

CALIFORNIA VEHICLE CODE (CVC)

VEHICLE CODE - VEH

DIVISION 11. RULES OF THE ROAD [21000 - 23336]

(Division 11 enacted by Stats. 1959, Ch. 3.)

CHAPTER 1. Obedience to and Effect of Traffic Laws [21000 - 21296]

(Chapter 1 enacted by Stats. 1959, Ch. 3.)

ARTICLE 4. Operation of Bicycles [21200 - 21213]

(Article 4 added by Stats. 1963, Ch. 479.)

21210.

No person shall leave a bicycle lying on its side on any sidewalk, or shall park a bicycle on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic. Local authorities may, by ordinance or resolution, prohibit bicycle parking in designated areas of the public highway, provided that appropriate signs are erected.

(Added by Stats. 1976, Ch. 751.)

ARTICLE 5. Operation of Motorized Scooters [21220 - 21235]

21235.

The operator of a motorized scooter shall not do any of the following:

- (a) Operate a motorized scooter unless it is equipped with a brake that will enable the operator to make a braked wheel skid on dry, level, clean pavement.
- (b) Operate a motorized scooter on a highway with a speed limit in excess of 25 miles per hour unless the motorized scooter is operated within a class II bicycle lane.
- (c) Operate a motorized scooter without wearing a properly fitted and fastened bicycle helmet that meets the standards described in Section 21212.
- (d) Operate a motorized scooter without a valid driver's license or instruction permit.
- (e) Operate a motorized scooter with any passengers in addition to the operator.
- (f) Operate a motorized scooter carrying any package, bundle, or article that prevents the operator from keeping at least one hand upon the handlebars.
- (g) Operate a motorized scooter upon a sidewalk, except as may be necessary to enter or leave adjacent property.
- (h) Operate a motorized scooter on the highway with the handlebars raised so that the operator must elevate his or her hands above the level of his or her shoulders in order to grasp the normal steering grip area.
- (i) Leave a motorized scooter lying on its side on any sidewalk, or park a motorized scooter on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic.
- (j) Attach the motorized scooter or himself or herself while on the roadway, by any means, to any other vehicle on the roadway.

21230.

Notwithstanding any other provision of law, a motorized scooter may be operated on a bicycle path or trail or bikeway, unless the local authority or the governing body of a local agency having jurisdiction over that path, trail, or bikeway prohibits that operation by ordinance.

ARTICLE 6. Electric Personal Assistive Mobility Devices [21280 - 21282]

(Article 6 added by Stats. 2002, Ch. 979, Sec. 6.)

21281.5.

- (a) A person shall not operate an EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway at a speed greater than is reasonable and prudent having due regard for weather, visibility, pedestrians, and other conveyance traffic on, and the surface, width, and condition of, the sidewalk, bike path, pathway, trail, bike lane, street, road, or highway.
- (b) A person shall not operate an EPAMD at a speed that endangers the safety of persons or property.
- (c) A person shall not operate an EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway with willful or wanton disregard for the safety of persons or property.
- (d) A person operating an EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway shall yield the right-of-way to all pedestrians on foot, including persons with disabilities using assistive devices and service animals that are close enough to constitute a hazard.

SUNNYVALE MUNICIPAL CODE (SMC)

10.56.285. Bicycle paths—Class I bikeways—Use required and restricted.

When signs and markings are in place giving notice of the existence of any bicycle path or Class I bikeway established by this chapter, it is unlawful for any person:

- (a) To operate any unauthorized vehicle along any portion of the bicycle path or bikeway;
- (b) To operate a bicycle on the bicycle path or bikeway other than safely when passing pedestrians or bicyclists. This requirement does not prohibit a bicyclist from choosing to operate on a roadway when a Class 1 bikeway is available;
- (c) To operate a bicycle other than in a manner consistent with Section [9.62.040\(h\)](#);
- (d) To fail to obey all signs and markings regulating use of the bicycle path or bikeway;
- (e) To operate a bicycle at all times in any manner other than with reasonable regard to the safety of all others, which shall include, but not be limited to, signaling all turns; passing to the left of any bicycle, authorized vehicle, or pedestrian being overtaken; and passing to the right of any oncoming bicycle, authorized vehicle or pedestrian. (Ord. 2721-03 § 6; Ord. 1928-79 § 8; Ord. 1784-75 § 14).

10.56.140. Riding on sidewalks and overhead pedestrian crossings—Prohibited.

- (a) It is unlawful for any person to ride or operate a bicycle, motor driven cycle or motor scooter upon any sidewalk or upon any overhead pedestrian crossing over any street, roadway, state highway or state freeway that is signed for pedestrian use only within the city except as provided herein. Children under the age of thirteen years must walk their bicycles upon any overhead pedestrian crossing that is signed for pedestrian use only.
- (b) Children under the age of thirteen years or persons sixty-two years of age or older may ride and operate their bicycles in single file upon any sidewalk, except sidewalks adjacent to schools, store buildings or other buildings used for commercial purposes, subject to their exercising due care and giving any pedestrian the right-of-way. Any individual regardless of age may ride a bicycle on a sidewalk if riding upon the adjacent street would place the cyclist in an unsafe situation. (Ord. 2721-03 § 6; Ord. 2524-95 § 1; Ord. 1215 § 1, 1961; Ord. 876 § 1, 1961; prior code § 3-2.13).

9.62.040. Operation of motor vehicles and bicycles—Prohibited acts.

No person in a park shall:

(a) Fail to comply with all applicable provisions of the Vehicle Code of the state of California in regard to equipment and operation of vehicles together with such regulations as are contained in this chapter and ordinances of the city of Sunnyvale regulating traffic;

(b) Fail to obey all traffic officers and park employees who are hereafter authorized and instructed to direct traffic whenever and wherever needed in the parks in accordance with the provisions of these regulations and such supplementary regulations as may be issued subsequently by the director;

(c) Fail to observe carefully all traffic signs indicating speed, direction, caution, stopping, or parking, and all others posted for proper control and to safeguard life and property;

(d) Ride or drive a vehicle at a rate of speed exceeding fifteen miles an hour, except upon such roads as the director may designate, by posted signs, for speedier travel;

(e) Drive any vehicle on any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the director;

(f) Park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions there at and with the instructions of any attendant who may be present;

(g) Ride a bicycle on other than a vehicular road or on a path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use;

(h) When bicycling on a vehicular roadway in a park, all bicyclists must follow the regulations set forth in the California Vehicle Code and the Sunnyvale Municipal Code.

(1) When bicycling on park paths and park sidewalks, a person commits the offense of unsafe operation of a bicycle on a park path or park sidewalk if the person does any of the following:

(A) Operates the bicycle so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard;

(B) Operates a bicycle upon a sidewalk and does not give an audible warning before overtaking and passing a pedestrian and does not yield the right-of-way to all pedestrians on the sidewalks;

(C) Operates a bicycle on a sidewalk in a careless manner that endangers or would be likely to endanger any person or property;

(D) Operates the bicycle at a speed greater than an ordinary walk when approaching or entering a crosswalk, approaching or crossing a driveway or crossing a curb cut or pedestrian ramp and a motor vehicle is approaching the crosswalk, driveway, curb cut or pedestrian ramp. This section does not require reduced speeds for bicycles either:

(i) At places on sidewalks or other pedestrian ways other than places where the path for pedestrians or bicycle traffic approaches or crosses that for motor vehicle traffic; or

(ii) When motor vehicles are not present.

(2) Except as otherwise specifically provided by law, a bicyclist on a park path or park sidewalk has the same rights and duties as a pedestrian on a park path or park sidewalk. Bicyclists shall at all times operate their bicycles with reasonable regard to the safety of others, signal all turns, pass to the left of any bicycle, authorized vehicle or pedestrian they are overtaking, and pass to the right of any oncoming bicycle, authorized vehicle or pedestrian;

(3) A bicyclist on a park path or park walkway has the same rights and duties as a pedestrian on a park path or park walkway, except as otherwise specifically provided by law.

(i) Transport any other person on a bicycle if the bicycle is not designed and equipped for multiple riders. This provision is not intended to prohibit passengers in bike trailers that are designed for such transport;

(j) Leave a bicycle lying on the ground or paving, or in any place or position where other persons may trip over it, be injured by it, or where property (including trees and vegetation) may be damaged by it. (Ord. 2721-03 § 1, 2003; prior code § 4-11.04).

10.12.040. Driving on sidewalk.

It is unlawful for the driver of a vehicle to drive within any sidewalk area or any parkway except at a permanent or temporary driveway.