

**ASSEMBLY BILL**

**No. 1670**

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**Introduced by Assembly Member Beall**

January 20, 2010

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An act to amend Sections 382 and 430 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 1670, as introduced, Beall. State Highway Routes 82 and 130: relinquishment.

Existing law gives the Department of Transportation 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 also authorizes the commission to relinquish certain state highway segments to local agencies.

This bill would authorize the commission to relinquish to the City of San Jose specified portions of State Highway Routes 82 and 130, 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 382 of the Streets and Highways Code
- 2 is amended to read:
- 3 382. (a) Route 82 is from Route 101 near Blossom Hill Road
- 4 in San Jose to Route 280 in San Francisco.

1     **(b)** Upon a determination by the commission that it is in the  
2 best interests of the state to do so, the commission, may, upon  
3 terms and conditions approved by it, relinquish to the City of San  
4 Jose the portion of Route 82 from Route 101 to Route 880 in that  
5 city if the city agrees to accept it. The following conditions shall  
6 apply upon relinquishment:

7     **(1)** The relinquishment shall become effective on the date  
8 following the county recorder's recordation of the relinquishment  
9 resolution containing the commission's approval of the terms and  
10 conditions of the relinquishment.

11     **(2)** On and after the effective date of the relinquishment, the  
12 relinquished portion of Route 82 shall cease to be a state highway.

13     **(3)** The portion of Route 82 relinquished under this subdivision  
14 shall be ineligible for future adoption under Section 81.

15     **(4)** For the portion of Route 82 that is relinquished under this  
16 subdivision, the City of San Jose shall install and maintain within  
17 the jurisdiction of the city signs directing motorists to the  
18 continuation of Route 82 to the extent deemed necessary by the  
19 department.

20     SEC. 2. Section 430 of the Streets and Highways Code is  
21 amended to read:

22     430. **(a)** Route 130 is from Route 101 in San Jose to Route 33  
23 near Patterson via the vicinity of Mount Hamilton.

24     **(b)** Upon a determination by the commission that it is in the  
25 best interests of the state to do so, the commission, may, upon  
26 terms and conditions approved by it, relinquish to the City of San  
27 Jose the portion of Route 130 within the city limits of the City of  
28 San Jose if the city agrees to accept it. The following conditions  
29 shall apply upon relinquishment:

30     **(1)** The relinquishment shall become effective on the date  
31 following the county recorder's recordation of the relinquishment  
32 resolution containing the commission's approval of the terms and  
33 conditions of the relinquishment.

34     **(2)** On and after the effective date of the relinquishment, the  
35 relinquished portion of Route 130 shall cease to be a state highway.

36     **(3)** The portion of Route 130 relinquished under this subdivision  
37 shall be ineligible for future adoption under Section 81.

38     **(4)** For the portion of Route 130 that is relinquished under this  
39 subdivision, the City of San Jose shall install and maintain within

- 1 *the jurisdiction of the city signs directing motorists to the*
- 2 *continuation of Route 130.*

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