

AMENDED IN SENATE JULY 23, 2009

AMENDED IN ASSEMBLY APRIL 15, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 344

Introduced by Assembly Member Caballero

February 19, 2009

An act to amend Sections 355 and 446 of , and to add Section 301.2 to, the Streets and Highways Code, relating to state highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 344, as amended, Caballero. State highways: 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 to the City of Soledad ~~the portion~~ *and the Counties of Monterey and San Benito the portions* of State Highway Route 146 that ~~is~~ *are* located within ~~the city limits of that city~~ *those jurisdictions* under specified conditions. The bill would also authorize the commission to relinquish to the City of Newport Beach specified portions of State Highway Routes 1 and 55 that are located within the city limits of that city under specified conditions.

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

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

SECTION 1. Section 301.2 is added to the Streets and Highways Code, to read:

301.2. (a) The commission may relinquish to the City of Newport Beach the portion of Route 1 that is located between Jamboree Road and the Santa Ana River, within the city limits of the City of Newport Beach, upon terms and conditions the commission finds to be in the best interests of the state.

(b) A relinquishment under this section shall become effective immediately following the county recorder's recordation of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment.

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

(1) The portion of Route 1 relinquished under this section shall cease to be a state highway.

(2) The portion of Route 1 relinquished under this section shall be ineligible for future adoption under Section 81.

(d) The City of Newport Beach shall ensure the continuity of traffic flow on the relinquished portions of Route 1, including, but not limited to, any traffic signal progression.

(e) For those portions of Route 1 that are relinquished, the City of Newport Beach shall maintain within its jurisdiction signs directing motorists to the continuation of Route 1.

SEC. 2. Section 355 of the Streets and Highways Code is amended to read:

355. (a) Route 55 is from Newport Beach to Route 91 in Santa Ana Canyon.

(b) The commission may relinquish to the City of Newport Beach the portion of Route 55 that is located between Finley Avenue and the Newport channel bridge, within the city limits of the City of Newport Beach, upon terms and conditions the commission finds to be in the best interests of the state.

(c) A relinquishment under this section shall become effective immediately following the county recorder's recordation of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment.

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

1 (1) The portion of Route 55 relinquished under this section shall
2 cease to be a state highway.

3 (2) The portion of Route 55 relinquished under this section shall
4 be ineligible for future adoption under Section 81.

5 (e) The City of Newport Beach shall ensure the continuity of
6 traffic flow on the relinquished portions of Route 55, including,
7 but not limited to, any traffic signal progression.

8 (f) For those portions of Route 55 that are relinquished, the City
9 of Newport Beach shall maintain within its jurisdiction signs
10 directing motorists to the continuation of Route 55.

11 SEC. 3. Section 446 of the Streets and Highways Code is
12 amended to read:

13 446. (a) Route 146 is from:

14 (1) Route 101 near Soledad to Pinnacles National Monument.

15 (2) Pinnacles National Monument to Route 25 in Bear Valley.

16 (b) (1) Notwithstanding subdivision (a), the commission may
17 relinquish to the City of Soledad the portion of Route 146 within
18 the city limits of that city, upon terms and conditions the
19 commission finds to be in the best interests of the state.

20 (2) *Notwithstanding subdivision (a), the commission may*
21 *relinquish to the County of Monterey the portion of Route 146*
22 *within the limits of that county, upon terms and conditions the*
23 *commission finds to be in the best interests of the state.*

24 (3) *Notwithstanding subdivision (a), the commission may*
25 *relinquish to the County of San Benito the portion of Route 146*
26 *within the limits of that county, upon terms and conditions the*
27 *commission finds to be in the best interests of the state.*

28 ~~(2)~~

29 (4) A relinquishment under this subdivision shall become
30 effective immediately after the county recorder records the
31 relinquishment resolution that contains the commission's approval
32 of the terms and conditions of the relinquishment.

33 ~~(3)~~

34 (5) On and after the effective date of the relinquishment, that
35 portion of Route 146 relinquished shall cease to be a state highway
36 and may not be considered for future adoption under Section 81.

37 ~~(4)~~

38 (6) For portions of Route 146 relinquished under this
39 subdivision, the City of Soledad *and the Counties of Monterey*
40 *and San Benito* shall maintain within ~~its~~ *their* jurisdiction signs

- 1 directing motorists to the continuation of Route 146 *until the entire*
- 2 *route has been relinquished.*

O