

AMENDED IN ASSEMBLY APRIL 22, 2008

AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2963**

---

---

**Introduced by Assembly Member Gaines**

February 22, 2008

---

---

An act to ~~repeal Section 1963.8 of~~ *amend Section 1963.7 of, to amend, renumber, and add Section 1963.8 of, and to add Section 1963.9 to the Streets and Highways Code, relating to neighborhood electric vehicles.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2963, as amended, Gaines. Neighborhood electric vehicles.

Existing law authorizes, until January 1, 2009, the Cities of Lincoln and Rocklin in Placer County to establish a neighborhood electric vehicle (NEV) transportation plan that enables these low-speed vehicles to travel, among other things, on or along various roadways. A person operating a NEV in the plan area in violation of permit and safety rules adopted as part of the plan is guilty of an infraction. If a NEV transportation plan is implemented, the cities are required to submit a report to the Legislature by January 1, 2008, evaluating the effectiveness of the NEV plan and containing a recommendation for either terminating, continuing, or expanding these provisions.

This bill would ~~repeal~~ *extend* the January 1, 2009, termination date applicable to these NEV provisions, ~~thereby extending these provisions indefinitely to January 1, 2012.~~ *Because the bill would change the definition of a crime in that regard, it would impose a state-mandated local program. The bill would extend the time for the City of Rocklin to submit a report to the Legislature from January 1, 2008, to January*

1, 2009, relative to its implementation of these provisions. The bill would declare that the City of Lincoln has complied with these provisions and is thereby authorized to proceed with the implementation of its NEV transportation plan. The bill would require both cities, to the extent they implement a NEV transportation plan, to report to the Legislature by January 1, 2011, relative to whether the NEV transportation provisions should be terminated, continued, or expanded statewide. ~~Because the bill would change the definition of a crime in that regard, it would impose a state-mandated local program.~~

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 1963.8 of the Streets and Highways Code~~  
2 ~~is repealed.~~

3 *SECTION 1. Section 1963.7 of the Streets and Highways Code*  
4 *is amended to read:*

5 1963.7. (a) ~~If the City of Lincoln or the City of Rocklin adopts~~  
6 ~~a NEV transportation plan pursuant to this chapter, the cities~~ *city*  
7 ~~shall jointly submit a report to the Legislature on or before January~~  
8 ~~1, 2008~~ 2009, in consultation with the Department of  
9 Transportation, the Department of the California Highway Patrol,  
10 and local law enforcement agencies.

11 (b) The report shall include all of the following:

12 (1) A description of all NEV transportation plans and their  
13 elements that have been authorized up to that time.

14 (2) An evaluation of the effectiveness of the NEV transportation  
15 plans, including their impact on traffic flows and safety.

16 (3) A recommendation as to whether this chapter should be  
17 ~~terminated, continued in existence applicable solely to the City of~~  
18 ~~Lincoln and with respect to the City of Rocklin in the County of~~  
19 ~~Placer; or expanded statewide.~~

20 *SEC. 2. Section 1963.8 of the Streets and Highways Code is*  
21 *amended and renumbered to read:*

1 ~~1963.8.~~

2 *1963.10.* This chapter shall remain in effect only until January  
3 1, ~~2009~~ 2012, and as of that date is repealed, unless a later enacted  
4 statute, that is enacted before January 1, ~~2009~~ 2012, deletes or  
5 extends that date.

6 *SEC. 3. Section 1963.8 is added to the Streets and Highways*  
7 *Code, to read:*

8 *1963.8. The Legislature finds and declares that the City of*  
9 *Lincoln has complied with all of the requirements of this chapter*  
10 *relative to development of a NEV transportation plan and*  
11 *associated reporting to the Legislature. Accordingly, the City of*  
12 *Lincoln is authorized to proceed with the implementation of its*  
13 *NEV transportation plan.*

14 *SEC. 4. Section 1963.9 is added to the Streets and Highways*  
15 *Code, to read:*

16 *1963.9. (a) If the City of Lincoln or the City of Rocklin*  
17 *implements a NEV transportation plan pursuant to this chapter,*  
18 *the cities shall jointly, or individually if only one city implements*  
19 *a plan, submit a subsequent report to the initial report required*  
20 *by Section 1963.7 to the Legislature on or before January 1, 2011,*  
21 *in consultation with the Department of Transportation, the*  
22 *Department of the California Highway Patrol, and local law*  
23 *enforcement agencies.*

24 *(b) The report shall include all of the following:*

25 *(1) A description of all NEV transportation plans and their*  
26 *elements that have been authorized up to that time.*

27 *(2) An evaluation of the effectiveness of the NEV transportation*  
28 *plans, including their impact on traffic flows and safety.*

29 *(3) A recommendation as to whether this chapter should be*  
30 *terminated, continued in existence applicable solely to the City of*  
31 *Lincoln or the City of Rocklin in Placer County, or both, or*  
32 *expanded statewide.*

33 ~~SEC. 2.~~

34 *SEC. 5.* No reimbursement is required by this act pursuant to  
35 Section 6 of Article XIII B of the California Constitution because  
36 the only costs that may be incurred by a local agency or school  
37 district will be incurred because this act creates a new crime or  
38 infraction, eliminates a crime or infraction, or changes the penalty  
39 for a crime or infraction, within the meaning of Section 17556 of  
40 the Government Code, or changes the definition of a crime within

- 1 the meaning of Section 6 of Article XIII B of the California
- 2 Constitution.

O