

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1193

Introduced by Assembly Member Ting

February 22, 2013

~~An act relating to bikeways.~~ *An act to amend Section 891 of the Streets and Highways Code, relating to bikeways.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1193, as amended, Ting. Bikeways.

(1) Existing law requires the Department of Transportation, in cooperation with county and city governments, to establish minimum safety design criteria for the planning and construction of bikeways, and requires the department to establish uniform specifications and symbols regarding bicycle travel and bicycle traffic related matters. Existing law requires all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to utilize all minimum safety design criteria and uniform specifications and symbols for signs, markers, and traffic control devices established pursuant to that law.

This bill would instead require all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to utilize all minimum safety design criteria and uniform specifications and symbols for signs, markers, and traffic control devices established pursuant to industry standards.

By requiring local public officials to apply different bicycle safety design criteria, the bill 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law requires the Department of Transportation, in cooperation with county and city governments, to establish minimum safety design criteria for the planning and construction of bikeways, and authorizes cities, counties, and local agencies to establish bikeways. Existing law requires all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to utilize all minimum safety design criteria and uniform specifications and symbols for signs, markers, and traffic control devices established pursuant to specified provisions of existing law. Existing law authorizes a city or county to prepare a bicycle transportation plan with specified required elements for these purposes.~~

~~This bill would declare the Legislature’s intent to enact subsequent legislation that would authorize all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways to exercise the same discretion in the design of their bikeways that they exercise in the design of local streets, roads, and highways.~~

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 891 of the Streets and Highways Code is
- 2 amended to read:
- 3 891. (a) ~~All~~ *Notwithstanding Sections 890.6 and 890.8, all*
- 4 city, county, regional, and other local agencies responsible for the
- 5 development or operation of bikeways or roadways where bicycle
- 6 travel is permitted shall utilize all minimum safety design criteria
- 7 and uniform specifications and symbols for signs, markers, and
- 8 traffic control devices established pursuant to ~~Sections 890.6 and~~
- 9 ~~890.8~~; *industry standards*, except as provided in subdivision (b).

1 (b) The department, by June 30, 2013, shall establish procedures
2 to permit exceptions to the requirements of subdivision (a) for
3 purposes of research, experimentation, testing, evaluation, or
4 verification.

5 *SEC. 2. If the Commission on State Mandates determines that*
6 *this act contains costs mandated by the state, reimbursement to*
7 *local agencies and school districts for those costs shall be made*
8 *pursuant to Part 7 (commencing with Section 17500) of Division*
9 *4 of Title 2 of the Government Code.*

10 ~~SECTION 1. The Legislature finds and declares the following:~~

11 ~~(a) Statutory provisions impose on local agencies a mandate to~~
12 ~~follow obsolete standards for the design of bikeways, while they~~
13 ~~permit the application of industry standards for the design of local~~
14 ~~streets, roads, and highways.~~

15 ~~(b) It is the intent of the Legislature to enact subsequent~~
16 ~~legislation that would authorize all city, county, regional, and other~~
17 ~~local agencies responsible for the development or operation of~~
18 ~~bikeways or roadways to exercise the same discretion in the design~~
19 ~~of their bikeways that they exercise in the design of local streets,~~
20 ~~roads, and highways.~~