



Roll Call Training Bulletin

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Volume 117

Assembly Bill 2147 “Jaywalking”

03-24-2023

Assembly Bill 2147 (effective 01-01-2023) amends certain pedestrian-related provisions of Vehicle Code sections 21451 – 21456, and 21949.5 – 21966, (“Jaywalking”). The bill prohibits peace officers from **stopping** a pedestrian for entering the roadway *except* where a “reasonably careful person” would realize there is an immediate danger of collision with a motor vehicle, bicycle, or other street-legal mode of transportation. Importantly, neither the bill and nor its legislative history defines the term, “reasonably careful person”; however, the “reasonably careful person” standard under the bill is comparable to the **objective**, civil negligence standard set forth in California Jury Instruction 401, which refers to an **objective** legal standard commonly known as “the reasonably prudent person.” (CACI § 401.)

SPD may continue to cite pedestrians who violate customary, common-sense roadway safety standards—over and above the act of jaywalking itself—including those who disregard the inherent danger of entering or loitering in the roadway while moving vehicles, bicycles, or other street-legal modes of transportation are present. This is particularly true where the pedestrian is at risk of causing an **immediate** collision.

However, officers shall not use jaywalking itself as probable cause for a stop and/or cite individuals who simply enter the roadway outside of a crosswalk or walk in the roadway when it is reasonably safe. Additionally, officers **shall** not stop and/or cite pedestrians who exercise reasonable caution to avoid a collision while crossing the street. AB 2147 applies equally to the Sacramento City Code’s “jaywalking” provisions found in Chapter 10.20.

If a citation under these sections is issued, it is highly recommended that the citing officer generate an information report documenting the actions of the cited individual and the accompanying traffic conditions. If a crime report results from an enforcement stop, thoroughly document your observations to justify the circumstances of the original contact.