

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 457**

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**Introduced by Assembly Member Melendez**

February 23, 2015

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An act to amend Section ~~149~~ 149.7 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 457, as amended, Melendez. High-occupancy ~~vehicle~~ toll lanes.

*Existing law authorizes a regional transportation agency, as defined, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate high-occupancy toll lanes, including administration and operation of a value pricing program and exclusive or preferential lane facilities for public transit, consistent with established standards, requirements, and limitations. Existing law requires the commission, in cooperation with the Legislative Analyst, to annually prepare a report on the progress of the development and operation of these facilities.*

*This bill would instead require the commission, in cooperation with the Legislative Analyst, to prepare this report every two years.*

~~Existing law provides that the Department of Transportation has full control of the state highway system. Existing law authorizes the department to construct exclusive or preferential lanes for buses only or for buses and other high-occupancy vehicles.~~

~~This bill would make technical, nonsubstantive changes to these provisions.~~

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

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

1     **SECTION 1.** *Section 149.7 of the Streets and Highways Code*  
2 *is amended to read:*

3     149.7. (a) A regional transportation agency, as defined in  
4 Section 143, in cooperation with the department, may apply to the  
5 commission to develop and operate high-occupancy toll lanes,  
6 including the administration and operation of a value pricing  
7 program and exclusive or preferential lane facilities for public  
8 transit, consistent with the established standards, requirements,  
9 and limitations that apply to those facilities in Sections 149, 149.1,  
10 149.3, 149.4, 149.5, and 149.6.

11     (b) The commission shall review each application for the  
12 development and operation of the facilities described in subdivision  
13 (a) according to eligibility criteria established by the commission.  
14 For each eligible application, the commission shall conduct at least  
15 one public hearing in northern California and one in southern  
16 California.

17     (c) The number of facilities approved under this section shall  
18 not exceed four, two in northern California and two in southern  
19 California.

20     (d) A regional transportation agency that develops or operates  
21 a facility, or facilities, described in subdivision (a) shall provide  
22 any information or data requested by the commission or the  
23 Legislative Analyst. The commission, in cooperation with the  
24 Legislative Analyst, shall ~~annually~~ prepare a report *every two years*  
25 on the progress of the development and operation of a facility  
26 authorized under this section. The commission may submit this  
27 report as a section in its annual report to the Legislature required  
28 pursuant to Section 14535 of the Government Code.

29     (e) No applications may be approved under this section on or  
30 after January 1, 2012.

31     ~~**SECTION 1.** Section 149 of the Streets and Highways Code~~  
32 ~~is amended to read:~~

33     ~~149. The department may construct exclusive or preferential~~  
34 ~~lanes for buses only or for buses and other high-occupancy~~  
35 ~~vehicles, and may authorize or permit exclusive or preferential use~~  
36 ~~of designated lanes on existing highways that are part of the State~~  
37 ~~Highway System. Prior to constructing those lanes, the department~~

1 shall conduct competent engineering estimates of the effect of the  
2 lanes on safety, congestion, and highway capacity.

3 To the extent they are available, the department may apply for  
4 and use federal aid funds appropriated for the design, construction,  
5 and use of those exclusive or preferential lanes, but may also use  
6 other State Highway Account funds, including other federal aid  
7 funds, for those purposes where proper and desirable.

8 This section shall be known and may be cited as the Carrell Act.

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