

AMENDED IN ASSEMBLY APRIL 16, 2002

AMENDED IN ASSEMBLY APRIL 1, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2624**

---

---

**Introduced by Assembly Member John Campbell**  
(Principal coauthor: Senator Margett)

February 21, 2002

---

---

An act to amend Section 21260 of, and to add Section 21261 to, the Vehicle Code, relating to low-speed vehicles, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2624, as amended, John Campbell. Low-speed vehicles.

Existing law prohibits, subject to exception, the operation of a low-speed vehicle on any roadway with a speed limit in excess of 35 miles per hour. Existing law also regulates the traversing of intersections by low-speed vehicles. Violations of the provisions are infractions.

This bill would prohibit, subject to exception *and subject to the analysis, reporting, recommendations, and regulations of the California Highway Patrol, as specified*, the operation of a low-speed vehicle on any roadway with a speed limit in excess of 25 miles per hour. This bill would also revise the provisions regulating the traversing of intersections by low-speed vehicles.

By changing the definitions of an existing provision, the violation of which is a crime, this bill would impose a state-mandated local program.

This bill would require the Department of the California Highway Patrol, ~~in consultation with local law enforcement agencies, as specified,~~ *to analyze on an ongoing basis the patterns of registration and operation, and the safety of operation, of low-speed vehicles and* to prepare and submit to the Legislature, no later than ~~December 31~~ *September 1, 2003*, a report evaluating the safety of low-speed vehicle operations, as specified, and to make recommendations in connection therewith.

This bill would authorize a city, county, or city and county to adopt a Low-Speed Vehicle Community Access Plan to permit operation of low-speed vehicles within their respective jurisdictions, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21260 of the Vehicle Code is amended  
2 to read:

3 21260. (a) Except as provided in subdivision (b) and  
4 paragraph (1) of subdivision (c), and in Section 21261, *and subject*  
5 *to the provisions of subdivision (d)*, the operator of a low-speed  
6 vehicle shall not operate the vehicle on any roadway with a speed  
7 limit in excess of 25 miles per hour.

8 (b) A local law enforcement agency with primary traffic  
9 enforcement responsibilities or the Department of the California  
10 Highway Patrol may designate a roadway under that agency's or  
11 department's jurisdiction for use by low-speed vehicles if the  
12 roadway has a speed limit in excess of 25 miles per hour but not  
13 in excess of 35 miles per hour. The designation may be made only  
14 when the agency or the department determines that the operation  
15 of low-speed vehicles on the roadway is both necessary to provide  
16 access to critical services, and is in the interest of public safety. The



1 designation shall become effective when appropriate signs giving  
2 notice thereof are erected upon the roadway.

3 (c) (1) The operator of a low-speed vehicle may cross a  
4 roadway with a speed limit of 45 miles per hour or less if the  
5 crossing begins and ends on a roadway authorized for use by  
6 low-speed vehicles, and when crossing a roadway that is not  
7 authorized for use by low-speed vehicles, the intersection is  
8 controlled by stop signs or traffic signals.

9 (2) Notwithstanding paragraph (1), a local law enforcement  
10 agency with primary traffic enforcement responsibilities or the  
11 Department of the California Highway Patrol may prohibit the  
12 operator of a low-speed vehicle from traversing an intersection  
13 under that agency's or department's jurisdiction when the agency  
14 or the department deems the prohibition to be in the best interest  
15 of public safety. Any prohibition shall become effective when  
16 appropriate signs giving notice thereof are erected at the crossing.

17 (d) (1) (A) *The Department of the California Highway Patrol*  
18 *shall analyze on an ongoing basis the patterns of registration and*  
19 *operation, and the safety of operation, of low-speed vehicles in the*  
20 *state.*

21 (B) ~~The Department of the California Highway Patrol, in~~  
22 ~~consultation with local law enforcement agencies with primary~~  
23 ~~traffic enforcement responsibilities, shall prepare and submit to~~  
24 ~~the Legislature, not later than December 31 September 1, 2003, a~~  
25 ~~report that evaluates the safety of low-speed vehicle operations in~~  
26 ~~the state, including, but not limited to, the effectiveness of this~~  
27 ~~section and other applicable statutes and regulations providing~~  
28 ~~safe operating rules for low-speed vehicles and their occupants,~~  
29 ~~and based on the evaluation, setting~~

30 (C) *The Department of the California Highway Patrol may*  
31 *prepare and submit any additional reports to the Legislature as it*  
32 *deems necessary to keep the Legislature appropriately apprised of*  
33 *the safety of low-speed vehicle operations in the state.*

34 (2) (A) *Each report prepared and submitted by the Department*  
35 *of the California Highway Patrol shall set forth any recommended*  
36 *amendments to statutes or regulations providing low-speed*  
37 *vehicle operating rules or safety standards.*

38 (B) *Based on the findings in its initial report or any of its*  
39 *subsequent reports, the Department of the California Highway*  
40 *Patrol may adopt a regulation that prohibits the operation of*



1 *low-speed vehicles on roadways with speed limits in excess of 25*  
2 *miles per hour in accord with the provisions of this section.*

3 (3) *In issuing a regulation under this section, the Department*  
4 *of the California Highway Patrol shall make and support findings*  
5 *that reasonably support any restriction of regulation.*

6 SEC. 2. Section 21261 is added to the Vehicle Code, to read:

7 21261. (a) It is the intent of the Legislature to provide a  
8 process for communities to establish a system of roadways  
9 authorized for use by low-speed vehicles as an alternative to  
10 authorizing allowable segments pursuant to subdivision (b) of  
11 Section 21260 of the Vehicle Code on a case-by-case basis. It is  
12 further the intent of the Legislature that the alternative set forth in  
13 this section will foster and promote the integration of low-speed  
14 vehicles within communities.

15 (b) A city, county, or city and county, may adopt, as an  
16 alternative to the exceptions to the maximum speed limited  
17 provided in subdivision (b) and paragraph (1) of subdivision (c) of  
18 Section 21260, a Low-Speed Vehicle Community Access Plan to  
19 permit low-speed vehicles to traverse highways, including eligible  
20 segments of state highways, incorporated within the plan area in  
21 the jurisdiction of the city, county, or city and county.

22 (c) The city, county, or city and county shall adopt the  
23 Low-Speed Vehicle Community Access Plan by ordinance or  
24 resolution.

25 (d) The following terms are defined for purposes of this  
26 section:

27 (1) "Plan" means Low-Speed Vehicle Community Access  
28 Plan.

29 (2) "Low-speed vehicle" means that class of motor vehicle as  
30 defined in Section 385.5.

31 (e) The plan shall be subject to prior review and comments by  
32 any agency having traffic law enforcement responsibility on the  
33 roadway or highway segments within the city, county, or city and  
34 county.

35 (f) (1) In adopting a plan, a city, county, or city and county  
36 shall make the following findings:

37 (A) That the roadways or highways contained within the plan  
38 area are subject to a maximum speed limit of 35 miles per hour or  
39 less.



1 (B) That the operation of low-speed vehicles on the roadway  
2 and highway network contained within the plan area is necessary  
3 to provide access to critical services or important community  
4 amenities.

5 (C) That the plan is developed in the interest of public safety.

6 (2) In addition to the required findings set forth in paragraph  
7 (1), a city, county, or city and county may also make findings that  
8 the development and adoption of a plan is intended to promote and  
9 foster the integration of low-speed vehicles in to the community's  
10 transportation system.

11 (g) A city, county, or city and county that adopts a plan shall  
12 plainly mark through placement of appropriate signs, markers, or  
13 traffic control devices, the eligible network of roadways for  
14 permitted travel by low-speed vehicles.

15 (h) Nothing in this section shall restrict low-speed vehicles  
16 from traveling on roadway segments with designated maximum  
17 speed limits of 25 miles per hour nor prohibit the operator of a  
18 low-speed vehicle from crossing a roadway with a speed limit of  
19 45 miles per hour or less, as provided in paragraph (1) of  
20 subdivision (c) of Section 21260.

21 SEC. 3. No reimbursement is required by this act pursuant to  
22 Section 6 of Article XIII B of the California Constitution because  
23 the only costs that may be incurred by a local agency or school  
24 district will be incurred because this act creates a new crime or  
25 infraction, eliminates a crime or infraction, or changes the penalty  
26 for a crime or infraction, within the meaning of Section 17556 of  
27 the Government Code, or changes the definition of a crime within  
28 the meaning of Section 6 of Article XIII B of the California  
29 Constitution.

30 SEC. 4. This act is an urgency statute necessary for the  
31 immediate preservation of the public peace, health, or safety  
32 within the meaning of Article IV of the Constitution and shall go  
33 into immediate effect. The facts constituting the necessity are:

34 In order that the operating environment for low-speed vehicles  
35 be made more safe at the earliest possible time, it is necessary that  
36 this act take immediate effect.

O

