

AMENDED IN SENATE APRIL 6, 2016

SENATE BILL

No. 998

Introduced by Senator Wieckowski

February 10, 2016

An act to amend ~~Sections 21655.7 and Section 22500~~ of of, and to add Section 21655.10 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 998, as amended, Wieckowski. Vehicles: mass transit guideways.

Existing law makes it unlawful for a person to stop or park a motor vehicle in specified places, including an area designated as a fire lane by the fire department or fire district, as specified. A violation of these provisions is an infraction.

~~Existing law authorizes a local authority to permit a portion of the highway under its jurisdiction to be used exclusively for a public mass transit guideway.~~

This bill would prohibit a person from operating a motor vehicle, or stopping, parking, or leaving a vehicle standing, on a ~~public mass transit guideway~~, *portion of the highway designated for the exclusive use of public transit buses*, subject to specified exceptions. Because a violation of these provisions would be a crime, this bill 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 21655.7 of the Vehicle Code is amended~~
2 ~~to read:~~

3 ~~21655.7. (a) A local authority, with respect to any highway~~
4 ~~under its jurisdiction, may authorize or permit a portion of the~~
5 ~~highway to be used exclusively for a public mass transit guideway.~~

6 ~~(b) A person shall not operate a motor vehicle on a portion of~~
7 ~~a highway designated by local authority to be exclusively used as~~
8 ~~a public mass transit guideway, except when necessary to avoid~~
9 ~~conflict with other traffic or in compliance with the directions of~~
10 ~~a peace officer or official traffic control device.~~

11 ~~SECTION 1. Section 21655.10 is added to the Vehicle Code,~~
12 ~~immediately following Section 21655.9, to read:~~

13 ~~21655.10. A person shall not operate a motor vehicle on a~~
14 ~~portion of a highway that has been designated for the exclusive~~
15 ~~use of public transit buses, except in compliance with the directions~~
16 ~~of a peace officer or official traffic control device.~~

17 ~~SEC. 2. Section 22500 of the Vehicle Code is amended to read:~~

18 ~~22500. A person shall not stop, park, or leave standing any~~
19 ~~vehicle whether attended or unattended, except when necessary~~
20 ~~to avoid conflict with other traffic or in compliance with the~~
21 ~~directions of a peace officer or official traffic control device, in~~
22 ~~any of the following places:~~

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

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

29 ~~(c) Between a safety zone and the adjacent right-hand curb or~~
30 ~~within the area between the zone and the curb as may be indicated~~
31 ~~by a sign or red paint on the curb, which sign or paint was erected~~
32 ~~or placed by local authorities pursuant to an ordinance.~~

33 ~~(d) Within 15 feet of the driveway entrance to a fire station.~~
34 ~~This subdivision does not apply to any vehicle owned or operated~~
35 ~~by a fire department and clearly marked as a fire department~~
36 ~~vehicle.~~

37 ~~(e) (1) In front of a public or private driveway, except that a~~
38 ~~bus engaged as a common carrier, schoolbus, or a taxicab may~~

1 stop to load or unload passengers when authorized by local
2 authorities pursuant to an ordinance.

3 (2) In unincorporated territory, where the entrance of a private
4 road or driveway is not delineated by an opening in a curb or by
5 other curb construction, so much of the surface of the ground as
6 is paved, surfaced, or otherwise plainly marked by vehicle use as
7 a private road or driveway entrance, shall constitute a driveway.

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

14 (g) Alongside or opposite a street or highway excavation or
15 obstruction when stopping, standing, or parking would obstruct
16 traffic.

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

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

26 (j) In a tube or tunnel, except vehicles of the authorities in
27 charge, being used in the repair, maintenance, or inspection of the
28 facility.

29 (k) Upon a bridge, except vehicles of the authorities in charge,
30 being used in the repair, maintenance, or inspection of the facility,
31 and except that buses engaged as a common carrier in local
32 transportation may stop to load or unload passengers upon a bridge
33 where sidewalks are provided, when authorized by local authorities
34 pursuant to an ordinance, and except that local authorities pursuant
35 to an ordinance or the Department of Transportation pursuant to
36 an order, within their respective jurisdictions, may permit parking
37 on bridges having sidewalks and shoulders of sufficient width to
38 permit parking without interfering with the normal movement of
39 traffic on the roadway. Local authorities, by ordinance or
40 resolution, may permit parking on these bridges on state highways

1 in their respective jurisdictions if the ordinance or resolution is
2 first approved in writing by the Department of Transportation.
3 Parking shall not be permitted unless there are signs in place, as
4 may be necessary, to indicate the provisions of local ordinances
5 or the order of the Department of Transportation.

6 (l) In front of or upon that portion of a curb that has been cut
7 down, lowered, or constructed to provide wheelchair accessibility
8 to the sidewalk.

9 (m) In a portion of a highway ~~under the jurisdiction of a local~~
10 ~~authority that has been designated by that authority to be used~~
11 ~~exclusively for a~~ *for the exclusive use of public mass transit*
12 ~~guideway pursuant to Section 21655.7.~~ *buses.*

13 SEC. 3. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.