

ASSEMBLY BILL

No. 2381

**Introduced by Assembly Member Bonilla
(Coauthor: Assembly Member Skinner)**

February 21, 2014

An act to amend Section 21107.8 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2381, as introduced, Bonilla. Private parking facilities.

Existing law authorizes a city or county, by ordinance or resolution, to find and declare that there are privately owned and maintained offstreet parking facilities within the city or county that are generally held open for use of the public for purposes of vehicular parking and requires, upon enactment of the ordinance or resolution, that specified traffic laws apply, including those related to basic speed law, reckless driving, and speed contests and exhibitions of speed, except as specified.

This bill would authorize a city or county to include in that ordinance or resolution authorization for the operator of privately owned and maintained offstreet parking facility to regulate unauthorized parking.

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 21107.8 of the Vehicle Code is amended
2 to read:
3 21107.8. (a) (1) Any city or county may, by ordinance or
4 resolution, find and declare that there are privately owned and

1 maintained offstreet parking facilities as described in the ordinance
 2 or resolution within the city or county that are generally held open
 3 for use of the public for purposes of vehicular parking. Upon
 4 enactment by a city or county of the ordinance or resolution,
 5 Sections 22350, 23103, and 23109 and the provisions of Division
 6 16.5 (commencing with Section 38000) shall apply to privately
 7 owned and maintained offstreet parking facilities, except as
 8 provided in subdivision (b).

9 *(2) If a city or county enacts an ordinance or resolution*
 10 *authorized by paragraph (1), a city or county may include in that*
 11 *ordinance or resolution authorization for the operator of a*
 12 *privately owned and maintained offstreet parking facility to*
 13 *regulate unauthorized parking.*

14 (b) Notwithstanding the provisions of subdivision (a), no
 15 ordinance or resolution enacted thereunder shall apply to any
 16 offstreet parking facility described therein unless the owner or
 17 operator has caused to be posted in a conspicuous place at each
 18 entrance to that offstreet parking facility a notice not less than 17
 19 by 22 inches in size with lettering not less than one inch in height,
 20 to the effect that the offstreet parking facility is subject to public
 21 traffic regulations and control.

22 (c) No ordinance or resolution shall be enacted under subdivision
 23 (a) without a public hearing thereon and 10 days prior written
 24 notice to the owner and operator of the privately owned and
 25 maintained offstreet parking facility involved.

26 (d) Section 22507.8 may be enforced without enactment of an
 27 ordinance or resolution as required under subdivision (a) or the
 28 posting of a notice at each entrance to the offstreet parking facility
 29 as required under subdivision (b).

30 (e) The department shall not be required to provide patrol or
 31 enforce any provisions of this code on any privately owned and
 32 maintained offstreet parking facility subject to the provisions of
 33 this code under this section except those provisions applicable to
 34 private property other than by action under this section.

O