

AMENDED IN SENATE JULY 6, 2012  
AMENDED IN SENATE JUNE 21, 2012  
AMENDED IN ASSEMBLY MAY 25, 2012  
AMENDED IN ASSEMBLY APRIL 25, 2012  
AMENDED IN ASSEMBLY APRIL 10, 2012  
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2104**

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**Introduced by Assembly Member Gordon**

February 23, 2012

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An act to amend Section 21113 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2104, as amended, Gordon. Vehicles: conditions or regulations: vehicles or animals.

Existing law prohibits a person from driving any vehicle or animal, or stopping, parking, or leaving standing any vehicle or animal, whether attended or unattended, upon the driveways, paths, parking facilities, or the grounds of specified public entities, except with the permission of, and upon and subject to any condition or regulation that may be imposed by, the governing body of the specified public entity. Existing law also requires that all the provisions of the Vehicle Code relating to traffic upon the highways, except for those conditions imposed or regulations enacted by the governing board, legislative body, or officer applicable to that traffic, are applicable to the traffic upon the driveways,

paths, parking facilities, or grounds under the jurisdiction of the specified state or local agency.

This bill would authorize a ~~governing board, legislative body, or officer~~ *public transportation agency* that imposes any condition or regulation upon a person who ~~drives a vehicle or animal, or stops, parks, or leaves standing any vehicle or animal,~~ pursuant to these provisions, to enforce that condition or regulation in the same manner generally provided for the enforcement of parking regulations *or designate specific employees, for the purpose of removing the vehicle.* The bill would also provide that the ~~governing board, legislative body, or officer~~ *public transportation agency* is considered the issuing agency for this purpose and is authorized to remove ~~any animal from its driveways, paths, parking facilities, or grounds,~~ or any vehicle in the same manner as a city, county, or jurisdiction of a state agency is authorized pursuant to specified provisions of law.

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 21113 of the Vehicle Code is amended  
2 to read:  
3 21113. (a) A person shall not drive any vehicle or animal, or  
4 stop, park, or leave standing any vehicle or animal, whether  
5 attended or unattended, upon the driveways, paths, parking  
6 facilities, or the grounds of any public school, state university,  
7 state college, unit of the state park system, county park, municipal  
8 airport, rapid transit district, transit development board, transit  
9 district, joint powers agency operating or managing a commuter  
10 rail system, or any property under the direct control of the  
11 legislative body of a municipality, or any state, county, or hospital  
12 district institution or building, or any educational institution  
13 exempted, in whole or in part, from taxation, or any harbor  
14 improvement district or harbor district formed pursuant to Part 2  
15 (commencing with Section 5800) or Part 3 (commencing with  
16 Section 6000) of Division 8 of the Harbors and Navigation Code,  
17 a district organized pursuant to Part 3 (commencing with Section  
18 27000) of Division 16 of the Streets and Highways Code, or state  
19 grounds served by the Department of the California Highway  
20 Patrol, or any property under the possession or control of a housing

1 authority formed pursuant to Article 2 (commencing with Section  
2 34240) of Part 2 of Division 24 of the Health and Safety Code,  
3 except with the permission of, and upon and subject to any  
4 condition or regulation that may be imposed by the legislative  
5 body of the municipality, or the governing board or officer of the  
6 public school, state university, state college, county park, municipal  
7 airport, rapid transit district, transit development board, transit  
8 district, joint powers agency operating or managing a commuter  
9 rail system, or state, county, or hospital district institution or  
10 building, or educational institution, or harbor district, or a district  
11 organized pursuant to Part 3 (commencing with Section 27000)  
12 of Division 16 of the Streets and Highways Code, or housing  
13 authority, or the Director of Parks and Recreation regarding units  
14 of the state park system or the state agency with jurisdiction over  
15 the grounds served by the Department of the California Highway  
16 Patrol.

17 (b) A governing board, legislative body, or officer shall erect  
18 or place appropriate signs giving notice of any special conditions  
19 or regulations that are imposed under this section and the governing  
20 board, legislative body, or officer shall also prepare and keep  
21 available at the principal administrative office of the governing  
22 board, legislative body, or officer, for examination by all interested  
23 persons, a written statement of all those special conditions and  
24 regulations adopted pursuant to this section.

25 (c) When a governing board, legislative body, or officer permits  
26 public traffic upon the driveways, paths, parking facilities, or  
27 grounds under their control then, except for those conditions  
28 imposed or regulations enacted by the governing board, legislative  
29 body, or officer applicable to the traffic, all the provisions of this  
30 code relating to traffic upon the highways shall be applicable to  
31 the traffic upon the driveways, paths, parking facilities, or grounds.

32 (d) ~~A governing board, legislative body, or officer~~ *public*  
33 *transportation agency* that imposes any condition or regulation  
34 upon a person who ~~drives a vehicle or animal, or stops, parks, or~~  
35 ~~leaves standing any vehicle or animal,~~ pursuant to subdivision (a),  
36 is authorized to ~~enforce~~ *do either of the following:*

37 (1) *Enforce* that condition or regulation in the manner provided  
38 in Article 3 (commencing with Section 40200) of Chapter 1 of  
39 Division 17 of this code ~~and~~. *The public transportation agency*  
40 shall be ~~(1)~~ considered the issuing agency for that ~~purpose, and~~

1 ~~(2) is authorized to remove any animal from its driveways, paths,~~  
2 ~~parking facilities, or grounds, or any vehicle in purpose.~~

3 (2) *Designate regularly employed and salaried employees, who*  
4 *are engaged in directing traffic or enforcing parking laws and*  
5 *regulations, for the purpose of removing any vehicle in the same*  
6 *manner as a city, county, or jurisdiction of a state agency pursuant*  
7 *to Chapter 10 (commencing with Section 22650) of Division 11*  
8 *of this code.*

9 (e) With respect to the permitted use of vehicles or animals on  
10 property under the direct control of the legislative body of a  
11 municipality, no change in the use of vehicles or animals on the  
12 property, that had been permitted on January 1, 1976, shall be  
13 effective unless and until the legislative body, at a meeting open  
14 to the general public, determines that the use of vehicles or animals  
15 on the property should be prohibited or regulated.

16 (f) A transit development board may adopt ordinances, rules,  
17 or regulations to restrict, or specify the conditions for, the use of  
18 bicycles, motorized bicycles, skateboards, and roller skates on  
19 property under the control of, or any portion of property used by,  
20 the board.

21 (g) A public agency, including, but not limited to, the Regents  
22 of the University of California and the Trustees of the California  
23 State University, may adopt rules or regulations to restrict, or  
24 specify the conditions for, the use of bicycles, motorized bicycles,  
25 skateboards, and roller skates on public property under the  
26 jurisdiction of that agency.

27 (h) "Housing authority," for the purposes of this section, means  
28 a housing authority located within a county with a population of  
29 over six million people, and any other housing authority that  
30 complies with the requirements of this section.

31 (i) "*Public transportation agency,*" for purposes of this section,  
32 *means a public agency that provides public transportation as*  
33 *defined in paragraph (1) of subdivision (f) of Section 1 of Article*  
34 *XIXA of the California Constitution.*