

AMENDED IN ASSEMBLY APRIL 20, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2491**

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**Introduced by Assembly Member Nazarian**

February 19, 2016

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An act to ~~amend Section 22500 of~~ *add Section 22500.2 to* the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2491, as amended, Nazarian. Vehicles: stopping, standing, and parking.

Existing law prohibits a person from stopping, parking, or leaving standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in designated places, including, among other places, within 15 feet of the driveway entrance to any fire station. A violation of this provision is subject to a civil penalty.

This bill would ~~additionally authorize a local authority to, by ordinance,~~ prohibit a person from stopping, parking, or leaving a vehicle within 15 feet of the driveway to a police station, ambulance company, ~~or a driveway that is used by certain emergency vehicles to enter or exit a fire department, police department, ambulance service provider facility, or general acute care hospital,~~ except as specified, and would ~~authorize a~~ require a local authority that enacts that ordinance to provide appropriate curb markings and post appropriate signs that delineate this prohibited area. ~~The bill would also provide that a violation of these provisions is not a violation of law relating to the safe operation~~

of vehicles for purposes of violation point assignment, but is instead a stopping violation or parking violation, as specified.

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 22500.2 is added to the Vehicle Code, to  
2 read:

3 22500.2. (a) A local authority may, by ordinance, prohibit a  
4 person from stopping, parking, or leaving standing a vehicle,  
5 whether attended or unattended, except if necessary to avoid  
6 conflict with other traffic or in compliance with the directions of  
7 a peace officer or official traffic control device, within 15 feet of  
8 a driveway that is used by an emergency vehicle owned or operated  
9 by a fire department, police department, ambulance service care  
10 provider, or general acute care hospital, to enter or exit a fire  
11 station, police station, ambulance service provider facility, or  
12 general acute care hospital. This section does not apply to any  
13 vehicle owned or operated by a fire department, police department,  
14 ambulance service provider, or general acute care hospital, if the  
15 vehicle is clearly marked as a fire department vehicle, police  
16 department vehicle, ambulance, or general acute care hospital  
17 vehicle.

18 (b) A local authority that enacts an ordinance pursuant to  
19 subdivision (a) shall provide appropriate curb markings and post  
20 signs that delineate the area specified in subdivision (a).

21 SECTION 1. ~~Section 22500 of the Vehicle Code is amended~~  
22 ~~to read:~~

23 ~~22500. A person shall not stop, park, or leave standing any~~  
24 ~~vehicle whether attended or unattended, except when necessary~~  
25 ~~to avoid conflict with other traffic or in compliance with the~~  
26 ~~directions of a peace officer or official traffic control device, in~~  
27 ~~any of the following places:~~

28 ~~(a) Within an intersection, except adjacent to curbs as may be~~  
29 ~~permitted by local ordinance.~~

30 ~~(b) On a crosswalk, except that a bus engaged as a common~~  
31 ~~carrier or a taxicab may stop in an unmarked crosswalk to load or~~  
32 ~~unload passengers when authorized by the legislative body of a~~  
33 ~~city pursuant to an ordinance.~~

1 ~~(e) Between a safety zone and the adjacent right-hand curb or~~  
2 ~~within the area between the zone and the curb as may be indicated~~  
3 ~~by a sign or red paint on the curb, which sign or paint was erected~~  
4 ~~or placed by local authorities pursuant to an ordinance.~~

5 ~~(d) (1) Within 15 feet of the driveway to a fire station, police~~  
6 ~~station, ambulance company, or general acute care hospital. This~~  
7 ~~subdivision does not apply to any vehicle owned or operated by a~~  
8 ~~fire department, police department, ambulance company, or general~~  
9 ~~acute care hospital, and clearly marked as a fire department vehicle,~~  
10 ~~police department vehicle, ambulance, or general acute care~~  
11 ~~hospital vehicle.~~

12 ~~(2) A local authority may provide appropriate curb markings~~  
13 ~~and post signs that delineate the area specified in paragraph (1).~~

14 ~~(3) A violation of this subdivision is not a violation of a law~~  
15 ~~relating to the safe operation of vehicles for purposes of Section~~  
16 ~~12810, but is instead either of the following:~~

17 ~~(A) A stopping violation if a notice to appear has been issued~~  
18 ~~by a peace officer described in Section 830.1, 830.2, or 830.33 of~~  
19 ~~the Penal Code.~~

20 ~~(B) A parking violation if a notice of parking violation is issued~~  
21 ~~by a person, other than a peace officer described in subparagraph~~  
22 ~~(A), who is authorized to enforce parking statutes and regulations.~~

23 ~~(e) (1) In front of a public or private driveway, except that a~~  
24 ~~bus engaged as a common carrier, schoolbus, or a taxicab may~~  
25 ~~stop to load or unload passengers when authorized by local~~  
26 ~~authorities pursuant to an ordinance.~~

27 ~~(2) In unincorporated territory, where the entrance of a private~~  
28 ~~road or driveway is not delineated by an opening in a curb or by~~  
29 ~~other curb construction, so much of the surface of the ground as~~  
30 ~~is paved, surfaced, or otherwise plainly marked by vehicle use as~~  
31 ~~a private road or driveway entrance, shall constitute a driveway.~~

32 ~~(f) On a portion of a sidewalk, or with the body of the vehicle~~  
33 ~~extending over a portion of a sidewalk, except electric carts when~~  
34 ~~authorized by local ordinance, as specified in Section 21114.5.~~  
35 ~~Lights, mirrors, or devices that are required to be mounted upon~~  
36 ~~a vehicle under this code may extend from the body of the vehicle~~  
37 ~~over the sidewalk to a distance of not more than 10 inches.~~

38 ~~(g) Alongside or opposite a street or highway excavation or~~  
39 ~~obstruction when stopping, standing, or parking would obstruct~~  
40 ~~traffic.~~

1 ~~(h) On the roadway side of a vehicle stopped, parked, or standing~~  
2 ~~at the curb or edge of a highway, except for a schoolbus when~~  
3 ~~stopped to load or unload pupils in a business or residence district~~  
4 ~~where the speed limit is 25 miles per hour or less.~~

5 ~~(i) Except as provided under Section 22500.5, alongside curb~~  
6 ~~space authorized for the loading and unloading of passengers of a~~  
7 ~~bus engaged as a common carrier in local transportation when~~  
8 ~~indicated by a sign or red paint on the curb erected or painted by~~  
9 ~~local authorities pursuant to an ordinance.~~

10 ~~(j) In a tube or tunnel, except vehicles of the authorities in~~  
11 ~~charge, being used in the repair, maintenance, or inspection of the~~  
12 ~~facility.~~

13 ~~(k) Upon a bridge, except vehicles of the authorities in charge,~~  
14 ~~being used in the repair, maintenance, or inspection of the facility,~~  
15 ~~and except that buses engaged as a common carrier in local~~  
16 ~~transportation may stop to load or unload passengers upon a bridge~~  
17 ~~where sidewalks are provided, when authorized by local authorities~~  
18 ~~pursuant to an ordinance, and except that local authorities pursuant~~  
19 ~~to an ordinance or the Department of Transportation pursuant to~~  
20 ~~an order, within their respective jurisdictions, may permit parking~~  
21 ~~on bridges having sidewalks and shoulders of sufficient width to~~  
22 ~~permit parking without interfering with the normal movement of~~  
23 ~~traffic on the roadway. Local authorities, by ordinance or~~  
24 ~~resolution, may permit parking on these bridges on state highways~~  
25 ~~in their respective jurisdictions if the ordinance or resolution is~~  
26 ~~first approved in writing by the Department of Transportation.~~  
27 ~~Parking shall not be permitted unless there are signs in place, as~~  
28 ~~may be necessary, to indicate the provisions of local ordinances~~  
29 ~~or the order of the Department of Transportation.~~

30 ~~(l) In front of or upon that portion of a curb that has been cut~~  
31 ~~down, lowered, or constructed to provide wheelchair accessibility~~  
32 ~~to the sidewalk.~~

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