

AMENDED IN SENATE MARCH 19, 2007

SENATE BILL

No. 224

Introduced by Senator Battin

February 13, 2007

An act to amend ~~Section 379~~ *Sections 379 and 411* of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 224, as amended, Battin. State Highway ~~Route~~ *Routes 79 and 111*: relinquishment.

Existing law provides that the Department of Transportation has full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Existing law authorizes the commission to relinquish certain state highway segments to local agencies.

This bill would authorize the commission to relinquish ~~any portions~~ *the portion* of State Highway Route 79 in the City of Hemet *and the portion of State Highway Route 111 in the City of La Quinta* to ~~that the~~ *the applicable* city under certain conditions.

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 379 of the Streets and Highways Code
- 2 is amended to read:
- 3 379. (a) Route 79 is from:
- 4 (1) Route 8 near Descanso to Route 78 near Julian.

1 (2) Route 78 near Santa Ysabel to the Temecula city limits east
2 of Butterfield Stage Road.

3 (3) Temecula city limits south of Murrieta Hot Springs Road
4 to Route 74 near Hemet.

5 (4) Route 74 near Hemet to Route 10 near Beaumont.

6 (b) (1) Notwithstanding subdivision (a), the commission may
7 relinquish to the City of Temecula the portion of Route 79 located
8 within Temecula’s city limits, upon terms and conditions the
9 commission finds to be in the best interest of the state.

10 (2) Any relinquishment agreement shall require that the City of
11 Temecula administer the operation and maintenance of the
12 highways in a manner consistent with professional traffic
13 engineering standards.

14 (3) Any relinquishment agreement shall require the City of
15 Temecula to ensure that appropriate traffic studies or analysis will
16 be performed to substantiate any decisions affecting the highways.

17 (4) Any relinquishment agreement shall also require the City
18 of Temecula to provide for public notice and the consideration of
19 public input on the proximate effects of any proposed decision on
20 traffic flow, residences, or businesses, other than a decision on
21 routine maintenance.

22 (5) Notwithstanding any of its other terms, any relinquishment
23 agreement shall require the City of Temecula to indemnify and
24 hold the department harmless from any liability for any claims
25 made or damages suffered by any person, including a public entity,
26 as a result of any decision made or damages suffered by any person,
27 including a public entity, as a result of any decision made or action
28 taken by the City of Temecula, its officers, employees, contractors,
29 or agent, with respect to the design, maintenance, construction, or
30 operation of that portion of Route 79 that is to be relinquished to
31 the city.

32 (6) Any relinquishment shall become effective immediately
33 after the county recorder records the relinquishment resolution
34 that contains the commission’s approval of the terms and conditions
35 of the relinquishment.

36 (7) On and after the effective date of the relinquishment, both
37 of the following shall occur:

38 (A) The portion of Route 79 relinquished shall cease to be a
39 state highway.

1 (B) The portion of Route 79 relinquished may not be considered
2 for future adoption under Section 81.

3 (8) The City of Temecula shall ensure the continuity of traffic
4 flow on the relinquished portion of Route 79, including any traffic
5 signal progression.

6 (9) For relinquished portions of Route 79, the City of Temecula
7 shall maintain signs directing motorists to the continuation of
8 Route 79.

9 (c) (1) Notwithstanding subdivision (a), the commission may
10 relinquish to the City of San Jacinto ~~any~~ *the* portion of Route 79
11 that is located within the city limits of that city, upon terms and
12 conditions the commission finds to be in the best interests of the
13 state, if the department and the city enter into an agreement
14 providing for that relinquishment.

15 (2) A relinquishment under this subdivision shall become
16 effective immediately following the county recorder's recordation
17 of the relinquishment resolution containing the commission's
18 approval of the terms and conditions of the relinquishment.

19 (3) On and after the effective date of the relinquishment, the
20 relinquished portion of Route 79 shall cease to be a state highway.

21 (4) The portion of Route 79 relinquished under this subdivision
22 shall be ineligible for future adoption under Section 81.

23 (5) For the portion of Route 79 that is relinquished under this
24 subdivision, the City of San Jacinto shall maintain within its
25 jurisdiction signs directing motorists to the continuation of Route
26 79.

27 (d) (1) Notwithstanding subdivision (a), the commission may
28 relinquish to the City of Hemet ~~any~~ *the* portion of Route 79 that
29 is located within the city limits of that city, upon terms and
30 conditions the commission finds to be in the best interests of the
31 state, if the department and the city enter into an agreement
32 providing for that relinquishment.

33 (2) A relinquishment under this subdivision shall become
34 effective immediately following the county recorder's recordation
35 of the relinquishment resolution containing the commission's
36 approval of the terms and conditions of the relinquishment.

37 (3) On and after the effective date of the relinquishment, the
38 relinquished portion of Route 79 shall cease to be a state highway.

39 (4) The portion of Route 79 relinquished under this subdivision
40 shall be ineligible for future adoption under Section 81.

1 (5) For the portion of Route 79 that is relinquished under this
2 subdivision, the City of Hemet shall maintain within its jurisdiction
3 signs directing motorists to the continuation of Route 79.

4 *SEC. 2. Section 411 of the Streets and Highways Code is*
5 *amended to read:*

6 411. (a) Route 111 is from:

7 (1) The international border south of Calexico to Route 78 near
8 Brawley, passing east of Heber.

9 (2) Route 78 near Brawley to Route 86 via the north shore of
10 the Salton Sea.

11 (3) Route 10 near Indio to the southeastern city limits of Rancho
12 Mirage.

13 (4) The western city limits of Cathedral City to Route 10 near
14 Whitewater.

15 (b) (1) The commission may relinquish to the Cities of Indian
16 Wells, Indio, *La Quinta*, and Palm Desert the respective portions
17 of Route 111 that are located within the city limits of those cities,
18 upon terms and conditions the commission finds to be in the best
19 interests of the state, if the department and the applicable city enter
20 into an agreement providing for that relinquishment.

21 (2) A relinquishment under this subdivision shall become
22 effective immediately following the county recorder’s recordation
23 of the relinquishment resolution containing the commission’s
24 approval of the terms and conditions of the relinquishment.

25 (3) On and after the effective date of the relinquishment, the
26 relinquished portions of Route 111 shall cease to be a state
27 highway.

28 (4) The portions of Route 111 relinquished under this
29 subdivision shall be ineligible for future adoption under Section
30 81.

31 (5) For the portions of Route 111 that are relinquished under
32 this subdivision, the Cities of Indian Wells, Indio, *La Quinta*, and
33 Palm Desert, as applicable, shall maintain within their respective
34 jurisdiction signs directing motorists to the continuation of Route
35 111.

36 (c) The relinquished former portions of Route 111 within the
37 Cities of Cathedral City and Rancho Mirage are not a state highway
38 and are not eligible for adoption under Section 81.

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