

Assembly Bill No. 755

CHAPTER 593

An act to add Section 14527.1 to the Government Code, relating to bridges.

[Approved by Governor October 5, 2013. Filed with
Secretary of State October 5, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 755, Ammiano. Suicide barriers.

Existing law does not require bridges to be constructed with suicide barriers. Existing law requires a project study report or a project study report equivalent to be prepared prior to the inclusion of a transportation capital improvement project in the regional transportation improvement program, which is prepared by regional agencies, or the interregional transportation improvement program, which is prepared by the Department of Transportation. Existing law requires the California Transportation Commission to adopt the state transportation improvement program incorporating projects included in the regional transportation improvement program and the interregional transportation improvement program. Existing law also requires the department to prepare, for approval by the commission, a separate state highway operation and protection program for capital improvements that are necessary to preserve and protect the state highway system.

This bill would require a project study report or project study report equivalent that is prepared for any new project involving the construction of a new bridge, or the replacement of a bridge with a history of documented suicides, which project is included in the regional transportation improvement program, the interregional transportation improvement program, or the state highway operation and protection program, to include a document demonstrating that a suicide barrier was a feature considered during the project's planning process. The bill would define "bridge" for these purposes.

Existing law provides that where a public entity is under a mandatory duty imposed by an enactment that is designed to protect against the risk of a particular kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure to discharge the duty unless the public entity establishes that it exercised reasonable diligence to discharge the duty.

This bill would provide that it does not impose a mandatory duty in that regard.

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

SECTION 1. Section 14527.1 is added to the Government Code, to read:

14527.1. (a) A project study report or project study report equivalent that is prepared for any new project involving the construction of a new bridge, or the replacement of a bridge with a history of documented suicides, which project is included in a regional transportation improvement program, as described in Section 14527, the interregional transportation improvement program, as described in Section 14526, or the state highway operation and protection program, as defined in Section 14526.5, shall include a document demonstrating that a suicide barrier was a feature considered for each bridge during the project's planning process.

(b) "Bridge" means a publicly owned bridge on the national highway system or the federal-aid highway system, or off system, a publicly owned bridge classified as non-federal-aid highway system.

(c) This section does not impose a mandatory duty pursuant to Section 815.6.