



# San Diego Unified

## SCHOOL DISTRICT

### Transportation Department Safety & Training

### Unit 5: Basic Defensive Driving Techniques – Law

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**13 CCR § 1214 DRIVER FATIGUE****HPH 82.7 pg. 3-11**

No driver shall operate a motor vehicle, and a motor carrier shall not require or permit a driver to operate a motor vehicle, while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the motor vehicle. However, in a case of grave emergency where the hazard to occupants of the motor vehicle or other users of the highway would be increased by compliance with this section, the driver may continue to operate the motor vehicle to the nearest place at which that hazard is removed.

**13 CCR § 1213.1 PLACING DRIVERS OUT-OF-SERVICE****HPH 82.7 pg. 3-10**

(a) Driver out-of-service. Members of the department may place a driver out of service, and shall note in the driver's record of duty status that an out-of-service order was given, at the time and place of examination upon finding that the driver:

- (1) Has driven or been on duty longer than the periods specified in Section 1212.5, or
- (2) Has failed to maintain a driver's record as required by Section 1213 and is unable to establish eligibility to drive pursuant to Section 1212.5.

(b) Eligibility to resume driving. A driver placed out of service pursuant to subdivision (a) shall not operate a motor vehicle until he or she can establish eligibility to drive pursuant to Section 1212.5.

(c) Alcohol zero tolerance. No person may operate a commercial motor vehicle, as defined in Vehicle Code Section 15210, when that person's blood alcohol content is found to be 0.01%, by weight, or greater.

(d) Possession of alcoholic beverages. No person shall be on-duty or operate a commercial motor vehicle while the driver possesses wine of not less than one-half of one per centum of alcohol by volume, beer as defined in 26 United States Code 5052(a), of the Internal Revenue Code of 1954, or distilled spirits as defined in 5002(a)(8) of such code. However, this does not apply to possession of wine, beer, or distilled spirits which are manifested and transported as part of a shipment; or possessed or used by bus passengers.

- (1) This does not prohibit an owner-operator using his/her own vehicle in an off-duty status, or a driver using a company truck or tractor in an off-duty status from carrying any bottle, can, or other receptacle containing any alcoholic beverage unless that container has been opened, or a seal broken, or the contents of which have been partially removed, in a commercial motor vehicle, as defined in Section 15210 of the Vehicle Code, when transported to locations such as a motel, restaurant, or residence.

(e) Alcohol-related out-of-service. Members of this Department shall place a driver out of service and note in the driver's record of duty status that such an order was given, at the time and place that the driver was found to be in violation of Section 1213.1(c) or (d).

(f) Minimum out-of-service period. A driver placed out of service pursuant to subdivision (c) or (d) shall not operate a commercial motor vehicle for a period of 24 hours.

**23152 VC DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS**

- (a) It is unlawful for a person who is under the influence of any alcoholic beverage to drive a vehicle.
- (b) It is unlawful for a person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

For purposes of this article and Section 34501.16, percent, by weight, of alcohol in a person's blood is based upon grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

- (c) It is unlawful for a person who is addicted to the use of any drug to drive a vehicle. This subdivision shall not apply to a person who is participating in a narcotic treatment program approved pursuant to Article 3 (commencing with Section 11875) of Chapter 1 of Part 3 of Division 10.5 of the Health and Safety Code.

- (d) It is unlawful for a person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

- (e) It is unlawful for a person who is under the influence of any drug to drive a vehicle.
- (f) It is unlawful for a person who is under the combined influence of any alcoholic beverage and drug to drive a vehicle.
- (g) This section shall become operative on January 1, 2014.

**34501.15 VC OUT-OF-SERVICE ORDER**

- (a) The regulations adopted pursuant to Section 34501 shall require that any driver of a commercial motor vehicle, as defined in Section 15210, be ordered out of service for 24 hours if the driver is found to have 0.01 percent or more, by weight, of alcohol in his or her blood.

(b) This section shall become operative on January 1, 1992, and shall remain operative until the director determines that federal regulations adopted pursuant to the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. Sec. 2701 et seq.) contained in that act and Section 391.15 of Title 49 of the Code of Federal Regulations do not require the state to order the operator of a commercial vehicle out of service for 24 hours when the operator has a measurable concentration of alcohol in his or her blood.

- (c) The director shall submit a notice of the determination under subdivision (b) to the Secretary of State, and this section shall be repealed upon receipt of that notice.

**34501.16 VC INFORMATION FOR EMPLOYEES**

(a) Every employer of a commercial driver shall provide information to that employee at the time of hiring and to all employed commercial drivers annually, concerning all of the following:

(1) The prohibition against driving a commercial motor vehicle with over 0.04 percent or more, by weight, alcohol in his or her blood on and after January 1, 1992.

(2) The requirement to be placed out of service for 24 hours if the person's blood-alcohol concentration is tested to be 0.01 percent or more, by weight, on and after January 1, 1992.

(b) The Department of Motor Vehicles shall include the information prescribed in subdivision (a), together with information concerning the alcohol concentration in a person's blood resulting from consumption of alcoholic beverages, in each publication of the commercial driver's handbook published after January 1, 1990.

(c) This section shall remain operative until the director determines that federal regulations adopted pursuant to the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. Sec. 2701 et seq.) do not require the state to implement the prohibitions and requirements in paragraphs (1) and (2) of subdivision (a).

(d) The director shall submit a notice of the determination under subdivision (c) to the Secretary of State, and this section shall be repealed upon the receipt of that notice.

**49 CFR § 382 CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING****§ 382.101: Purpose.**

The purpose of this part is to establish programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles.

**THERE ARE MANY PARTS TO THIS FEDERAL LAW. FOR MORE INFORMATION PLEASE SEE:**

**<https://www.fmcsa.dot.gov/regulations/title49/section/382.101>**

**§ 382.201: Alcohol concentration.**

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No employer having knowledge that a driver has an alcohol concentration of 0.04 or greater shall permit the driver to perform or continue to perform safety-sensitive functions.

**§ 382.205: On-duty use.**

No driver shall use alcohol while performing safety-sensitive functions. No employer having actual knowledge that a driver is using alcohol while performing safety-sensitive functions shall permit the driver to perform or continue to perform safety-sensitive functions.

**§ 382.207: Pre-duty use.**

No driver shall perform safety-sensitive functions within four hours after using alcohol. No employer having actual knowledge that a driver has used alcohol within four hours shall permit a driver to perform or continue to perform safety-sensitive functions.

**§ 382.209: Use following an accident.**

No driver required to take a post-accident alcohol test under § 382.303 shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

**§ 382.211: Refusal to submit to a required alcohol or controlled substances test.**

No driver shall refuse to submit to a pre-employment controlled substance test required under § 382.301, a post-accident alcohol or controlled substance test required under § 382.303, a random alcohol or controlled substances test required under § 382.305, a reasonable suspicion alcohol or controlled substance test required under § 382.307, a return-to-duty alcohol or controlled substances test required under § 382.309, or a follow-up alcohol or controlled substance test required under § 382.311. No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

**13 CCR § 1270(a) BUS DRIVER'S SEAT****HPH 82.7 pg. 5-48**

(a) Bus Driver's Seat. The driver's seat shall be positioned so that the driver may assume a natural position while driving and have a clear view of the road and mirrors and sufficient leg room to operate the brake, clutch, and accelerator pedals and all other controls without cramping or interference. The driver's seat shall be readily adjustable backward and forward and may be adjustable up and down or may incorporate up and down motion with forward and backward adjustability. On school buses and school pupil activity buses, the driver's seat shall also be equipped with a locking device to prevent accidental separation of the adjustable seat components. In addition, a safety belt meeting the provisions of FMVSS 209 shall be provided for the driver on school buses and school pupil activity buses.

**26708(a) (1) (2) VC DRIVER'S VIEW**

(a)(1) A person shall not drive any motor vehicle with any object or material placed, displayed, installed, affixed, or applied upon the windshield or side or rear windows.

(2) A person shall not drive any motor vehicle with any object or material placed, displayed, installed, affixed, or applied in or upon the vehicle that obstructs or reduces the driver's clear view through the windshield or side windows.

**13 CCR 1215 VEHICLE CONDITION****HPH 82.7 Pg. 3-11**

(a) General. It shall be unlawful for the driver to drive a vehicle that is not in safe operating condition or is not equipped as required by all provisions of law and this chapter.

(b) Daily Inspection. Pursuant to Sections 1202.1 and 1202.2, all drivers shall perform vehicle inspections and submit written reports in accordance with the requirements of Title 49, Code of Federal Regulations, Sections 396.11 and 396.13, as follows:

(1) Before driving a motor vehicle, the driver shall:

(A) Inspect each vehicle daily to ascertain that it is in safe operating condition and equipped as required by all provisions of law, and all equipment is in good working order.

(B) Review the last vehicle inspection report.

(C) Sign the report, only if defects or deficiencies were noted by the driver who prepared the report, to acknowledge that the driver has reviewed it and that there is a certification pursuant to subsection (f) that the required repairs have been performed. The signature requirement does not apply to listed defects on a towed unit which is no longer part of the vehicle combination.

(2) Subsections (B) and (C) do not apply to school bus drivers or publicly owned and operated transit system drivers.

(c) Daily Report. Every motor carrier shall require its drivers to report, and every driver shall prepare a report in writing at the completion of each day's work on each vehicle operated. School bus drivers' reports shall cover at least the items listed in subdivision (d), and all other drivers' reports, shall cover at least the following parts and accessories:

- (1) Service brakes including trailer brake connections
- (2) Parking (hand) brake
- (3) Steering mechanism
- (4) Lighting devices and reflectors
- (5) Tires
- (6) Horn
- (7) Windshield wipers
- (8) Rear vision mirrors
- (9) Coupling devices
- (10) Wheels and rims
- (11) Emergency equipment

(d) School bus drivers. For school bus drivers, the inspection shall include, but is not limited to:

- (1) All gauges, indicators, and warning devices
- (2) Horns
- (3) Driver's seat and seat belts
- (4) All doors, door emergency releases, and windows
- (5) All seats, handrails, and modesty panels
- (6) Interior and exterior lighting systems
- (7) All heating, cooling, and ventilating systems
- (8) All glass and mirrors, including adjustment of mirrors
- (9) Windshield wipers and washers
- (10) All required emergency equipment
- (11) All tires, wheels, and lug nuts
- (12) Brake system
  - (A) Air compressor governor cut in and cut out pressures
  - (B) Static pressure for air loss

- (C) Applied brake pressure loss
- (D) Low air pressure warning devices
- (E) Emergency stopping systems (draining reservoirs in dual air systems is not required)
- (F) Parking brake
- (G) Antiskid device (if equipped)
- (H) Vacuum gauge, ensuring it reads not less than 15 inches
- (I) Low vacuum warning devices
- (J) Brake pedal for brake adjustment

(e) Report Content. The report shall identify the motor vehicle and all towed vehicles and list any defect or deficiency discovered by or reported to the driver which would affect safety of operation of the motor vehicle or combination or result in its mechanical breakdown. If no defect or deficiency is discovered by or reported to the driver, the report(s) shall so indicate. In all instances, the driver shall sign the vehicle inspection report. On two-driver operations, only one driver needs to sign the report, provided both drivers agree as to the defects or deficiencies. If a driver operates more than one vehicle during the day, a report shall be prepared for each vehicle operated.

(f) Corrective Action. Prior to operating a motor vehicle, motor carriers or their authorized agent(s) shall effect repair of any item listed on the motor vehicle inspection report(s) that would be likely to affect the safety of operation of the motor vehicle or any towed vehicles.

(1) Motor carriers or their authorized agents shall certify on the report(s) which lists any defects or deficiencies, that the defects or deficiencies have been corrected or that correction is unnecessary before the vehicle is again dispatched.

(2) Subsection (1) does not apply to school bus or publicly owned and operated transit system motor carriers.

(g) Repairs. Unless the driver of a school bus or SPAB is the mechanic charged with the care and maintenance of the bus, the driver shall not make any repairs of the bus or its equipment except necessary emergency repairs on the road.

(h) Exception. Subsection (c) shall not apply to a motor carrier operating only one motor vehicle, provided the motor vehicle is a motor truck or truck tractor, and the motor carrier is the owner and sole driver of the motor vehicle. A motor carrier, otherwise excepted from the reporting requirement by this subdivision, who tows trailer(s) not owned by or leased to that motor carrier, shall submit documented daily report(s) for the trailers as required by subsection (b). Such reports shall be submitted to the person(s) from whom the trailers were obtained.

(i) Private motor carriers of passengers. The exemption provided to private motor carriers of passengers in 49 CFR Section 396.11(d), shall not apply to intrastate private motor carriers of passengers operating any bus, as defined in Vehicle Code Section 233.

### **13 CCR § 1277 POWER AND GRADE ABILITY**

**HPH 82.7 pg. 5-68**

The gross vehicle weight of any Type 1 school bus and any Type 2 school bus manufactured on or after July 1, 1970, shall not exceed 175 lbs. per certified net published horsepower of the engine at the manufacturer's recommended maximum governed rpm. The gross vehicle weight of any school bus manufactured after January 1, 1973, shall not exceed 185 lbs. per certified net published horsepower of the engine at the manufacturer's recommended maximum governed rpm.

**21703 VC FOLLOWING TOO CLOSELY**

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon, and the condition of, the roadway.

**21704 VC DISTANCE BETWEEN VEHICLES**

(a) The driver of any motor vehicle subject to the speed restriction of Section 22406 that is operated outside of a business or residence district, shall keep the vehicle he is driving at a distance of not less than 300 feet to the rear of any other motor vehicle subject to such speed restriction which is preceding it.

(b) The provisions of this section shall not prevent overtaking and passing, nor shall they apply upon a highway with two or more lanes for traffic in the direction of travel.

**13 CCR § 1257 MIRRORS**

All buses subject to this title shall be equipped with interior mirror(s) that give the driver a clear view of the interior of the vehicle and any rear and center entrance or exit doors and stepwells. In lieu of mirrors, trailer-bus combinations and articulated buses may be equipped with closed circuit video systems or adult monitors in voice contact with the driver.

**13 CCR § 1258 MIRRORS ON SCHOOL BUSES**

All Type 1 school buses and Type 2 school buses constructed on and after July 1, 1970, shall be equipped with two exterior rearview mirrors, one on each side of the bus. Every school bus shall be equipped with a cross-view mirror mounted on the front exterior of the bus to provide the seated driver with a clear view of the area directly in front of the bus.

(a) Size of Rearview Mirrors. Type 1 school buses constructed after January 1, 1965, and Type 2 school buses constructed after April 1, 1977, shall have exterior side mounted rearview mirrors, each with at least 50 sq. in. in the reflective area.

(b) Size of Cross View Mirrors. All front exterior cross view mirrors required on Type 1 school buses shall have at least 40 sq. in. in the reflective area.

**26709 VC MIRRORS**

(a) Every motor vehicle registered in a foreign jurisdiction and every motorcycle subject to registration in this state shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.

Every motor vehicle subject to registration in this state, except a motorcycle, shall be equipped with not less than two such mirrors, including one affixed to the left-hand side.

(b) The following described types of motor vehicles, of a type subject to registration, shall be equipped with mirrors on both the left- and right-hand sides of the vehicle so located as to reflect to the driver a view of the highway through each mirror for a distance of at least 200 feet to the rear of such vehicle:



- (1) A motor vehicle so constructed or loaded as to obstruct the driver's view to the rear.
  - (2) A motor vehicle towing a vehicle and the towed vehicle or load thereon obstructs the driver's view to the rear.
  - (3) A bus or trolley coach.
- (c) The provisions of subdivision (b) shall not apply to a passenger vehicle when the load obstructing the driver's view consists of passengers.

### **111 FMVSS SCHOOL BUS MIRROR FIELD OF VISION TEST**

Standard No. 111 - Rearview Mirrors - Passenger Cars, Multipurpose Passenger Vehicles, Trucks, Buses, School Buses and Motorcycles  
(Effective 1-1-68)

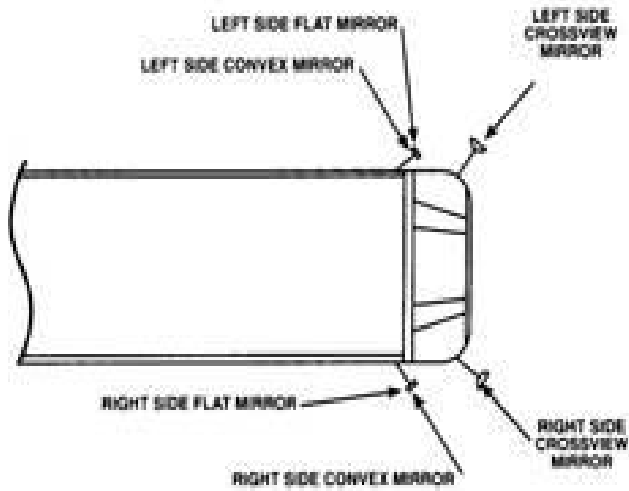
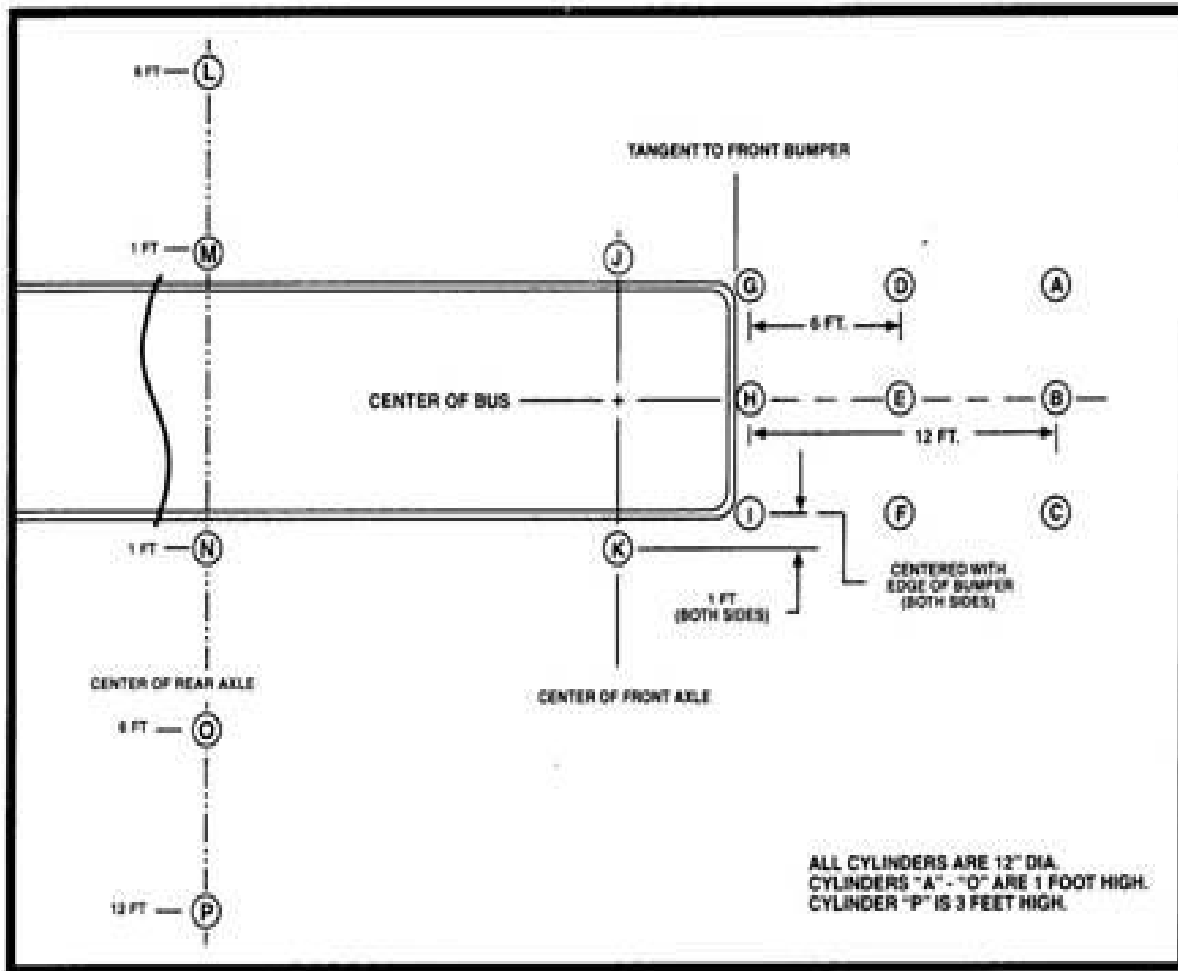
This standard specifies requirements for the performance and location of inside and outside rearview mirrors. Its purpose is to reduce the number of deaths and injuries that occur when the driver of a motor vehicle does not have a clear and reasonably unobstructed view to the rear.

School Buses (Effective 12-2-93)

Revised requirements for driver visibility in front of and along both sides of school buses.

See illustration on next page.

# FMVSS.111 MIRROR ADJUSTMENT



## REAR VIEW MIRRORS (SYSTEM A)

USED TOGETHER, THE LEFT SIDE FLAT MIRROR AND LEFT SIDE CONVEX MIRROR MUST PROVIDE A VIEW OF CYLINDER "M" AND, CONTINUING FROM THERE, 200 FEET REARWARD OF THE MIRROR SURFACE.

USED TOGETHER, THE RIGHT SIDE FLAT MIRROR AND RIGHT SIDE CONVEX MIRROR MUST PROVIDE A VIEW OF CYLINDER "N" AND, CONTINUING FROM THERE, 200 FEET REARWARD OF THE MIRROR SURFACE.

## CROSSVIEW MIRRORS (SYSTEM B)

ANY OF THE CYLINDERS "A" - "P" CAN BE VIEWED USING EITHER OF THE CROSSVIEW MIRRORS, BUT ALL MUST BE VISIBLE. ONLY THOSE CYLINDERS THAT THE DRIVER CAN VIEW BY DIRECT VISION AND ARE FORWARD OF THE FRONT BUMPER MAY BE EXCLUDED.

**22107 VC TURNING MOVEMENTS AND REQUIRED SIGNALS**

No person shall turn a vehicle from a direct course or move right or left upon a roadway until such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided in this chapter in the event any other vehicle may be affected by the movement.

**22108 VC DURATION OF SIGNAL**

Any signal of intention to turn right or left shall be given continuously during the last 100 feet traveled by the vehicle before turning.

**21755 VC PASSING ON THE RIGHT SAFELY**

(a) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting that movement in safety. In no event shall that movement be made by driving off the paved or main-traveled portion of the roadway.

(b) This section does not prohibit the use of a bicycle in a bicycle lane or on a shoulder.

**21756 VC PASSING STANDING STREETCARS, TROLLEY COACH, OR BUS**

(a) The driver of a vehicle overtaking any interurban electric or streetcar stopped or about to stop for the purpose of receiving or discharging any passenger shall stop the vehicle to the rear of the nearest running board or door of such car and thereupon remain standing until all passengers have boarded the car or upon alighting (Def - to come down from) have reached a place of safety, except as provided in subdivision (b) hereof.

(b) Where a safety zone has been established or at an intersection where traffic is controlled by an officer or a traffic control signal device, a vehicle need not be brought to a stop before passing any interurban electric or streetcar but may proceed past such car at a speed not greater than 10 miles per hour and with due caution for the safety of pedestrians.

(c) Whenever any trolley coach or bus has stopped at a safety zone to receive or discharge passengers, a vehicle may proceed past such trolley coach or bus at a speed not greater than 10 miles per hour.

**21757 VC PASSING STREETCARS ON LEFT**

The driver of a vehicle shall not overtake and pass upon the left, nor shall any driver of a vehicle drive upon the left side of, any interurban electric or streetcar proceeding in the same direction whether the street car is actually in motion or temporarily at rest, except:

(a) When so directed by a police or traffic officer.

(b) When upon a one-way street.

(c) When upon a street where the tracks are so located as to prevent compliance with this section

**21758 VC PASSING ON GRADES**

In the event any vehicle is being operated on any grade outside of a business or residence district at a speed of less than 20 miles per hour, no person operating any other motor vehicle shall attempt to overtake and pass such slow moving vehicle unless the overtaking vehicle is operated at a speed of at least 10 miles per hour in excess of the speed of the overtaken vehicle, nor unless the passing movement is completed within a total distance not greater than one-quarter of a mile.

**21759 VC CAUTION IN PASSING ANIMALS**

The driver of any vehicle approaching any horse drawn vehicle, any ridden animal, or any livestock shall exercise proper control of his vehicle and shall reduce speed or stop as may appear necessary or as may be signaled or otherwise requested by any person driving, riding or in charge of the animal or livestock in order to avoid frightening and to safeguard the animal or livestock and to insure the safety of any person driving or riding the animal or in charge of the livestock.

**440 VC OFFICIAL TRAFFIC CONTROL DEVICES**

An “official traffic control device” is any sign, signal, marking, or device, consistent with Section 21400, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic, but does not include islands, curbs, traffic barriers, speed humps, speed bumps, or other roadway design features.

**445 VC OFFICIAL TRAFFIC CONTROL SIGNALS**

An “official traffic control signal” is any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed and which is erected by authority of a public body or official having jurisdiction.

**365 VC INTERSECTIONS**

An “intersection” is the area embraced within the prolongation of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways, of two highways which join one another at approximately right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

**21800 VC INTERSECTIONS**

(a) The driver of a vehicle approaching an intersection shall yield the right-of-way to any vehicle which has entered the intersection from a different highway.

(b) (1) When two vehicles enter an intersection from different highways at the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right, except that the driver of any vehicle on a terminating highway shall yield the right-of-way to any vehicle on the intersecting continuing highway.

(2) For the purposes of this section, “terminating highway” means a highway which intersects, but does not continue beyond the intersection, with another highway which does continue beyond the intersection.

(c) When two vehicles enter an intersection from different highways at the same time and the intersection is controlled from all directions by stop signs, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right.

(d) (1) The driver of any vehicle approaching an intersection which has official traffic control signals that are inoperative shall stop at the intersection and may proceed with caution when it is safe to do so.

(2) When two vehicles enter an intersection from different highways at the same time, and the official traffic control signals for the intersection are inoperative, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right, except that the driver of any vehicle on a terminating highway shall yield the right-of-way to any vehicle on the intersecting continuing highway.

(e) This section does not apply to any of the following:

- (1) Any intersection controlled by an official traffic control signal or yield right-of-way sign.
- (2) Any intersection controlled by stop signs from less than all directions.
- (3) When vehicles are approaching each other from opposite directions and the driver of one of the vehicles intends to make, or is making, a left turn.

#### **21802 VC STOP SIGNS: INTERSECTIONS**

(a) The driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection shall stop as required by Section 22450. The driver shall then yield the right-of-way to any vehicles which have approached from another highway, or which are approaching so closely as to constitute an immediate hazard and shall continue to yield the right-of-way to those vehicles until he or she can proceed with reasonable safety.

(b) A driver having yielded as prescribed in subdivision (a) may proceed to enter the intersection, and the drivers of all other approaching vehicles shall yield the right-of-way to the vehicle entering or crossing the intersection.

(c) This section does not apply where stop signs are erected upon all approaches to an intersection.

#### **21803 VC YIELD SIGNS: INTERSECTIONS**

(a) The driver of any vehicle approaching any intersection which is controlled by a yield right-of-way sign shall, upon arriving at the sign, yield the right-of-way to any vehicles which have entered the intersection, or which are approaching on the intersecting highway close enough to constitute an immediate hazard, and shall continue to yield the right-of-way to those vehicles until he or she can proceed with reasonable safety.

(b) A driver having yielded as prescribed in subdivision (a) may proceed to enter the intersection, and the drivers of all other approaching vehicles shall yield the right-of-way to the vehicle entering or crossing the intersection.

**377 VC LIMIT LINE**

A “limit line” is a solid white line not less than 12 nor more than 24 inches wide, extending across a roadway or any portion thereof to indicate the point at which traffic is required to stop in compliance with legal requirements.

**21950 VC RIGHT OF WAY AT CROSSWALKS**

(a) The driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this chapter.

(b) This section does not relieve a pedestrian from the duty of using due care for his or her safety. No pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close as to constitute an immediate hazard. No pedestrian may unnecessarily stop or delay traffic while in a marked or unmarked crosswalk.

(c) The driver of a vehicle approaching a pedestrian within any marked or unmarked crosswalk shall exercise all due care and shall reduce the speed of the vehicle or take any other action relating to the operation of the vehicle as necessary to safeguard the safety of the pedestrian.

(d) Subdivision (b) does not relieve a driver of a vehicle from the duty of exercising due care for the safety of any pedestrian within any marked crosswalk or within any unmarked crosswalk at an intersection.

**22352 (a) (2) VC PRIMA FACIE SPEED LIMITS**

The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(a) Fifteen miles per hour:

(1) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This subdivision does not apply in the case of any railway grade crossing where a human flagman is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(2) When traversing any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of

100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(3) On any alley.

(b) Twenty-five miles per hour:

(1) On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code.

(2) When approaching or passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching or passing any school grounds which are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign. For purposes of this subparagraph, standard "SCHOOL" warning signs may be placed at any distance up to 500 feet away from school grounds.

(3) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority may erect a sign pursuant to this paragraph when the local agency makes a determination that the proposed signing should be implemented. A local authority may request grant funding from the Active Transportation Program pursuant to Chapter 8 (commencing with Section 2380) of Division 3 of the Streets and Highways Code, or any other grant funding available to it, and use that grant funding to pay for the erection of those signs, or may utilize any other funds available to it to pay for the erection of those signs, including, but not limited to, donations from private sources.

## **22526 VC BLOCKING INTERSECTIONS, CROSSWALKS, OR RAILROAD CROSSINGS**

(a) Notwithstanding any official traffic control signal indication to proceed, a driver of a vehicle shall not enter an intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or marked crosswalk to accommodate the vehicle driven without obstructing the through passage of vehicles from either side.

(b) A driver of a vehicle which is making a turn at an intersection who is facing a steady circular yellow or yellow arrow signal shall not enter the intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or marked crosswalk to accommodate the vehicle driven without obstructing the through passage of vehicles from either side.

(c) A driver of a vehicle shall not enter a railroad or rail transit crossing, notwithstanding any official traffic control device or signal indication to proceed, unless there is sufficient undercarriage clearance to cross the intersection without obstructing the through passage of a railway vehicle, including, but not limited to, a train, trolley, or city transit vehicle.

(d) A driver of a vehicle shall not enter a railroad or rail transit crossing, notwithstanding any official traffic control device or signal indication to proceed, unless there is sufficient space on the other side of the railroad or rail transit crossing to accommodate the vehicle driven and any railway vehicle, including, but not limited to, a train, trolley, or city transit vehicle.

(e) A local authority may post appropriate signs at the entrance to intersections indicating the prohibition in subdivisions (a), (b), and (c).

(f) A violation of this section is not a violation of a law relating to the safe operation of vehicles and is the following:

(1) A stopping violation when a notice to appear has been issued by a peace officer described in Section 830.1, 830.2, or 830.33 of the Penal Code.

(2) A parking violation when a notice of parking violation is issued by a person, other than a peace officer described in paragraph (1), who is authorized to enforce parking statutes and regulations.

(g) This section shall be known and may be cited as the Anti-Gridlock Act of 1987.

### **22452 VC (a) (b) (c) (d) (2) RAILROAD CROSSINGS**

(a) Subdivisions (b) and (d) apply to the operation of the following vehicles:

(1) A bus or farm labor vehicle carrying passengers.

(3) A school bus or school pupil activity bus transporting school pupils, except as otherwise provided in paragraph (4) of subdivision (d).

(b) Before traversing a railroad grade crossing, the driver of a vehicle described in subdivision (a) shall stop that vehicle not less than 15 nor more than 50 feet from the nearest rail of the track and while so stopped shall listen, and look in both directions along the track, for an approaching train and for signals indicating the approach of a train and shall not proceed until he or she can do so safely. Upon proceeding, the gears shall not be shifted manually while crossing the tracks.

(c) The driver of a commercial motor vehicle, other than those listed in subdivision (a), upon approaching a railroad grade crossing, shall be driven at a rate of speed that allows the commercial vehicle to stop before reaching the nearest rail of that crossing, and shall not be driven upon, or over, the crossing until due caution is taken to ascertain that the course is clear.

(d) A stop need not be made at a crossing in the following circumstances:

(1) Of railroad tracks running along and upon the roadway within a business or residence district.

(2) Where a traffic officer or an official traffic control signal directs traffic to proceed.

(3) Where an exempt sign was authorized by the Public Utilities Commission prior to January 1, 1978.

(4) Where an official railroad crossing stop exempt sign in compliance with Section 21400 has been placed by the Department of Transportation or a local authority pursuant to Section 22452.5. This paragraph does not apply with respect to a school bus or to a school pupil activity bus transporting school pupils.



**22451 (b) VC DISTANCE FOR STOP AT RAILROAD CROSSING**

(a) The driver of any vehicle or pedestrian approaching a railroad or rail transit grade crossing shall stop not less than 15 feet from the nearest rail and shall not proceed until he or she can do so safely, whenever the following conditions exist:

(1) A clearly visible electric or mechanical signal device or a flagman gives warning of the approach or passage of a train or car.

(2) An approaching train or car is plainly visible or is emitting an audible signal and, by reason of its speed or nearness, is an immediate hazard.

(b) No driver or pedestrian shall proceed through, around, or under any railroad or rail transit crossing gate while the gate is closed.

(c) Whenever a railroad or rail transit crossing is equipped with an automated enforcement system, a notice of a violation of this section is subject to the procedures provided in Section 40518.

**22452.5 VC RAILROAD CROSSINGS; SIGNS AUTHORIZING CROSSING WITHOUT STOPPING**

The Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, may place signs at railroad grade crossings permitting any vehicle described in subdivision (a) of Section 22452 to traverse such crossings without stopping. Such signs shall be placed in accordance with criteria adopted by the Public Utilities Commission. Prior to placing such signs, the Department of Transportation or local authority shall consult with the Department of the California Highway Patrol, railroad corporations involved, and the operators involved and shall secure the permission of the Public Utilities Commission if a railroad corporation under the jurisdiction of the Public Utilities Commission is affected. Prior to permitting the placement of such signs, the Public Utilities Commission shall seek the concurrence of the Department of the California Highway Patrol.

**13 CCR § 1228 RAILROAD CROSSINGS**

In addition to the provisions of Vehicle Code Section 22452, the driver shall stop the school bus parallel to and as close as practicable to the appropriate edge of the highway, fully open the entrance door on a Type 1 bus or open the window on a Type 2 bus, and then listen and look to ensure that the tracks are clear of an approaching train, and proceed only when the tracks are safe to cross and the door is closed.

## Unit 5 Quiz

1. No person shall drive any motor vehicle with any object or material applied in or on the vehicle, which obstructs or reduces the driver's clear view through the windshield or side windows.

T\_\_\_\_\_F\_\_\_\_\_

2. The meaning of IPDE is: Identify, Proceed, Decide, Examine.

T\_ F\_\_\_\_\_

3. Reaction time and stopping distance are not considered as being factors in involvement in an accident.

T\_ F\_\_\_\_\_

4. The perception factor is the ability to understand and become aware of something that is going to happen or is happening.

T\_\_\_\_\_F\_\_\_\_\_

5. The five-count mirror procedure is a method of using mirrors to recognize and avoid problem objects.

T\_ F\_\_\_\_\_

6. The safety circle is an early warning system consisting of four distinct zones.

T\_ F\_\_\_\_\_

7. An intersection is the area embraced within the prolongations of the lateral curb lines.

T\_ F\_\_\_\_\_

8. The driver should always be aware of the mechanical and power ability of the bus.

T\_ F\_\_\_\_\_

9. It takes the average person about One-half of a second to react from a time when the problem is seen to the time the brakes are applied.

T\_\_\_\_\_F\_\_\_\_\_

10. It is important to maintain a space cushion when the vehicle is not moving.

T\_ F\_\_\_\_\_

11. Visual lead time is the distance a driver looks forward or ahead of the vehicle while driving.

T\_ F\_\_\_\_\_

12. A bus prior to crossing a railroad grade crossing must stop a minimum of 15 feet and not more than 50 feet from the nearest rail.

T\_\_\_\_\_F\_\_\_\_\_