

Introduced by Senator La Malfa

February 15, 2011

An act to ~~amend Section 22406~~ *add and repeal Section 22406.2* of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 333, as amended, La Malfa. Vehicles: speed limits.

Existing

(1) Existing law prohibits a person from driving specified vehicles, including a motortruck or truck tractor having 3 or more axles, or any motortruck or truck tractor drawing any other vehicle, on a highway at a speed in excess of 55 miles per hour. A violation of this requirement is a crime.

This bill would ~~make technical, nonsubstantive changes to these provisions~~, notwithstanding that prohibition, until January 1, 2016, permit a person to drive a truck tractor, commercial vehicle, or motor vehicle with an attached trailer at a speed not to exceed 5 miles less per hour than the posted speed limit for a motor vehicle on a 4-lane freeway or highway in a county located north of the County of Sacramento. Because the bill would expand the scope of a crime, it would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) *The bill would declare that, due to the unique geographic and demographic characteristics of counties located north of the County of Sacramento, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.*

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

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

1 SECTION 1. *Section 22406.2 is added to the Vehicle Code, to*
2 *read:*

3 22406.2. (a) *Notwithstanding Section 22406 or any other*
4 *contrary law, a person may drive a truck tractor, commercial*
5 *vehicle, or motor vehicle with an attached trailer at a speed not*
6 *exceeding five miles less per hour than the posted speed limit for*
7 *a motor vehicle on a four-lane freeway or highway located in a*
8 *county located north of the County of Sacramento.*

9 (b) *This section shall remain in effect only until January 1, 2016,*
10 *and as of that date is repealed, unless a later enacted statute, that*
11 *is enacted before January 1, 2016, deletes or extends that date.*

12 SEC. 2. *No reimbursement is required by this act pursuant to*
13 *Section 6 of Article XIII B of the California Constitution because*
14 *the only costs that may be incurred by a local agency or school*
15 *district will be incurred because this act creates a new crime or*
16 *infraction, eliminates a crime or infraction, or changes the penalty*
17 *for a crime or infraction, within the meaning of Section 17556 of*
18 *the Government Code, or changes the definition of a crime within*
19 *the meaning of Section 6 of Article XIII B of the California*
20 *Constitution.*

21 SEC. 3. *Due to the unique geographic and demographic*
22 *characteristics of counties located north of the County of*
23 *Sacramento, the Legislature finds and declares that a general*
24 *statute cannot be made applicable within the meaning of Section*
25 *16 of Article IV of the California Constitution. Therefore, the*
26 *special legislation contained within Section 1 of this act is*
27 *necessarily only applicable to those counties.*

28 ~~SECTION 1. Section 22406 of the Vehicle Code is amended~~
29 ~~to read:~~

- 1 ~~22406. A person shall not drive any of the following vehicles~~
2 ~~on a highway at a speed in excess of 55 miles per hour:~~
3 ~~(a) A motortruck or truck tractor having three or more axles or~~
4 ~~any motortruck or truck tractor drawing any other vehicle.~~
5 ~~(b) A passenger vehicle or bus drawing any other vehicle.~~
6 ~~(c) A schoolbus transporting any school pupil.~~
7 ~~(d) A farm labor vehicle when transporting passengers.~~
8 ~~(e) A vehicle transporting explosives.~~
9 ~~(f) A trailer bus, as defined in Section 636.~~