

Introduced by Senator AndersonFebruary 22, 2013

An act to amend Section 22520.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 604, as introduced, Anderson. Vehicles: rules of the road.

Existing law prohibits a person from soliciting, displaying, selling, offering for sale, or otherwise vending or attempting to vend any merchandise or service while being wholly or partly within any of specified places, including, but not limited to, the right-of-way of any freeway, including any on ramp, off ramp, or roadway shoulder which lies within the right-of-way of the freeway, or any roadway or adjacent shoulder within 500 feet of a freeway off ramp or on ramp. A violation of these provisions constitutes an infraction.

This bill would also prohibit a person from soliciting, displaying, selling, offering for sale, or otherwise vending or attempting to vend any merchandise or service while being wholly or partly within an intersection controlled by a traffic control signal.

Because this bill expands the definition of an existing crime, it would impose a state-mandated local program.

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 no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 22520.5 of the Vehicle Code is amended
2 to read:

3 22520.5. (a) ~~No~~A person shall *not* solicit, display, sell, offer
4 for sale, or otherwise vend or attempt to vend any merchandise or
5 service while being wholly or partly within any of the following:

6 (1) The right-of-way of any freeway, including any on ramp,
7 off ramp, or roadway shoulder which lies within the right-of-way
8 of the freeway.

9 (2) Any roadway or adjacent shoulder within 500 feet of a
10 freeway off ramp or on ramp.

11 (3) Any sidewalk within 500 feet of a freeway off ramp or on
12 ramp, when vending or attempting to vend to vehicular traffic.

13 (4) *Any intersection controlled by an traffic control signal.*

14 (b) Subdivision (a) does not apply to a roadside rest area or vista
15 point located within a freeway right-of-way which is subject to
16 Section 22520.6, to a tow truck or service vehicle rendering
17 assistance to a disabled vehicle, or to a person issued a permit to
18 vend upon the freeway pursuant to Section 670 of the Streets and
19 Highways Code.

20 (c) A violation of this section is an infraction. A second or
21 subsequent conviction of a violation of this section is a
22 misdemeanor.

23 SEC. 2. No reimbursement is required by this act pursuant to
24 Section 6 of Article XIII B of the California Constitution because
25 the only costs that may be incurred by a local agency or school
26 district will be incurred because this act creates a new crime or
27 infraction, eliminates a crime or infraction, or changes the penalty
28 for a crime or infraction, within the meaning of Section 17556 of
29 the Government Code, or changes the definition of a crime within
30 the meaning of Section 6 of Article XIII B of the California
31 Constitution.