

AMENDED IN SENATE JUNE 23, 2015

AMENDED IN SENATE JUNE 9, 2015

AMENDED IN ASSEMBLY APRIL 16, 2015

AMENDED IN ASSEMBLY APRIL 8, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 764

Introduced by Assembly Member Quirk

(Coauthor: Senator Mendoza)

February 25, 2015

An act to add Section 18940.7 to the Health and Safety Code, and to add Chapter 6 (commencing with Section 11895) to Part 3 of Division 2 of the Insurance Code, relating to parking lots.

LEGISLATIVE COUNSEL'S DIGEST

AB 764, as amended, Quirk. Parking lots: design: insurance discount.

Existing law provides that building standards shall be filed by the California Building Standards Commission with the Secretary of State and codified only after they have been approved by the commission. Existing law regulates the issuance and renewal of liability insurance policies in this state.

This bill would require the commission, in collaboration with the State Architect and the State Fire Marshal, to consider standards, at each model code adoption review, for the installation of vehicle barriers ~~in the design of any new building~~ *to protect persons located within, or in or on the property of, buildings, or to protect pedestrians, from collisions into those buildings by motor vehicles*. The bill would also authorize an insurer to consider the installation of vehicle barriers on

a commercial property parking lot as a safety measure and seek a discount on the property owner's insurance covering damage or loss to the covered commercial property, or liability arising out of the ownership, maintenance, or use of the commercial property.

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 18940.7 is added to the Health and Safety
2 Code, to read:

3 18940.7. (a) The California Building Standards Commission,
4 in collaboration with the State Architect and the State Fire Marshal,
5 shall consider standards, at each model code adoption review, for
6 the installation of vehicle barriers ~~in the design of any new~~
7 ~~building; to protect persons located within, or in or on the property~~
8 ~~of, buildings, or to protect pedestrians, from collisions into those~~
9 ~~buildings by motor vehicles.~~

10 (b) For the purposes of this section, a vehicle barrier includes
11 a horizontal or vertical protective device placed to protect ~~buildings~~
12 ~~or pedestrians~~ *persons located within, or in or on the property of,*
13 *buildings, or to protect pedestrians, from collisions into those*
14 *buildings by motor vehicles.*

15 (c) For purposes of subdivision (a), the standards considered
16 shall include existing standards adopted or developed by a
17 standard-setting organization recognized by the commission,
18 including, but not limited to, the American Society for Testing and
19 Materials (ASTM) or another similar organization.

20 SEC. 2. Chapter 6 (commencing with Section 11895) is added
21 to Part 3 of Division 2 of the Insurance Code, to read:

22
23 CHAPTER 6. COMMERCIAL PROPERTY PARKING LOTS: VEHICLE
24 BARRIER DISCOUNT
25

26 11895. (a) An insurer may consider the installation of vehicle
27 barriers *to protect persons located within, or in or on the property*
28 *of, buildings, or to protect pedestrians, from collisions into those*
29 *buildings by motor vehicles,* on a commercial property parking lot
30 as a safety measure and, consistent with Article 10 (commencing
31 with Section 1861.01) of Chapter 9 of Part 2 of Division 1, seek

1 a discount on the property owner's insurance covering damage or
2 loss to the covered commercial property, or liability arising out of
3 the ownership, maintenance, or use of the commercial property.
4 (b) For the purposes of this section, a vehicle barrier includes
5 a horizontal or vertical protective device placed to protect buildings
6 ~~or pedestrians~~ *persons located within, or in or on the property of,*
7 *buildings, or to protect pedestrians, from collisions into those*
8 *buildings* by motor vehicles.

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