

AMENDED IN ASSEMBLY JUNE 21, 2010

AMENDED IN SENATE APRIL 26, 2010

SENATE BILL

No. 1418

Introduced by Senator Wiggins

February 19, 2010

An act to amend Sections 2550, 2551, 2555, and 2557 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 1418, as amended, Wiggins. Transportation: motorist aid services.

Existing law authorizes the establishment of a service authority for freeway emergencies in any county if the board of supervisors of the county and the city councils of a majority of the cities within the county adopt resolutions providing for the establishment of the service authority. Existing law authorizes the Metropolitan Transportation Commission to function as the service authority for freeway emergencies in the San Francisco Bay area counties upon adoption of a resolution, as specified. Existing law authorizes a service authority to impose a fee of \$1 per year on vehicles registered in the counties served by the service authority. Existing law requires moneys received by a service authority to be used for the implementation, maintenance, and operation of a motorist aid system of call boxes and authorizes moneys received by a service authority in excess of what is needed for that system to be used for additional motorist aid services, including, among other things, changeable message signs and lighting for call boxes. Existing law requires any plan or amendment to a plan for a motorist aid system of call boxes for any state highway route to be approved by the Department of Transportation and the Department of the California Highway Patrol.

This bill would authorize those service authorities to be established for freeway and expressway services, instead of only freeway emergencies, and would revise the provisions authorizing excess moneys to be used for additional motorist aid services to authorize those moneys to be used for the implementation, maintenance, and operation of systems, projects, and programs to aid and assist motorists, including, among other things, freeway service patrol, mobile roadside assistance systems, intelligent transportation systems, and traveler information systems. The bill would authorize the Metropolitan Transportation Commission to place call boxes to assist motorists in specified parking or roadway areas in mutually agreed upon state and federal parks *and would require the agreement for the placement of those call boxes to contain specified terms relative to responsibilities for the installation and maintenance of call boxes and for call handling.* The bill would authorize a service authority to impose a fee of up to \$2 per year on vehicles registered in the counties served by the service authority. The bill would provide that any amendment to an existing plan for a motorist aid network of call boxes adopted by a service authority shall be deemed to be approved by the Department of Transportation and the Department of the California Highway Patrol unless rejected within ~~120~~ 60 days of receipt of the amendment.

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 2550 of the Streets and Highways Code
2 is amended to read:
3 2550. The Legislature declares that its intent in enacting this
4 chapter is to encourage the placement of call boxes and the
5 provision of services that directly aid motorists along the California
6 freeway and expressway system. However, it is not intended that
7 any services provided be considered an emergency system.
8 SEC. 2. Section 2551 of the Streets and Highways Code is
9 amended to read:
10 2551. (a) A service authority for freeways and expressways
11 may be established in any county if the board of supervisors of the
12 county and the city councils of a majority of the cities within the
13 county having a majority of the population of cities within the

1 county adopt resolutions providing for the establishment of the
2 authority.

3 (b) The resolutions may designate the county transportation
4 commission for the county, created pursuant to Division 12
5 (commencing with Section 130000) of the Public Utilities Code
6 or council of governments formed pursuant to Chapter 5
7 (commencing with Section 6500) of Division 7 of Title 1 of the
8 Government Code, as the service authority for freeways and
9 expressways. The powers of a commission or council of
10 governments so designated are limited to those of the service
11 authority.

12 (c) (1) The Metropolitan Transportation Commission may
13 function as the service authority for freeways and expressways in
14 any or all of the Counties of Santa Clara, San Mateo, Alameda,
15 Contra Costa, Marin, Solano, Sonoma, Napa, and the City and
16 County of San Francisco upon adoption of a resolution by the
17 commission to act as a service authority and upon ratification of
18 the commission's resolution in a particular county by the board of
19 supervisors of the city and county or by the board of supervisors
20 of the county and by the city councils of the cities within the county
21 having a majority of the population of the cities within the county.

22 (2) The Metropolitan Transportation Commission may also
23 exercise, as the service authority in any of those counties, the power
24 to strategically place call boxes to assist motorists in parking or
25 roadway areas in mutually agreed upon state and federal parks
26 where telecommunication services are not available. *Where an*
27 *agreement is reached for the installation of call boxes in parking*
28 *or roadway areas in state or federal parks, the service authority*
29 *shall assume responsibility for the installation and maintenance*
30 *of the call boxes and the agreement shall include provisions*
31 *requiring the state or federal park to assume responsibility for*
32 *call handling in conjunction with the local public safety answering*
33 *point.*

34 (d) (1) The Sacramento Area Council of Governments may
35 function as the service authority for freeways and expressways in
36 any or all of the Counties of Sacramento, Yolo, Yuba, Sutter, and
37 San Joaquin, or any other county that is not within another
38 multicounty service authority, upon adoption of a resolution by
39 the council to act as a service authority and upon ratification of
40 the resolution in a particular county by the board of supervisors

1 of the county and by the city councils of the cities within the county
2 having a majority of the population of the cities within the county.

3 (2) The Sacramento Area Council of Governments may also
4 exercise, as a service authority, in any of those counties, the powers
5 specified in Section 891.5 pertaining to call boxes on class 1
6 bikeways.

7 (e) As used in this chapter, “authority” and “service authority”
8 mean a service authority for freeways and expressways created
9 pursuant to this chapter.

10 SEC. 3. Section 2555 of the Streets and Highways Code is
11 amended to read:

12 2555. An authority may impose a fee of up to two dollars (\$2)
13 per year, in one dollar (\$1) increments, on vehicles registered in
14 the county pursuant to Section 9250.10 of the Vehicle Code.

15 SEC. 4. Section 2557 of the Streets and Highways Code is
16 amended to read:

17 2557. (a) Except as provided in subdivision (c), the moneys
18 received by each authority pursuant to subdivision (b) of Section
19 9250.10 of the Vehicle Code shall be used for the implementation,
20 maintenance, and operation of a motorist aid system of call boxes
21 on the portions of the state freeway and expressway system, the
22 county expressway system, the unincorporated county roads in
23 that county, and the state highway routes that connect segments
24 of these systems, that are located within the county in which the
25 authority is established. Any money received that exceeds the
26 amount needed for full implementation and ongoing costs to
27 maintain and operate the motorist aid system of call boxes may be
28 used for the implementation, maintenance, and operation of
29 systems, projects, and programs to aid and assist motorists,
30 including, but not limited to, freeway service patrol, mobile
31 roadside assistance systems, intelligent transportation systems,
32 incident management programs and coordination, traveler
33 information system programs, and support for traffic operation
34 centers, including the lease or lease-purchase of facilities and
35 equipment for the system, project, or program on the portions of
36 the state freeway and expressway system and a county expressway
37 system, and the unincorporated county roads in that county, and
38 on state highway routes that connect segments of these systems,
39 which are located within the county in which the authority is
40 established.

1 (b) An authority or any other public entity may construct and
2 maintain, and lease or lease-purchase on terms and conditions it
3 deems appropriate, the facilities of a motorist aid system, project,
4 or program or it may contract with a private person or entity to do
5 so.

6 (c) If leases or lease-purchase agreements are entered into
7 pursuant to subdivision (a), or if revenue bonds are issued and sold
8 pursuant to Section 2558, the moneys received by each authority
9 pursuant to subdivision (b) of Section 9250.10 of the Vehicle Code
10 shall be used to the extent necessary to make lease payments or to
11 pay the principal of, and interest on, the amount of bonded
12 indebtedness outstanding, as the case may be. Facilities and
13 equipment acquired through the expenditure of proceeds from the
14 sale of those bonds shall have a useful life at least equal to the
15 term of the bonds.

16 (d) The Department of Transportation and the Department of
17 the California Highway Patrol shall each review and approve plans
18 for implementation of a motorist aid network of call boxes
19 proposed for any state highway route and shall be reimbursed by
20 the service authority for all costs incurred due to review and
21 approval of the plan. Any amendment to an existing plan for a
22 motorist aid network of call boxes adopted by an authority for any
23 state highway route shall, prior to implementation, be submitted
24 to the Department of Transportation and the Department of the
25 California Highway Patrol for review and approval and shall not
26 be implemented until so reviewed and approved. The authority
27 shall reimburse each department for the costs of that review. Any
28 amendment to an existing plan for a motorist aid network of call
29 boxes adopted by an authority shall be deemed to be approved by
30 the Department of Transportation and the Department of the
31 California Highway Patrol unless otherwise rejected within ~~120~~
32 60 days of receipt of the amendment.

33 (e) An authority may develop policies for the retention of
34 records, including, but not limited to, authority operations,
35 contracts, and programs, and the length of the retention period.

36 (f) A motorist aid system constructed, maintained, or operated
37 pursuant to this section shall meet the applicable standards of Title

- 1 II of the Americans with Disabilities Act of 1990 (Public Law
- 2 101-336) and federal regulations adopted pursuant thereto.

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