

ASSEMBLY BILL

No. 946

Introduced by Assembly Member Stone

February 22, 2013

An act to add Section 148.1 to the Streets and Highways Code, and to amend Section 21650 of the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 946, as introduced, Stone. Transit buses: Counties of Monterey and Santa Cruz.

Existing law creates the Monterey-Salinas Transit District and the Santa Cruz Metropolitan Transit District with various powers and duties relative to the operation of public transit in those counties. Existing law generally requires vehicles to be driven upon the right half of a roadway, defined to include only that portion of a highway improved, designed, or ordinarily used for vehicular travel. Existing law generally prohibits the driver of a vehicle from overtaking and passing another vehicle by driving off the paved or main-traveled portion of the roadway.

The bill would authorize the Monterey-Salinas Transit District and the Santa Cruz Metropolitan Transit District, in conjunction with the Department of Transportation, to conduct a transit-bus only program using the shoulders of certain state highways as transit-bus only traffic corridors, with the segments to be determined jointly by the districts and the department. The bill would thereby authorize the operation of transit buses on the shoulder of a segment of a state highway designated under the program within the areas served by the transit districts. The bill would require the districts to work with the department and the Department of the California Highway Patrol to develop guidelines that ensure driver and vehicle safety and the integrity of the infrastructure.

The bill would require monitoring of the state of repair of the highway shoulders used in the program, and would require the districts to be responsible for all costs attributable to the program.

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

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

1 SECTION 1. Section 148.1 is added to the Streets and
 2 Highways Code, to read:

3 148.1. (a) Notwithstanding any other provision of law, the
 4 Monterey-Salinas Transit District and the Santa Cruz Metropolitan
 5 Transit District may conduct a transit bus-only program using the
 6 shoulders of certain highways in the state highway system within
 7 the areas served by the transit services of the districts, in
 8 conjunction with the department. The program shall designate
 9 segments of each highway where it is appropriate to designate
 10 shoulders as transit bus-only traffic corridors, with the segments
 11 to be determined jointly by the department and the participating
 12 transit districts based upon peak congestion hours and the most
 13 heavily congested areas. Under the program, the participating
 14 transit districts shall work with the department and the Department
 15 of the California Highway Patrol to develop guidelines that ensure
 16 driver and vehicle safety and the integrity of the infrastructure.

17 (b) The department and the participating transit districts shall
 18 monitor the state of repair of highway shoulders used in the
 19 demonstration program, including repairs attributable to the
 20 operation of transit buses on the shoulders.

21 (c) The participating transit districts shall be responsible for all
 22 costs attributable to this program.

23 (d) The program may commence operation as soon as practicable
 24 after January 1, 2014.

25 (e) As used in this section, “highway” includes “freeway.”

26 SEC. 2. Section 21650 of the Vehicle Code is amended to read:

27 21650. Upon all highways, a vehicle shall be driven upon the
 28 right half of the roadway, except as follows:

29 (a) When overtaking and passing another vehicle proceeding
 30 in the same direction under the rules governing that movement.

31 (b) When placing a vehicle in a lawful position for, and when
 32 the vehicle is lawfully making, a left turn.

1 (c) When the right half of a roadway is closed to traffic under
2 construction or repair.

3 (d) Upon a roadway restricted to one-way traffic.

4 (e) When the roadway is not of sufficient width.

5 (f) When the vehicle is necessarily traveling so slowly as to
6 impede the normal movement of traffic, that portion of the highway
7 adjacent to the right edge of the roadway may be utilized
8 temporarily when in a condition permitting safe operation.

9 (g) This section does not prohibit the operation of bicycles on
10 any shoulder of a highway, on any sidewalk, on any bicycle path
11 within a highway, or along any crosswalk or bicycle path crossing,
12 where the operation is not otherwise prohibited by this code or
13 local ordinance.

14 (h) *This section does not prohibit the operation of a transit bus*
15 *on the shoulder of a state highway in conjunction with the*
16 *implementation of a program authorized pursuant to Section 148.1*
17 *of the Streets and Highways Code on state highways within the*
18 *areas served by the transit services of the Monterey-Salinas Transit*
19 *District or the Santa Cruz Metropolitan Transit District.*