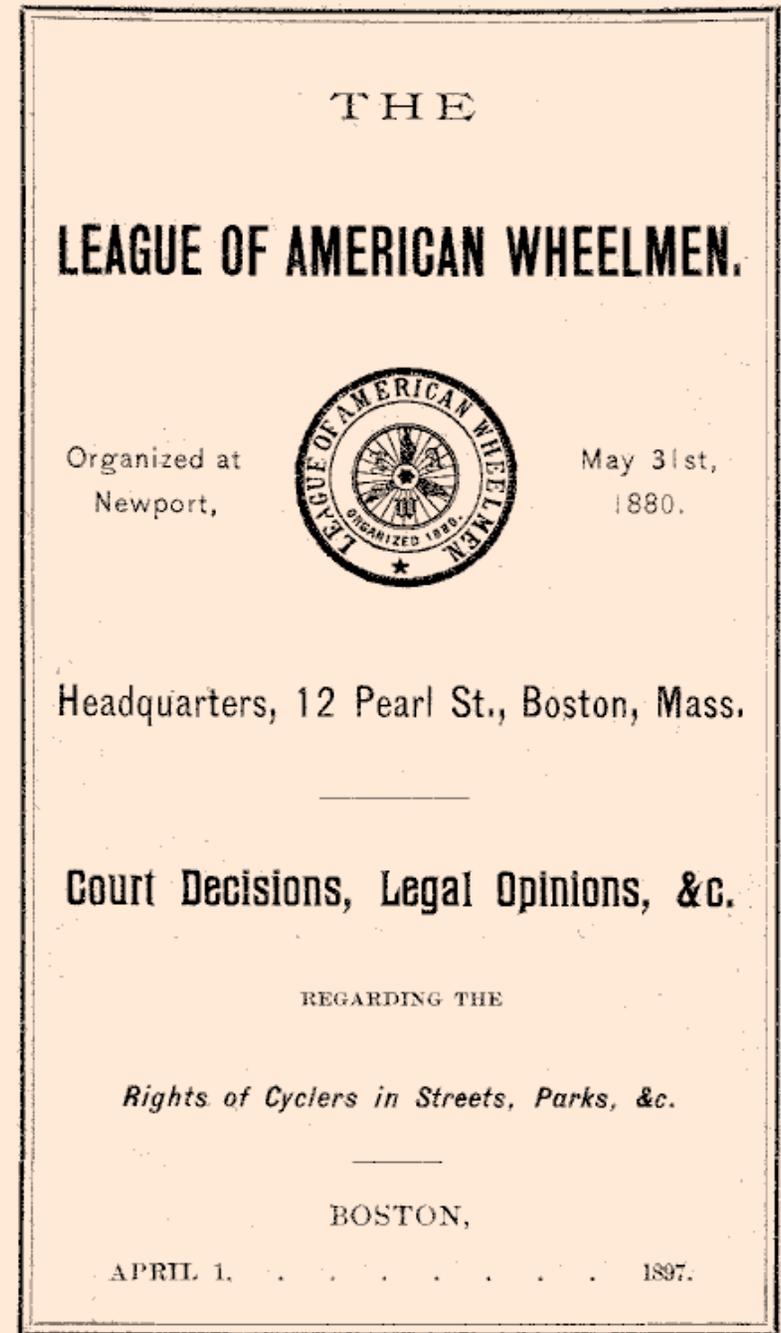
Most people still feel that roads are for motor vehicles

Most people feel that “slower traffic keep right” means bicyclists must ride at right edge & are not entitled to use of full lane

# Backup slides

## 1897 LAW pamphlet

“The League has made it possible for a cyclist to ride the wheel on any street or highway in the United States. When the League was formed the bicycle had no legal recognition; now it is universally recognized as a carriage, and may travel with impunity wherever any carriage does.”



<http://www.truewheelers.org/legal/law1897/index.htm>

# 1903 – NYC Rules of the Road

## **RULES FOR DRIVING AND THE REGULATION OF STREET TRAFFIC**

**ISSUED BY THE POLICE DEPARTMENT OF THE CITY OF NEW YORK**

**Article L. Importance of Keeping to the Right, Passing, Turning, Crossing and Stopping.**

**Sec. 1.** A vehicle, except when passing a vehicle ahead, shall keep as near the right-hand curb as possible.

### **Article X. Definitions.**

**Sec. 1.** The word vehicle includes equestrians, led horses and everything on wheels or runners, except street cars and baby carriages.

**Sec. 2.** The word horse includes all domestic animals.

**Sec. 3.** The word driver includes the rider and driver of a horse, the rider of wheels and the operator of a motor vehicle or street car.

- William Phelps Eno distributes pamphlet in New York City
- All vehicles to keep right except when passing
- 3 user classes: drivers of vehicles and horse-drawn wagons, pedestrians, streetcars
- Bicycles included in definition of vehicle
- Pamphlet reprinted in Eno's *Street Traffic Regulation* in 1909

# 1905 – CA regulates motorcycles (motor vehicles)

## TITLE 332. MOTORCYCLES.

### ACT 2331.

An act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this act.

[Approved March 22, 1905. Stats. 1905, p. 816.]

Amended 1907, p. 914.

See Political Code, §§ 2787, 2789, 2802.

- Drive on right side of road
- Pass persons riding or driving a horse or other livestock, or any other vehicles on left
- “Vehicle” and “bicycle” not defined

# 1915 – CA Motor Vehicle Act

## TITLE 360. MOTOR VEHICLES.

### ACT 2331b.

An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act.

[Approved May 10, 1915. Stats. 1915, p. 397.]

• “'Vehicle' shall include every wagon, hack, coach, carriage, omnibus, push-cart, bicycle, tricycle, automobile, cycle-car, motorcycle, sleigh, traction engine, tractor, other conveyance ...”

• “The person in control of any vehicle moving slowly along and upon any public highway shall keep such vehicle as closely as practicable to the right-hand boundary of the highway, allowing more swiftly moving vehicles reasonably free passage to the left”

## 1911 – The First Centerline

The first centerline was invented in 1911 in Wayne County, Michigan, by Edward N. Hines, chairman of the Wayne County Road Commission and an organizer of the League of American Wheelmen



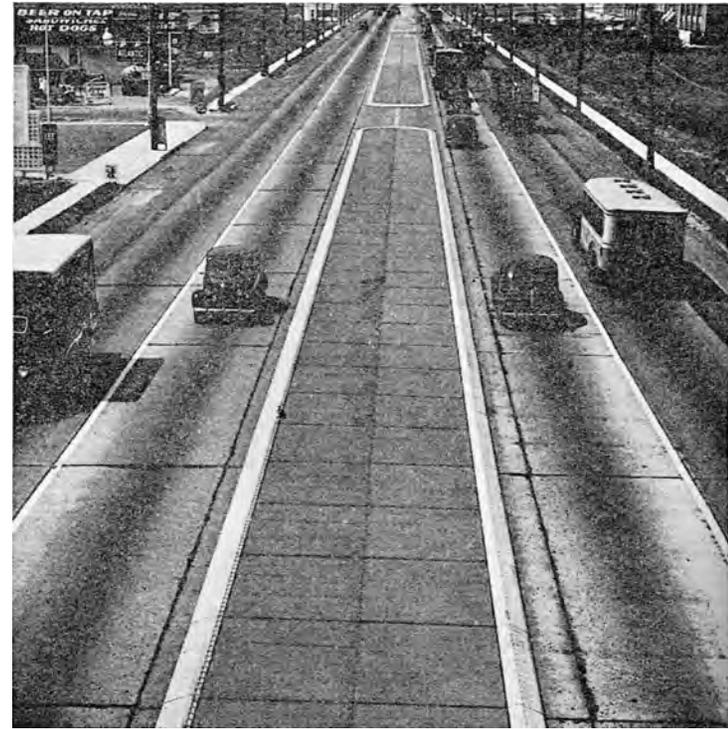
Dead Man's Curve along the Marquette–Negaunee Road shown in 1917 with its hand-painted centerline, the first in the United States according to the Michigan Department of Transportation

[http://en.wikipedia.org/wiki/Michigan\\_Department\\_of\\_Transportation](http://en.wikipedia.org/wiki/Michigan_Department_of_Transportation)

[http://www.michigan.gov/mdot/0,1607,7-151-9620\\_11154\\_41535-126420--,00.html](http://www.michigan.gov/mdot/0,1607,7-151-9620_11154_41535-126420--,00.html)

## 1925 – Lane lines on multilane roads become common

Miller McClintock writes in *Street Traffic Control*, “Some of the uses to which paint lines have been put with success, follow:  
... division of traffic into lanes on busy streets”



Source: *Traffic Engineering Handbook*, 1950

## **1930 – Uniform Vehicle Code addresses laned highways in keep right except to pass rule**

Section 27. Special Regulations Applicable on Streets and Highways Laned for Traffic. Whenever any street or highway has been divided into **clearly marked lanes for traffic**, drivers of vehicles shall obey the following regulations:

(a) A vehicle shall normally be driven in the **lane nearest the right-hand edge or curb** of the highway when said lane is available for travel except when overtaking another vehicle or in preparation for a left turn.

# **1931 – Definition of “operator” added to California Motor Vehicle Act, includes only motor vehicles**

“Operator” - Every person who drives, operates or is in actual physical control of a motor vehicle upon a public highway.

<http://books.google.com/books?id=KJ4-AAAAIAAJ>

## 1939 – California Vehicle Code

- “Vehicle” excludes devices moved exclusively by human power
- “Bicycle” not defined
- Bicyclists' rights not defined
- CVC 525. Drive on Right Side of Roadway. (a) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of, and as close as practicable to the right-hand curb or edge of, such roadway ...

## **1943 – California Vehicle Code grants bicyclists the rights and duties of drivers of vehicles**

CVC 452. Traffic Laws Apply to Persons Riding Bicycles or Animals. Every person riding a bicycle or riding or driving an animal upon a highway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by this division, except those provisions which by their very nature have no application.

# 1944 – Uniform Vehicle Code introduces bicyclist-specific keep right and mandatory sidepath rules

## § 11-1205—Riding on Roadways and Bicycle Paths

(a) Every person operating a bicycle upon a roadway shall ride **as near to the right side of the roadway as practicable**, exercising due care when passing a standing vehicle or one proceeding in the same direction.

...

(c) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

**1947 – California Vehicle Code addresses laned highways by introducing “or” clause in slower traffic keep right rule**

CVC 525.1. Driving in Right Hand Lane. Upon all highways any vehicle proceeding at less than the normal speed of traffic thereon shall be driven in the right hand lane for traffic or as close as practicable to the right hand edge or curb ...

## **1953 – California Vehicle Code introduces keep right law for trucks**

**CVC 525.3. Certain Vehicles to Be Driven in Right Hand Lane.**  
When any vehicle included in Section 515 is being driven on any highway, it shall be driven in the right hand lane for traffic or as close as practicable to the right hand edge or curb, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

## **1963 – California Vehicle Code defines bicycle and adopts UVC bicycle-specific keep right rule – for the youngsters**

- CVC 21200. Bicycle Defined. A bicycle is every device propelled by human power upon which any person may ride, having two tandem wheels either of which is 20 inches or more in diameter.
- CVC 21202. Keep to Right. Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- CHP letter of support: “This will enable the development of a more effective safety program when the youngsters can see the simple and clear cut rules they are to obey.”

## **1977 - California Vehicle Code adds exceptions to bicycle-specific keep right rule**

**CVC 21202. Operation on Roadway. (a) Any person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at such time shall ride as close as practicable to the right-hand curb or edge of the roadway except under the following situations:**

- (1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.**
- (2) When preparing for a left turn at an intersection or into a private road or driveway.**

## 1977 (cont'd)

(3) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it **unsafe** to continue along the right-hand curb or edge, subject to the provisions of Section 21656. For purposes of this section, a “substandard width lane” is a **lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.**

## **1996 – California Vehicle Code adds another exception to bicycle-specific keep right rule**

CVC 21202 (a)(4) When approaching a place where a right turn is authorized.