

AMENDED IN ASSEMBLY JANUARY 6, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 577

Introduced by Assembly Member Nazarian

February 20, 2013

An act to ~~amend Section 38321~~ *repeal Sections 30648 and 130265* of the ~~Vehicle~~ *Public Utilities* Code, relating to ~~vehicles~~ *transportation*.

LEGISLATIVE COUNSEL'S DIGEST

AB 577, as amended, Nazarian. ~~Vehicles: illegal disposal. Rail construction: County of Los Angeles.~~

Existing law prohibits the construction of a mass transportation rail project, other than as a subway, within a specified corridor within the San Fernando Valley area of Los Angeles, and imposes other conditions in that regard. Existing law also imposes certain requirements on the construction phasing of a mass transportation rail project between the San Fernando Valley and downtown Los Angeles.

This bill would repeal these provisions.

~~Existing law prohibits a person from throwing or depositing in any area various types of garbage, a substance likely to injure or kill wild or domestic animal or plant life or damage traffic, or noisome, nauseous, or offensive matter. A person who drops, dumps, deposits, places, or throws that material, or who causes or permits that material to be so dropped, dumped, deposited, placed, or thrown, is required to remove the material or cause it to be removed and if a person fails to take those actions, the governmental agency responsible for the maintenance of the area, or the property owner of the land on which the material has been deposited, may remove the material and collect, by civil action, if necessary, the actual cost of the removal operation and damages.~~

~~This bill would make technical, nonsubstantive changes to the provision requiring the removal of that material.~~

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 30648 of the Public Utilities Code is~~
2 ~~repealed.~~
3 ~~30648. (a) The Legislature recognizes that the district made~~
4 ~~specified representations regarding construction plans at the time~~
5 ~~it received authorization to proceed with the planning and~~
6 ~~construction of an exclusive public mass transit guideway system.~~
7 ~~(b) The Legislature further recognizes that it is traditionally less~~
8 ~~expensive to construct exclusive public mass transit guideway~~
9 ~~systems using two construction crews working from each terminus~~
10 ~~to the middle.~~
11 ~~(c) Within three years after the start of construction of any~~
12 ~~portion of the exclusive public mass transit guideway system-San~~
13 ~~Fernando Valley-Downtown Los Angeles Metro Rail project, the~~
14 ~~district shall start station construction on the segment of the system~~
15 ~~in the San Fernando Valley, as defined in Section 11093 of the~~
16 ~~Government Code. In the aggregate, within one year after the start~~
17 ~~of construction of any portion of the project, the funding in each~~
18 ~~year for below-ground construction on the North Hollywood~~
19 ~~terminus station, which shall be located either adjacent to~~
20 ~~Lankershim Boulevard within one-half mile south of Chandler~~
21 ~~Street or adjacent to Chandler Street within one-half mile west of~~
22 ~~Lankershim Boulevard, as determined by the Los Angeles County~~
23 ~~Transportation Commission, and for tunneling and subway~~
24 ~~construction within this segment shall not be less than 15 percent~~
25 ~~of the amount of nonfederal funds allocated and spent in the~~
26 ~~previous year to construct the metro rail project. Any funds which~~
27 ~~would have been required to be spent on Valley Metro Rail~~
28 ~~construction pursuant to Chapter 617 of the Statutes of 1984, shall~~
29 ~~be deposited in a trust fund which shall be spent on qualified Valley~~
30 ~~Metro Rail construction pursuant to this subdivision, except that~~
31 ~~any interest earned on those funds may be used to subsidize~~
32 ~~commuter rail transportation serving the San Fernando Valley~~

1 Statistical Area, as described in subdivision (g) of Section 76191
2 of the Government Code.

3 ~~(d) If the entire public mass transit guideway system San~~
4 ~~Fernando Valley-Downtown Los Angeles Metro Rail project is~~
5 ~~converted to an at-grade light rail system, then the construction to~~
6 ~~be done with the portion of the funds designated in subdivision~~
7 ~~(c) for tunneling and subway construction may be modified to~~
8 ~~conform to the mode of construction to be used on the entire route~~
9 ~~of the San Fernando Valley-Downtown Los Angeles Metro Rail~~
10 ~~project.~~

11 ~~(e) Funding for this construction may include, but is not limited~~
12 ~~to, any of the following sources:~~

13 ~~(1) Funds derived from Los Angeles County Transportation~~
14 ~~Commission revenue bonds.~~

15 ~~(2) Funds derived from the Los Angeles County Transportation~~
16 ~~Commission one-half of 1 percent transactions and use tax.~~

17 ~~(3) Funds allocated by the California Transportation~~
18 ~~Commission for exclusive public mass transit guideway~~
19 ~~construction pursuant to Article XIX of the California Constitution~~
20 ~~and funds for that construction allocated by the California~~
21 ~~Transportation Commission from the Transportation Planning and~~
22 ~~Development Account in the State Transportation Fund. However,~~
23 ~~the funds allocated by the California Transportation Commission~~
24 ~~shall not be available for deposit in the trust fund specified in~~
25 ~~subdivision (e).~~

26 *SEC. 2. Section 130265 of the Public Utilities Code is repealed.*

27 ~~130265. In 1990, the Los Angeles County Transportation~~
28 ~~Commission adopted an approved San Fernando Valley rail rapid~~
29 ~~transit route and plan as described in the Findings and Mitigation~~
30 ~~Monitoring Program adopted by the Los Angeles County~~
31 ~~Transportation Commission on February 28, 1990, as an extension~~
32 ~~of metro rail or advanced technology transit, other than light rail,~~
33 ~~that is a deep bore subway through residential areas, unless~~
34 ~~modified through a subsequent state or federal environmental~~
35 ~~review process. Therefore, the following apply within the~~
36 ~~right-of-way of the Burbank Branch line of the Southern Pacific~~
37 ~~Railroad:~~

38 ~~(a) In the area between the western curb of Hazeltine Avenue~~
39 ~~and a line parallel to and 50 feet west of the western edge of the~~
40 ~~Hollywood freeway, there may not be constructed any exclusive~~

1 public mass transit rail guideway, rail rapid transit or light rail
2 system, or other track, other than as a subway system that is
3 covered and below grade.

4 (b) In the area described in subdivision (c), no station may be
5 constructed, other than a station where the main entrance is located
6 on property that is currently part of the Los Angeles Valley College
7 campus or on that portion of the existing railroad right-of-way
8 located north of Burbank Boulevard and east of Fulton Avenue.

9 (c) In the area below Tujunga Wash and at least one mile to the
10 east and west of Tujunga Wash, there may not be constructed any
11 exclusive public mass transit rail guideway, rail rapid transit or
12 light rail system, or other track, other than as a subway using boring
13 technology as a deep bore subway located at least 25 feet below
14 ground, measured from the existing ground level to the top of the
15 tunnel.

16 (d) This section is not intended to mandate the selection by the
17 Los Angeles County Transportation Commission of any transit
18 route or the construction of any route configuration or alignment,
19 or to prevent consideration by that commission of any monorail
20 or other advanced technology option on any alternative route, but
21 this section is intended solely to define statutorily the route
22 configuration and alignment limitations adopted locally by the Los
23 Angeles County Transportation Commission on February 28, 1990.

24 SECTION 1. Section 38321 of the Vehicle Code is amended
25 to read:

26 38321. (a) A person who drops, dumps, deposits, places, or
27 throws, or causes or permits to be dropped, dumped, deposited,
28 placed, or thrown, upon any area, a material described in Section
29 38320, shall immediately remove the material or cause it to be
30 removed.

31 (b) If a person fails to comply with this section, the
32 governmental agency responsible for the maintenance of the area,
33 or the property owner of the land on which the material has been
34 deposited, may remove the material and collect, by civil action, if
35 necessary, the actual cost of the removal operation in addition to
36 any other damages authorized by law from the person who did not
37 comply with the requirements of this section.