

ASSEMBLY BILL

No. 2195

Introduced by Assembly Member Brownley

February 20, 2008

An act to amend Section 99152 of, to add Section 99152.1 to, and to repeal Section 778 of, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2195, as introduced, Brownley. Rail transit.

Existing law provides that any public transit guideway planned, acquired, or constructed after January 1, 1979, is subject to the regulations of the Public Utilities Commission relative to safety appliances and procedures.

This bill would transfer that responsibility to the Department of Transportation on January 1, 2010.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

- 1 SECTION 1. Section 778 of the Public Utilities Code is
2 repealed.
3 ~~778. The commission shall adopt rules and regulations, which~~
4 ~~shall become effective on July 1, 1977, relating to safety appliances~~
5 ~~and procedures for rail transit services operated at grade and in~~
6 ~~vehicular traffic. The rules and regulations shall include, but not~~
7 ~~be limited to, provisions on grade crossing protection devices,~~
8 ~~headways, and maximum operating speeds with respect to the~~

1 ~~speed and volume of vehicular traffic within which the transit~~
2 ~~service is operated.~~

3 ~~The commission shall submit the proposed rules and regulations~~
4 ~~to the Legislature not later than April 1, 1977.~~

5 SEC. 2. Section 99152 of the Public Utilities Code is amended
6 to read:

7 99152. Any public transit guideway planned, acquired, or
8 constructed, on or after January 1, 1979, is subject to regulations
9 of the Public Utilities Commission relating to safety appliances
10 and procedures. *However, on and after January 1, 2010, the*
11 *department shall succeed to the responsibilities of the commission*
12 *in that regard.*

13 The commission, *until January 1, 2010, and the department, on*
14 *and after that date,* shall inspect all work done on those guideways
15 and may make further additions or changes necessary for the
16 purpose of safety to employees and the general public.

17 The commission, *until January 1, 2010, and the department, on*
18 *and after that date,* shall develop an oversight program employing
19 safety planning criteria, guidelines, safety standards, and safety
20 procedures to be met by operators in the design, construction, and
21 operation of those guideways. Existing industry standards shall be
22 used where applicable.

23 The commission, *until January 1, 2010, and the department, on*
24 *and after that date,* shall enforce the provisions of this section.

25 SEC. 3. Section 99152.1 is added to the Public Utilities Code,
26 to read:

27 99152.1. The department shall adopt rules and regulations,
28 which shall become effective January 1, 2010, relating to safety
29 appliances and procedures for rail public transit services operated
30 at grade and in vehicular traffic. The rules and regulations shall
31 include, but not be limited to, provisions on grade crossing
32 protection devices, headways, and maximum operating speeds
33 with respect to the speed and volume of vehicular traffic within
34 which the transit service is operated.