

Assembly Bill No. 1581

Passed the Assembly August 30, 2007

Chief Clerk of the Assembly

Passed the Senate August 27, 2007

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add and repeal Section 21450.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1581, Fuller. Traffic-actuated signals: bicycles: motorcycles.

(1) Existing law provides for official traffic control devices.

This bill would include as an official traffic control device a traffic-actuated signal that displays one or more of its indications in response to the presence of traffic detected by mechanical, visual, electrical, or other means. Upon the first placement of a traffic-actuated signal or replacement of the loop detector of a traffic-actuated signal, the signal would have to be installed and maintained, to the extent feasible and in conformance with professional engineering practices, so as to detect lawful bicycle or motorcycle traffic on the roadway. Cities and counties would not be required to comply with those requirements until the Department of Transportation has established uniform standards, specifications, and guidelines for the detection of bicycles and motorcycles by traffic-actuated signals and related signal timing. The Commission on State Mandates would be required to consult with the Department of Transportation regarding mandate claims relating to these provisions. This bill would provide that its provisions would remain in effect until January 1, 2018, and would be repealed on that date. By imposing new duties on local government, this bill would impose a state-mandated local program upon local governments.

(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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

SECTION 1. (a) The Legislature hereby finds and declares the following:

(1) Bicyclists and motorcyclists are legitimate users of roadways in California.

(2) Traffic-actuated signals that do not detect bicycle or motorcycle traffic pose a danger to law-abiding bicyclists and motorcyclists.

(b) It is the intent of the Legislature in enacting this act to better protect law-abiding bicyclists and motorcyclists.

SEC. 2. Section 21450.5 is added to the Vehicle Code, to read:

21450.5. (a) A traffic-actuated signal is an official traffic control signal, as specified in Section 445, that displays one or more of its indications in response to the presence of traffic detected by mechanical, visual, electrical, or other means.

(b) Upon the first placement of a traffic-actuated signal or replacement of the loop detector of a traffic-actuated signal, the traffic-actuated signal shall, to the extent feasible and in conformance with professional traffic engineering practice, be installed and maintained so as to detect lawful bicycle or motorcycle traffic on the roadway.

(c) Cities, counties, and cities and counties shall not be required to comply with the provisions contained in subdivision (b) until the Department of Transportation, in consultation with these entities, has established uniform standards, specifications, and guidelines for the detection of bicycles and motorcycles by traffic-actuated signals and related signal timing.

(d) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 3. The Commission on State Mandates shall consult with the Department of Transportation when it develops parameters and guidelines for any mandate claim arising from the enactment of these provisions to ensure that eligible reimbursement is limited solely to the incremental costs of installing sensor wiring that can detect bicycle or motorcycle traffic.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made

pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Approved _____, 2007

Governor