

AMENDED IN SENATE JUNE 20, 2011

AMENDED IN ASSEMBLY APRIL 4, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 345

Introduced by Assembly Member Atkins
(Coauthors: Assembly Members Gatto and Ma)

February 10, 2011

An act to amend Section 21400 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 345, as amended, Atkins. Vehicles: traffic control ~~devices: consultation-~~ *device uniform standards: advisory committee.*

Existing law requires the Department of Transportation to consult with local agencies before adopting rules and regulations prescribing uniform standards and specifications for official traffic control devices.

This bill would ~~additionally~~ *instead* require the department to ~~consult with groups representing users of streets, roads, and highways, as defined~~ *establish a specified committee to advise the department and hold public hearings regarding all of the above.* The bill would require the department to ensure that ~~an advisory~~ *the* committee ~~or group organized for the purposes of advising the department regarding standards and specifications for official traffic control devices includes~~ *include* representatives from ~~groups~~ *organizations* representing ~~nonmotorizing~~ *the* interests of ~~nonmotorized~~ users of ~~streets, roads, and highways~~ *the highway.*

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. The Legislature finds and declares all of the*
2 *following:*

3 *(a) The California Department of Transportation has fulfilled*
4 *the obligations set forth in Section 21400 of the Vehicle Code*
5 *through the creation, staffing, and operation of the California*
6 *Traffic Control Devices Committee (CTCDC). The CTCDC meets*
7 *regularly to make recommendations to the director for the*
8 *completion of the Manual on Uniform Traffic Control Devices*
9 *(MUTCD).*

10 *(b) The committee membership, which has not changed since*
11 *the department created it in 1968, currently represents the interests*
12 *of the department, law enforcement, local government, and*
13 *motorized users.*

14 *(c) In 2008, the department adopted Deputy Directive Number*
15 *DD-64R-1, which directs the department to include all users of*
16 *the road in all activities the department engages in.*

17 *(d) In 2008, the California Complete Streets Act of 2008*
18 *(Chapter 657 of the Statutes of 2008) was signed into law,*
19 *mandating that all general plans' circulation elements consider*
20 *the needs of all users of the road.*

21 *(e) The department has established and regularly pulls together*
22 *a committee of interest groups, department heads and staff, other*
23 *state departments, and the public to discuss implementation of the*
24 *California Complete Streets Act of 2008. The committee is called*
25 *the Active Transportation and Livable Communities Committee.*

26 *(f) The Active Transportation and Livable Communities*
27 *Committee is widely accepted as the most comprehensive complete*
28 *streets venue in the state and should make the recommendation to*
29 *the department for the placement of two members from the*
30 *nonmotorized interests to the CTCDC.*

31 **SECTION 1.**

32 *SEC. 2. Section 21400 of the Vehicle Code is amended to read:*

33 21400. (a) (1) ~~The Department of Transportation shall, after~~
34 ~~consultation with local agencies and groups representing users of~~
35 ~~streets, roads, and highways, and public hearings, adopt rules and~~
36 *shall establish a committee to advise the department and hold*
37 *public hearings on the adoption of regulations prescribing uniform*
38 *standards and specifications for all official traffic control devices*

1 placed pursuant to this code, including, but not limited to, stop
2 signs, yield right-of-way signs, speed restriction signs, railroad
3 warning approach signs, street name signs, lines and markings on
4 the roadway, and stock crossing signs placed pursuant to Section
5 21364.

6 *(2) The committee shall be formed by the director of the*
7 *department who shall approve all appointments to the committee.*

8 *The committee shall be composed of the following membership:*

9 *(A) One representative selected by the director of the*
10 *department.*

11 *(B) One representative recommended by the Commissioner of*
12 *the Department of the California Highway Patrol.*

13 *(C) Two representatives recommended by the California League*
14 *of Cities.*

15 *(D) Two representatives recommended by the California State*
16 *Association of Counties.*

17 *(E) Two representatives from motorized users of the highway.*
18 *One shall be recommended by the Automobile Club of Southern*
19 *California and one shall be recommended by AAA Northern*
20 *California, Nevada and Utah.*

21 *(F) Two representatives from nonmotorized users of the highway*
22 *recommended by the Active Transportation and Livable*
23 *Communities Committee created within the department.*

24 *(b) For purposes of this section, "users of the highway" means*
25 *bicyclists, children, persons with disabilities, motorists, movers*
26 *of commercial goods, pedestrians, users of public transportation,*
27 *and seniors.*

28 ~~(b)~~

29 *(c) The Department of Transportation shall, after notice and*
30 *public hearing, determine and publicize the specifications for*
31 *uniform types of warning signs, lights, and devices to be placed*
32 *upon a highway by any person engaged in performing work which*
33 *interferes with or endangers the safe movement of traffic upon*
34 *that highway.*

35 ~~(c)~~

36 *(d) Only those signs, lights, and devices as are provided for in*
37 *this section shall be placed upon a highway to warn traffic of work*
38 *that is being performed on the highway.*

39 ~~(d)~~

1 (e) Any control devices or markings installed upon traffic
2 barriers on or after January 1, 1984, shall conform to the uniform
3 standards and specifications required by this section.

4 ~~(e) The Department of Transportation shall ensure that an~~
5 ~~advisory committee or group organized for the purposes of this~~
6 ~~section includes representatives from groups that represent~~
7 ~~nonmotorizing interests of users of streets, roads, and highways.~~

8 (f) For the purposes of this section, “users of streets, roads, and
9 highways” means bicyclists, children, persons with disabilities,
10 motorists, movers of commercial goods, pedestrians, users of public
11 transportation, and seniors.