



Traffic Information Bulletin

Los Angeles Police Department

Charlie Beck, Chief of Police

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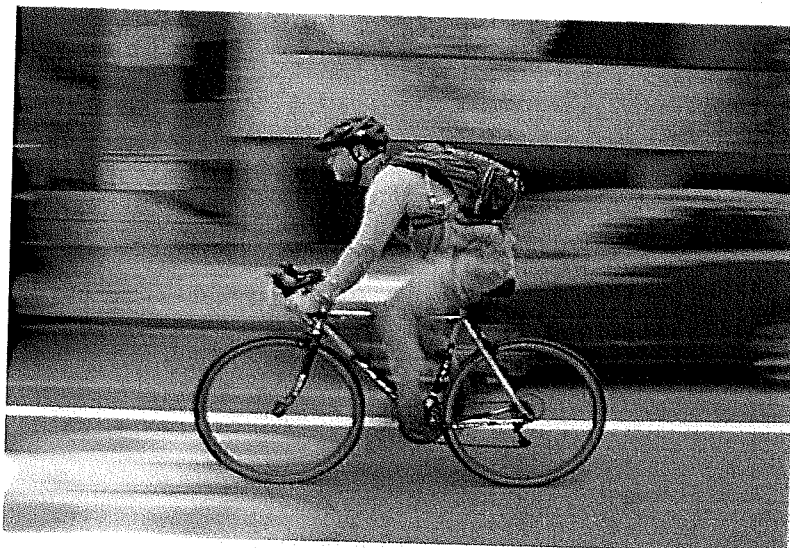
January 6, 2015

Non-Conventional Conveyance Enforcement

This bulletin discusses the proper enforcement and follow-up action(s) to be taken in regards to bicycles, motor-driven cycles, scooters, skateboards, pocket bikes, and other non-conventional conveyances. Various California Vehicle Code (CVC) and Los Angeles Municipal Code (LAMC) and Department procedures pertaining to these modes of transportation when operated on a highway which includes the sidewalk, are identified. The CVC sections discussed in this Bulletin should not be enforced when the conveyances are operated on private property.

Bicycles

Bicyclists have all of the rights and are subject to all of the provisions as the driver of a vehicle, as specified under Section 21200 CVC. It is important that officers know and understand the differences regarding bicycles and their operation on the roadway, sidewalk and within a bicycle lane. The operator of a bicycle who is involved in a collision resulting in an injury to another person is required under Section 20001(a) CVC to remain at the collision scene, identify one's self and render aid. Also, the operator of a bicycle who is involved in a collision where there is only property damage shall remain at the collision scene and identify one's self as required by Section 20002(a) CVC.



The operator of a bicycle is subject to the following CVC and LAMC Sections:

Rules of the road

- 21650.1 CVC While on the roadway, a bicycle must be operated in the same direction as a vehicle.
- 21202(a) CVC Bicyclists must ride as close to the right of the roadway as practicable except to turn left or avoid hazards.
- 21203 CVC Bicyclists may not hitch a ride on other vehicles.
- 21204(a) CVC & 21204 (b) CVC Both a bicyclist and a passenger may only ride on a permanently attached seat.
- 21205 CVC If a bicyclist is carrying anything while riding, at least one hand must remain free.
- 21208(a) CVC If a bicycle is operating at a speed slower than traffic and there is a bicycle lane available, the bicyclist must ride in the bicycle lane.
- 21208 (b) CVC A bicyclist must signal and safely exit the bicycle lane.
- 21210 CVC A bicycle may be parked on the sidewalk but it must not obstruct pedestrian traffic.
- 56.15.1 LAMC When riding on the sidewalk a bicyclist must ride with due regard for pedestrians.
- 56.15.2 LAMC Bicycles are not allowed to be ridden on Ocean Front Walk.

Equipment

- 21201(a) CVC Bicycles are required to be equipped with a brake able to make one wheel skid on dry level clean pavement.
- 21201(b) CVC The handlebars of a bicycle may not be higher than the shoulders of the rider.
- 21201(c) CVC The pedals must not be so high that the rider cannot support the bicycle with one foot on the ground.

During the hours of **darkness**, a bicycle is required to have the following:

- 21201(d)(1) CVC Headlamp visible from 300 feet from the front.
- 21201(d)(2) CVC Red reflector visible from 500 feet from the rear.
- 21201(d)(3) CVC White or yellow reflector on front/rear of each pedal visible for 200 feet.
- 21201(d)(4) CVC White or yellow reflector on each side forward of center of bicycle and white or red reflector on each side to the rear of the center of the bicycle.
- 21212(a) CVC A bicyclist under 18 years of age must wear a helmet.

Laws for Vehicles

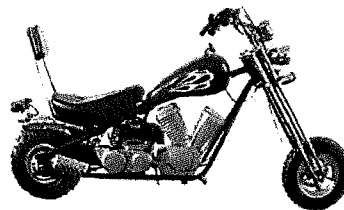
- 21209(a) CVC Vehicles are not allowed to drive in the bicycle lane
- 21760 CVC Three Feet for Safety Act – Overtaking and Passing bicycles
(Effective September 16, 2014)

- 21760(b) CVC A driver of a motor vehicle overtaking and passing a bicycle that is proceeding in the same direction on a highway shall pass in compliance with the requirements of this article applicable to overtaking and passing a vehicle, and shall do so at a safe distance that does not interfere with the safe operation of the overtaken bicycle, having due regard for the size and speed of the motor vehicle and the bicycle, traffic conditions, weather, visibility, and the surface and width of the roadway.
- 21760(c) CVC A driver of motor vehicle shall not overtake or pass a bicycle proceeding in the same direction on a highway at a distance of less than three feet between any part of the motor vehicle and any part of the bicycle or its operator.
- 21760(d) CVC If the driver of a motor vehicle is unable to comply with subdivision (c), due to traffic or roadway conditions, the driver shall slow to a speed that is reasonable and prudent, and may pass only when doing so would not endanger the safety of the operator of the bicycle, taking into account the size and speed of the motor vehicle and bicycle, traffic conditions, weather, visibility, and surface and width of the highway.

Motorcycles

Section 400(a) CVC states that a motorcycle is any motor vehicle having a seat or saddle for the use of the rider, designed to travel on not more than three wheels in contact with the ground, and weighing less than 1,500 pounds. This Section includes "motor-driven cycles" that have an engine displacement more than 150 cubic centimeters (cc).

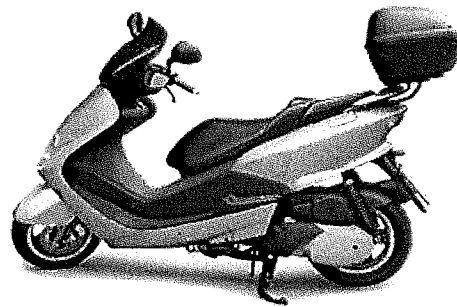
- *Operator must be licensed*
- Vehicle must be registered and insured
- Street legal



NOTE: A 5-horse power (HP) gas powered engine displaces more than 150 cc.

Motor-Driven Cycles

Section 405 CVC states that a motor-driven cycle is any motorcycle with a motor that displaces less than 150 cubic centimeters. A motor-driven cycle does not include a motorized bicycle as defined in Section 406 CVC, which is explained below. A motor-driven cycle qualifies as a "vehicle" as defined in Section 670 CVC and is subject to licensing, registration, safety equipment, and insurance requirements when operated on a public street or highway. However, in many instances, certain motor-driven cycles do not qualify for registration pursuant to the California Department of Motor Vehicles (DMV) requirements and therefore cannot be registered, such as a motorcycle dirt bike which is meant for off road use only.



When an officer observes the operation of a motor-driven cycle on a public street or highway and enforcement action is taken, the following procedures apply:

Licensing

When a motor-driven cycle is driven on a public street or highway, the operator must have a valid driver license of any class or a California Identification Card with a motorcycle endorsement or a motor-driven cycle operator endorsement (M2). If the cycle operator does not have a valid driver license or a California Identification Card with a motorized bicycle operator endorsement, the operator may be cited for Section 12500(b) CVC. The decision to impound shall adhere to the Department's impound policy.

Registration

A motor-driven cycle must have proof of registration when operated on a public street or highway. If the vehicle is not currently registered, it is in violation of Section 4000(a)(1) CVC and is subject to impound under the authority of Section 22651(o)(1) CVC. A hold for Area detectives should be noted on the Vehicle Report, California Highway Patrol Form 180. The decision to impound shall adhere to the Department's impound policy.

Insurance

A motor-driven cycle qualifies as a vehicle and the operator must have proof of insurance available when operating the vehicle on a public street or highway. The officer shall note the insurance company name and policy number or write "NONE" in the financial responsibility box on the traffic citation.

Safety Equipment

The operator of a motor-driven cycle must comply with all safety equipment requirements listed in the CVC including the wearing of a helmet. If a violator operates a motor-driven cycle on a public street or highway and the operator and/or passenger are not wearing a motorcycle helmet approved by the United States Department of Transportation (DOT), it is a violation of Section 27803(b) or 27803(c) CVC.

Area Auto Detective Responsibilities

If the motor-driven cycle is capable of being registered pursuant to DMV criteria, current vehicle impound release procedures should be followed. When an impound involves a motor-driven cycle that cannot be registered with the DMV, the following vehicle release procedures apply:

- The violator (or his/her agent) must possess a valid driver license or motor-driven cycle endorsement;
- The violator must present documentation from the DMV advising that the vehicle cannot be registered;
- The auto detective shall advise the violator that they must pay all appropriate Official Police Garage (OPG) towing and storage fees; and,
- The violator and/or vehicle owner shall be advised that if the vehicle does not qualify for operation on a public street or highway and if it is operated on any public street or highway in the future, the vehicle will be subject to enforcement and impoundment.

Pocket Bikes

Officers commonly use the term "mini bike" to describe what is actually classified as a "pocket bike." The term "mini bike" does not exist in the CVC and should not be used to describe any type of conveyance. Section 473(a) CVC defines a pocket bike as "a two-wheeled motorized device that has a seat or saddle for the use of the rider, and that is not designed or manufactured for highway use. Pocket bike does not include an off-highway motorcycle, as defined in Section 436 CVC. A pocket bike is not a motor-driven cycle and cannot be registered. It is considered to be an unsafe vehicle and unfit for the road as outlined in Section 4751(d) CVC.



Per Section 21720 CVC, it is an infraction to operate a pocket bike "on a sidewalk, roadway, or any other part of a highway, or on a bikeway, bicycle path or trail, equestrian trail, hiking or recreational trail, or on public lands open to off-highway motor vehicle use."

Section 21721(a) CVC authorizes an officer to impound a pocket bike for a minimum of 48 hours when the operator has been issued a Traffic Notice-To-Appear (citation) for Section 21720 CVC. Impoundment under this Section is discretionary.

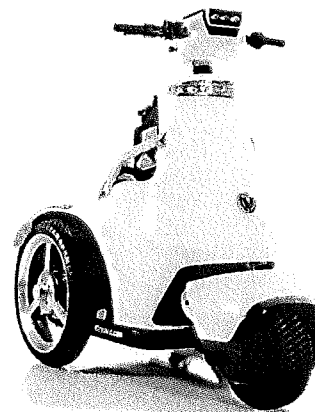
NOTE: Section 21721(d) CVC mandates that an agency release a seized pocket bike to the owner, violator, or the violator's agent after 48 hours. The violator or owner must pay all impound fees prior to gaining a release of the pocket bike from the concerned OPG.

Since pocket bikes cannot be operated on any roadway and are not designed for such use, pocket bikes and the operators are not subject to DMV registration, licensing, helmet or financial responsibility requirement. However, if a pocket bike is being operated on a roadway then the rider can be cited for being on a pocket bike as well as driver's license requirements for a motorcycle and for not wearing a helmet if applicable.

Motorized Bicycles 406(a)CVC and 406(b)CVC

Section 406(a) CVC

Motorized bicycles as defined in Section 406(a) CVC are conveyances which have a larger motor that is capable of going faster than a traditional human powered bicycle, and utilizes an automatic transmission.



Section 406(a) CVC states a motorized bicycle or "moped" is any two-wheeled or three-wheeled device having full operative pedals for propulsion by human power, or having **no pedals** if powered solely by electrical energy, and an automatic transmission and a motor which produces less than 2 gross brake horsepower and is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground. A motorized bicycle must comply with all provisions in Section 24015 CVC, including headlamp, tail lamp, stop lamp, side and rear reflex reflectors and adequate brakes.

The Los Angeles City Attorney's Office (CA) has advised that the T3 electric vehicle is considered a motorized bicycle as defined by Section 406(a) CVC. In addition, the T3 **shall not** be operated on the sidewalk, there is not a law enforcement exemption. As a motorized bicycle, per Section 406(a) CVC, the T3 must meet all of the following requirements in order to be operated.

Safety Equipment

The operator of a motorized bicycle must comply with all safety equipment requirements listed in the CVC including the wearing of a helmet. If a violator operates a motorized bicycle on a public street or highway and the operator and/or passenger are not wearing a DOT-approved motorcycle helmet, it is a violation of Section 27803(b) or (c) CVC.

Licensing

When a motorized bicycle is driven on a public street or highway, the operator must have a valid driver license (foreign or domestic) of any class or a California Identification Card with a motor-driven cycle operator endorsement (M1 or M2). If the cycle operator does not have a valid driver license (foreign or domestic) or a California Identification Card with a motorized bicycle operator endorsement, the operator may be cited for Section 12500(b) CVC and all impound procedures shall comply with existing Department policy.

Registration

A motorized bicycle cannot be registered with DMV and is not subject to Section 4000(a)(1) CVC. A motorized bicycle must be operated with a DMV license plate for motorized bicycles Section 5030 CVC. An officer may advise a motorized bicycle rider to use DMV form "Reg 230" to obtain a motorized bicycle license plate.



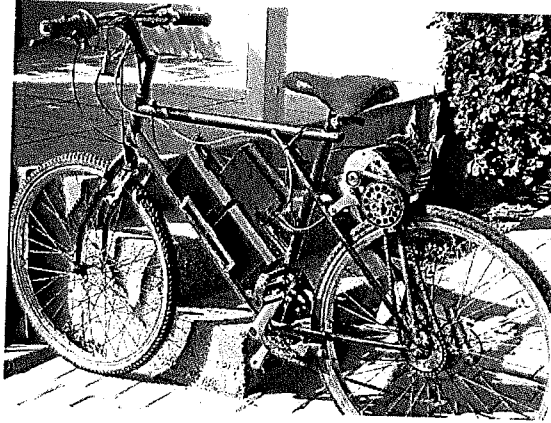
Insurance

A motorized bicycle qualifies as a vehicle and the operator must have proof of insurance available when operating the vehicle on a public street or highway. The officer should note the insurance company name and policy number or write the word "NONE" in the financial responsibility box on the traffic citation.

NOTE: Any motorized bicycle that does not meet these requirements is considered a pocket bike and can be cited for Section 21720 CVC and impounded per Section 21721(a) CVC.

Section 406 (b) CVC

Motorized bicycles as defined in Section 406(b) CVC are conveyances which has a smaller electric motor that is slower and does not utilize an automatic transmission.

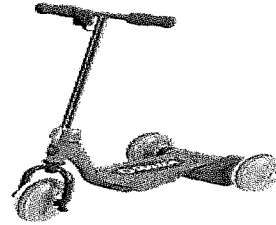


A motorized bicycle that falls into the category of Section 406(b) CVC must have fully functioning pedals and only have an electric motor; no larger than 1000 watts. The maximum speed for the device on a level roadway is 20 mph when assisted by the motor. This conveyance must meet all equipment requirements outlined in Section 21201 CVC regarding bicycle equipment guidelines.

Motorized bicycles that meet this criteria are not subject to licensing requirements, registration, insurance, or license plate requirements per Section 24016 CVC. A rider must be at least 16 years of age and are required to wear a bicycle helmet as described in Section 21212 CVC.

Self-Propelled Scooter

Section 56.15.1 LAMC prohibits the operation of a self-propelled scooter on a sidewalk with disregard for public safety. Section 407.5(a) CVC classifies a self-propelled scooter as a toy. Section 467(a) CVC defines a pedestrian as "any person who is afoot or who is using a means of conveyance propelled by human power other than a bicycle." Therefore, a self-propelled scooter is not a vehicle, and the operator should be regarded as a pedestrian. All CVC and LAMC sections pertaining to pedestrians are enforceable in relation to an operator of a self-propelled scooter.



Motorized Scooter

Section 407.5(a) CVC defines a motorized scooter as "any two-wheeled device that has handlebars, is designed to be stood or sat upon by the operator, and is powered by an electric motor that is capable of propelling the device with or without human propulsion."



Section 407.5(b) CVC states a device meeting the definition in subdivision (a) that is powered by a source other than electrical power (including a gas-powered engine) is also a motorized scooter.

An operator of a motorized scooter is not subject to any CVC provision relating to registration, license plates, or financial responsibility. Although an operator of a motorized scooter is required to have a valid driver license or instruction permit (Section 21235(d) VC), Department personnel shall not take enforcement action against operators for this driver license provision.

The operator of a motorized scooter is subject to the following CVC Sections:

- 21221.5 CVC Riding while under-the-influence of alcohol, drugs, or both.
- 21223 CVC Headlight, red reflector to the rear and side reflectors required during hours of darkness. (See the CVC for specific subsections.)
- 21228 CVC Failure to ride as practical to the right-hand curb or right edge of the roadway.
- 21229(a) CVC Failure to ride within an established bicycle lane.
- 21229(b) CVC Exiting a bicycle lane without signaling.

- 21235(a) CVC Must be equipped with a brake.
- 21235(b) CVC Operating on a highway with a posted speed limit in excess of 25 miles per hour (mph) unless operated in a bicycle lane.
- 21235(c) CVC Operating without the use of a bicycle helmet.
- 21235(e) CVC Operating with passengers.
- 21235(f) CVC Operating with package, bundle, or article that prevents operating from keeping at least one hand on handlebars.
- 21235(g) CVC Operating on a sidewalk.
- 21235(h) CVC Operating with handlebars heightened so hands are above operator's shoulders during operation on highway.
- 21235(i) CVC Leaving a motorized scooter lying on its side on any sidewalk or parking on a sidewalk in any other position so that there is not an adequate path for pedestrian traffic.
- 21235(j) CVC Attaching a motorized scooter and/or the operator, while on a roadway, to any other vehicle on the roadway.
- 22411 CVC Operation at a speed in excess of 15 mph.

The above CVC Sections are considered infractions. Department personnel **shall not** impound a motorized scooter when the scooter is operated by an unlicensed driver on a highway and the scooter is unregistered.

Skateboards

A skateboard rider is considered a pedestrian per Section 467 (a)(1) CVC. As such a skateboard rider is afforded the same protections and restrictions that a pedestrian must adhere to.

Skateboard riders who participate in "bombing," which is an act of riding a skateboard in lanes of traffic, traditionally downhill, are prohibited from doing so in the same way a pedestrian is, per Section 21956 (a) CVC "Pedestrian on Roadway". This section states that a pedestrian may walk upon the roadway on the pedestrian's closest left-hand edge of the roadway.

As authorized by Section 21967 CVC, the City of Los Angeles may adopt rules and regulations by ordinance to restrict skateboard use within the city on public property. As a result, Section 56.15.1 LAMC has been enacted to regulate the use of a skateboard in the City.

Section 56.15.1 LAMC

- **Skateboarding in the upright position.** Persons riding on skateboards shall do so only in the upright, standing position. Using, pushing, propelling or riding a skateboard in a sitting, prone, kneeling or lying position is prohibited.
- **Traffic controls.** Persons riding on skateboards on public roadways shall obey all speed limits, stop signs, signal lights, and other traffic controls that govern right-of-way.

- **Yielding to traffic in same direction.** Persons riding on skateboards on public roadways shall ride close to the far right edge of the roadway, and shall yield to vehicles approaching from the rear by moving to the right curb or shoulder of the roadway.
- **Uncontrolled intersections.** When approaching an uncontrolled intersection, persons riding on skateboards on public roadways or public sidewalks shall yield to vehicles that are so near as to present a hazard and shall not cross the intersection at a speed in excess of ten miles per hour;
- **Manner of operation.** No person shall operate a skateboard recklessly or in such a manner or at such a speed as to cause or threaten to cause injury to himself or herself or to others, to create an obstruction or to present a hazard to the free use of public property by other pedestrians or motorists; and,
- **Attaching to or towing by vehicle.** A person operating a skateboard shall not attach the same or himself or herself to any motor vehicle on the roadway. In addition, a person shall not knowingly drive a motor vehicle that is towing a person riding upon a skateboard.

Motorized Skateboards

A motorized skateboard qualifies as a "vehicle" as defined in Section 670 CVC. However, the City Attorney has advised that Department personnel shall not enforce licensing and registration provisions of the CVC in regard to motorized skateboards.

Section 21968 CVC prohibits motorized skateboards being propelled on any sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, or hiking or recreational trail. Motorized skateboards are limited to use on private property, not open to the public.

Department personnel **shall not** impound a motorized skateboard when it is operated on a highway and the operator is unlicensed or the skateboard is unregistered.



Go-Carts

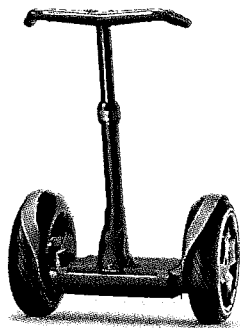
A "go-cart" qualifies as a vehicle as defined in Section 670 CVC, when it is operated on a highway. Therefore, a go-cart is subject to licensing, registration, safety equipment, and insurance requirements when operated on a public street or highway. However, in many instances, go-carts do not qualify for registration pursuant to DMV requirements and therefore cannot be registered to comply with vehicle impound release criteria.



Electrical Personal Assistive Mobility Device

Section 313(a) CVC states an electric personal assistive mobility device (EPAMD) is a self-balancing, non-tandem two-wheeled device, that can turn in place, is designed to transport only one person, with an electric propulsion system averaging less than 750 watts (1 horsepower), and has a maximum speed of 12.5 miles per hour.

Section 467 CVC states that an operator of an EPAMD is classified as a pedestrian. Therefore, all laws pertaining to pedestrians found in the CVC are applicable to the operator of an EPAMD.



Citation Instructions

In accordance with Administrative Order No. 16, dated October 30, 2012, juvenile drivers who are issued a Notice to Appear for an infraction must be cited to the adult traffic court location for the area of the violation. The juvenile's parent or guardian is not required to appear in court with the juvenile.

A citing officer shall leave the date and time for appearance box blank when citing for any LAMC section or misdemeanor CVC section, and check the "To be notified" box. These citations will be assigned to the Los Angeles County Probation Department for processing and handling.

Any questions regarding the information contained in this Bulletin may be directed to Traffic Coordination Section, Emergency Operations Division, at (213) 486-0690.

Traffic Coordination Section
Emergency Operations Division
DISTRIBUTION "A"

Non-Conventional Conveyances Reference Guide						
Conveyance Type	Definition	Drivers License	Registration	Insurance	Motorcycle Helmet Required	Subject to Impound
Motorcycle	<ul style="list-style-type: none"> •Motor Vehicle •Seat or saddle •2 or 3 wheels •Engine greater than 150 cc 	CA DL with M-1	Yes	Yes	Yes	Yes
Motor-Driven Cycle	<ul style="list-style-type: none"> •Motor Vehicle •Seat or saddle •2 or 3 wheels •Engine less than 150 cc 	DL or CA ID with M-2	Yes	Yes	Yes	Yes
Pocket Bike	Motor vehicle	CA DL with M-1 ¹	Yes ¹	Yes ¹	Yes ¹	Yes ¹
Motorized Bicycle or Moped	<ul style="list-style-type: none"> •Motorized w/pedals or electric without pedals •Seat or saddle •2 or 3 wheels •Max speed 30mph •Auto transmission 	DL with M-1/M-2 or CAID with M-2	DMV Bicycle License Plate Required	Yes	Yes	Yes
	<ul style="list-style-type: none"> •Electric device with pedals •Max speed 20 mph 	Rider must be 16 years old	No	No	Bicycle helmet required for all ages	No
Motorized Scooter	<ul style="list-style-type: none"> •Motorized device with handle bars •2 wheels •stood or sat upon 	DL or Permit	No	No	No	No
Self-Propelled Scooter	Operator considered a pedestrian	No	No	No	No	No
Motorized Skateboards	Motor Vehicle ²	No	No	No	No	No
Go-Carts	Motor vehicle	CA DL ¹	Yes ¹	Yes ¹	N/A	Yes ¹

¹ Subject to citation when motor vehicle is operated upon a highway

² No licensing or registration enforcement per City Attorney opinion