

AMENDED IN ASSEMBLY APRIL 18, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1492**

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**Introduced by Assembly Member Laird  
(Coauthor: Assembly Member Beall)**

February 23, 2007

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An act to add Section 21810 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1492, as amended, Laird. Vehicles: transit buses: right-of-way.

(1) Existing law requires a driver to yield the right-of-way to an approaching authorized emergency vehicle that is sounding a siren and has at least one lighted lamp exhibiting a red light.

This bill would, in the Santa Cruz Metropolitan Transit District and the Santa Clara County Transit District, if the applicable district approves a resolution and transmits that resolution to the Commissioner of the California Highway Patrol, require the driver of a vehicle overtaking a transit bus to yield the right-of-way to the bus if certain conditions are present. The bill would require a transit agency participating in the program to undertake a public education program to inform motorists of the yield right-of-way requirements, and provide that a base fine for violating those requirements is \$35. Because a failure to yield would be an infraction, the bill would impose a state-mandated local program.

(2) 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.

Vote: majority. 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 21810 is added to the Vehicle Code, to  
2 read:  
3 21810. (a) The driver of a vehicle overtaking a transit bus shall  
4 yield the right-of-way to the bus if all of the following conditions  
5 are present:  
6 (1) The transit bus has entirely exited an active traffic lane to  
7 board or deboard passengers at a designated bus stop, and is  
8 attempting to reenter the lane from which it exited.  
9 (2) Directional signals on the transit bus are flashing to indicate  
10 that the bus is preparing to merge with traffic.  
11 (3) The transit bus is equipped with a yield right-of-way sign  
12 on the left rear of the bus. The sign shall be both of the following:  
13 (A) Designed to warn a person operating a motor vehicle  
14 approaching the rear of the bus that the person is required to yield  
15 the right-of-way to the bus when the bus is entering traffic.  
16 (B) Illuminated by a flashing light when the bus is signaling in  
17 preparation for entering a traffic lane after having stopped to  
18 receive or discharge passengers.  
19 (b) Nothing in this section requires a transit agency to install  
20 the yield right-of-way sign described in paragraph (3) of  
21 subdivision (a).  
22 (c) This section does not relieve the driver of a transit bus from  
23 the duty to drive the bus with due regard for the safety of all  
24 persons and property. Nothing in this section relieves the transit  
25 agency from complying with the standard of care for its passengers  
26 established by Section 2100 of the Civil Code.  
27 (d) This section applies ~~only~~ *only* to the Santa Cruz  
28 Metropolitan Transit District and the Santa Clara County Transit  
29 District, if the governing board of the applicable district approves  
30 a resolution, after a public hearing on the issue, requesting that  
31 this section be made applicable to it, and transmits a copy of the  
32 resolution to the commissioner.  
33 (e) Each transit agency participating in the program shall  
34 undertake a public education program to inform motorists of the  
35 requirements imposed by this section.

1 (f) The base fine for a violation of subdivision (a) is thirty-five  
2 dollars (\$35).

3 SEC. 2. The Legislature finds and declares that a special law  
4 is necessary and that a general law cannot be made applicable  
5 within the meaning of Section 16 of Article IV of the California  
6 Constitution because of unique circumstances of community  
7 familiarity with the program in Section 1, applicable only to the  
8 Santa Cruz Metropolitan Transit District and the Santa Clara  
9 County Transit District.

10 SEC. 3. No reimbursement is required by this act pursuant to  
11 Section 6 of Article XIII B of the California Constitution because  
12 the only costs that may be incurred by a local agency or school  
13 district will be incurred because this act creates a new crime or  
14 infraction, eliminates a crime or infraction, or changes the penalty  
15 for a crime or infraction, within the meaning of Section 17556 of  
16 the Government Code, or changes the definition of a crime within  
17 the meaning of Section 6 of Article XIII B of the California  
18 Constitution.