

AMENDED IN SENATE JULY 20, 2001

AMENDED IN SENATE JULY 19, 2001

AMENDED IN SENATE JULY 17, 2001

AMENDED IN SENATE JULY 9, 2001

CALIFORNIA LEGISLATURE—2001–02 SECOND EXTRAORDINARY SESSION

SENATE BILL

No. 84

Introduced by Senator Burton

June 11, 2001

An act to add Section 25403.8 to the Public Resources Code, *and to amend Section 21800 of the Vehicle Code*, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 84, as amended, Burton. State Energy Resources Conservation and Development Commission.

~~Existing~~

(1) *Existing* law requires the State Energy Resources Conservation and Development Commission to undertake and implement various programs regarding energy.

This bill would require the commission to develop and implement a program to provide battery backup power for those official traffic control signals that the commission, in consultation with cities, counties, or cities and counties, determines to be high priority traffic control signals. The bill would authorize the commission to grant 70% of the funds to a city, county, or city and county for backup battery

power for traffic control signals retrofitted with light-emitting diodes. The bill would require the commission to give priority to a city, county, or city and county that did not receive a grant from the state for the installation of light-emitting diode traffic control signals.

The bill would make an appropriation by authorizing the expenditure of up to \$10,000,000 from existing state funds for the purpose of providing matching grants pursuant to the bill.

The bill would prohibit the commission from expending more than 5% of the amount available for expenditure for administrative costs in carrying out the grant program.

The bill would require the commission, by June 1, 2004, to submit a report to the Governor and the Legislature on the grant program expenditures and program activities.

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(2) *Existing law requires the driver of any vehicle approaching an intersection that has official traffic control signals that are inoperative to stop at the intersection, and authorizes that driver to proceed with caution when it is safe to do so.*

This bill would specify that those provisions shall apply to traffic control signals that become inoperative because of battery failure.

(3) *The bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. Section 25403.8 is added to the Public
- 2 Resources Code, to read:
- 3 25403.8. (a) The commission shall develop and implement a
- 4 program to provide battery backup power for those official traffic
- 5 control signals, operated by a city, county, or city and county, that
- 6 the commission, in consultation with cities, counties, or cities and
- 7 counties, determines to be high priority traffic control signals.
- 8 (b) Based on traffic factors considered by cities, counties, or
- 9 cities and counties, including, but not limited to, traffic volume,
- 10 number of accidents, and presence of children, the commission
- 11 shall determine a priority schedule for the installation of battery
- 12 backup power for traffic control systems. The commission shall
- 13 give priority to a city, county, or city and county that did not

receive a grant from the state of California for the installation of light-emitting diode traffic control signals.

(c) The commission shall also develop or adopt the necessary technical criteria as to wiring, circuitry, and recharging units for traffic control signals. Only light-emitting diodes (LED) traffic control signals are eligible for battery backup power for the full operation of the traffic control signal or a flashing red mode. A city, county, or city and county may apply for a matching grant for battery backup power for traffic control signals retrofitted with light-emitting diodes.

(d) Based on the criteria described in subdivision (c), the commission shall provide matching grants to cities, counties, and cities and counties for backup battery systems described in this section in accordance with the priority schedule established by the commission pursuant to subdivision (b). The commission shall provide 70 percent of the funds for a battery backup system, and the city, county, or city and county shall provide 30 percent.

SEC. 2. *Section 21800 of the Vehicle Code is amended to read:*

21800. (a) The driver of a vehicle approaching an intersection shall yield the right-of-way to any vehicle which has entered the intersection from a different highway.

(b) (1) When two vehicles enter an intersection from different highways at the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right, except that the driver of any vehicle on a terminating highway shall yield the right-of-way to any vehicle on the intersecting continuing highway.

(2) For the purposes of this section, “terminating highway” means a highway which intersects, but does not continue beyond the intersection, with another highway which does continue beyond the intersection.

(c) When two vehicles enter an intersection from different highways at the same time and the intersection is controlled from all directions by stop signs, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right.

(d) (1) The driver of any vehicle approaching an intersection which has official traffic control signals that are inoperative shall stop at the intersection, and may proceed with caution when it is safe to do so. *This subparagraph shall apply to traffic control signals that become inoperative because of battery failure.*

(2) When two vehicles enter an intersection from different highways at the same time, and the official traffic control signals for the intersection are inoperative, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right, except that the driver of any vehicle on a terminating highway shall yield the right-of-way to any vehicle on the intersecting continuing highway.

(e) This section does not apply to any of the following:

(1) Any intersection controlled by an official traffic control signal or yield right-of-way sign.

(2) Any intersection controlled by stop signs from less than all directions.

(3) When vehicles are approaching each other from opposite directions and the driver of one of the vehicles intends to make, or is making, a left turn.

SEC. 3. (a) Up to ten million dollars (\$10,000,000) from existing state funds shall be expended for the purpose of providing matching grants for battery backup power for traffic control signals retrofitted with light-emitting diodes pursuant to Section 25403.8 of the Public Resources Code. The Energy Commission shall not expend more than 5 percent of the amount available for expenditure pursuant to this subdivision for administrative costs in carrying out the grant program.

(b) On or before June 1, 2004, the Energy Commission shall submit a report to the Governor and the Legislature on the expenditures made pursuant to subdivision (a), including grant awards and program activities.

~~*SEC. 3.*~~

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Due to the shortage of electric generation capacity to meet the needs of the people of the state and in order to limit the impact of that shortage on the public health, safety, and welfare due to the nonoperation of traffic control signal lights during anticipated rotating blackouts, it is necessary that this act take effect immediately.

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