

Assembly Bill No. 541

Passed the Assembly August 8, 2013

Chief Clerk of the Assembly

Passed the Senate July 8, 2013

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2013, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add and repeal Section 25354 of the Vehicle Code, relating to buses.

LEGISLATIVE COUNSEL'S DIGEST

AB 541, Daly. Buses: illuminated advertising: University of California, Irvine.

(1) Existing law authorizes a bus operated by a publicly owned transit system on regularly scheduled service to be equipped with illuminated signs that display information directly related to public service and include, among other things, destination signs, route-number signs, run-number signs, public service announcement signs, or a combination of those signs, visible from any direction of the vehicle, that emit any light color, other than the color red emitted from forward-facing signs, pursuant to specified conditions.

Existing law authorizes, until January 1, 2017, a pilot program allowing up to 25 buses operated by the City of Santa Monica's publicly owned transit system for the first 2 years of the pilot program, and up to 30 buses thereafter, to be equipped with illuminated signs that display advertising subject to certain conditions. Existing law also requires the City of Santa Monica to submit a specified report to the Legislature and the Department of the California Highway Patrol by July 1, 2016, on the incidence of adverse impacts.

This bill would authorize, until January 1, 2019, the University of California, Irvine (university) to implement a pilot program similar to the program operated by the City of Santa Monica. If the university elects to implement a pilot program, the bill would require, on or before March 1, 2014, the university to determine whether the City of Santa Monica has at least 12 transit buses equipped with specified illuminated signs. The bill would permit the university to implement the pilot program only if it determines that the City of Santa Monica has less than 12 transit buses equipped, as specified. The bill would also require, if the university implements the pilot program, that the university submit a report, in collaboration with the Department of the California Highway

Patrol and other officials, by July 1, 2018, on the incidence of adverse impacts, to the department and the Legislature.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the University of California, Irvine.

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

SECTION 1. Section 25354 is added to the Vehicle Code, to read:

25354. (a) Notwithstanding Sections 25400 and 25950, and except as provided in subdivision (c), a bus operated by the University of California, Irvine's public transport system on regularly scheduled service, in addition to the illuminated signs described in Section 25353, may also be equipped with illuminated signs that display advertising and that emit any light color, if all of the following conditions are met:

(1) Each illuminated sign displaying advertising emits diffused nonglaring light.

(2) Each illuminated sign displaying advertising is limited in size to a display area of not greater than 4,464 square inches.

(3) Each illuminated sign displaying advertising does not resemble, and is not installed in a position that interferes with the visibility or effectiveness of, a required lamp, reflector, or other device upon the vehicle.

(4) Each illuminated sign displaying advertising is only placed on one or both sides of the vehicle, and is not placed in a forward-facing or rear-facing position, and no more than one such sign is placed on either side of any single vehicle.

(5) The mixing of individually colored light emitting diode elements, including red, is allowed in each illuminated sign displaying advertising as long as the emitted color formed by the combination of light emitting diode elements is not red.

(b) (1) An illuminated sign displaying advertising may be operated as a dynamic message sign in a paging or streaming mode. However, the electronic message sign display shall remain static while a bus is operating on a freeway, as that term is defined in Section 257 of the Streets and Highways Code.

(2) The following definitions shall govern the construction of paragraph (1):

(A) “Paging,” meaning character elements or other information that is presented for a period of time and then disappears all at once before the same or new elements are presented, is permitted if the display time of each message is between 2.7 and 10 seconds. Blanking times between each message shall be between 0.5 and 25 seconds.

(B) “Streaming,” meaning character elements or other information moving smoothly and continuously across the display, is permitted if the character movement time, from one end of the display to the other, is at least 2.7 seconds, and the movement time of the entire message does not exceed 10 seconds.

(c) On or before March 1, 2014, the University of California, Irvine, if it elects to implement a pilot program pursuant to this section, shall determine whether the City of Santa Monica has at least 12 transit buses equipped with illuminated signs that are operational pursuant to Section 25353.1. The University of California, Irvine, may implement the pilot program authorized by this section only if it determines that the City of Santa Monica has less than 12 transit buses equipped with illuminated signs that are operational pursuant to Section 25353.1.

(d) If the University of California, Irvine implements the pilot program pursuant to this section, it shall submit a report to the Legislature and the department on the incidence of adverse impacts on roadway and pedestrian safety due to the utilization of illuminated signs on transit buses displaying advertising pursuant to this section, if any, by July 1, 2018. The report shall be the product of a collaborative effort between university law enforcement and transit officials, other law enforcement officials in whose jurisdictions the university’s transit vehicles operate, and the department. The report shall be submitted in compliance with Section 9795 of the Government Code.

(e) The University of California, Irvine’s public transport system may, pursuant to subdivision (a), operate up to 25 buses with illuminated signs displaying advertising for two years, after which time the city may increase the number of buses with the signs to up to 30.

(f) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2019, deletes or extends that date.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because the University of California, Irvine's public transit system is operating a revenue deficit in light of budget reductions and is evaluating several strategies designed to enhance revenue to offset operational expenses, including the use of electronic illuminated signage affixed to the side of buses to sell advertising, and this act would allow the university to increase its revenues on a pilot program basis.

Approved _____, 2013

Governor