

AMENDED IN SENATE AUGUST 23, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1266

Introduced by Assembly Member Members Nielsen and Cook
(Coauthor: Assembly Member V. Manuel Pérez)

February 18, 2011

An act to amend ~~Section 51239~~ *Sections 38603 and 38604* of the *Government Vehicle Code*, relating to ~~local government~~ *vehicles*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1266, as amended, Nielsen. ~~Local government: Williamson Act: agricultural preserves: advisory board. Vehicles: recreational off-highway vehicles.~~

Existing law, commencing January 1, 2013, establishes rules for the operation of, and requirements for equipment of, an off-highway vehicle, including prohibiting a person who is operating a recreational off-highway vehicle from allowing a passenger to occupy a separate seat location not designed and provided by the manufacturer for a passenger. Existing law, commencing January 1, 2013, prohibits a person operating a recreational off-highway vehicle from riding with a passenger, unless the passenger, among other things, have both feet flat on the floorboard.

This bill would delay operation of those prohibitions until July 1, 2013, and would eliminate the requirement that both of the passengers feet must be flat on the floorboard.

~~Existing law, the Williamson Act, authorizes a city or county to enter into contracts to establish agricultural preserves. Existing law also authorizes the legislative body of a city or county to appoint an advisory board to advise the legislative body on agricultural preserve matters.~~

This bill would specify matters on which the advisory board may advise the legislative body of a county or city. This bill would also state that the advisory board is not the exclusive mechanism through which the legislative body can receive advice on or address matters regarding agricultural preserves.

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

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

1 SECTION 1. Section 38603 of the Vehicle Code, as added by
2 Section 3 of Chapter 165 of the Statutes of 2012, is amended to
3 read:

4 38603. (a) A person operating a recreational off-highway
5 vehicle shall not allow a passenger to occupy a separate seat
6 location not designed and provided by the manufacturer for a
7 passenger.

8 (b) This section shall become operative on July 1, 2013.

9 SEC. 2. Section 38604 of the Vehicle Code, as added by Section
10 3 of Chapter 165 of the Statutes of 2012, is amended to read:

11 38604. A person operating a recreational off-highway vehicle
12 shall not ride with a passenger, unless the passenger, while seated
13 upright with his or her back against the seatback with both feet
14 flat on the floorboard, can grasp the occupant handhold with the
15 seatbelt and shoulder belt or safety harness properly fastened.

16 SECTION 1. Section 51239 of the Government Code is
17 amended to read:

18 51239. The board or council may appoint an advisory board,
19 the members of which shall serve at the pleasure of the board or
20 council and may be paid their expenses. The advisory board shall
21 advise the board or council on the administration of the agricultural
22 preserves in the county or city and on any matters relating to
23 contracts entered into pursuant to this chapter, including, but not
24 limited to, program benefits, costs, amendments, and landowner
25 participation. This section shall not be construed to be the exclusive
26 manner in which the board or council may address agricultural
27 preserve matters or receive advice regarding agricultural preserve
28 matters.

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