

**ASSEMBLY BILL**

**No. 1101**

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**Introduced by Assembly Member Chesbro**

February 22, 2013

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An act to amend Section 97 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1101, as introduced, Chesbro. Safety Enhancement-Double Fine Zones.

Existing law requires that a state highway segment be designated as a Safety Enhancement-Double Fine Zone if, among other requirements, the segment is eligible for designation and the Director of Transportation, in consultation with the Commissioner of the California Highway Patrol, certifies that the segment of state highway meets specified criteria.

This bill would make a nonsubstantive change to these provisions.

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 97 of the Streets and Highways Code is  
2 amended to read:

3 97. (a) A state highway segment shall be designated by the  
4 department as a Safety Enhancement-Double Fine Zone if all of  
5 the following conditions have been satisfied:

6 (1) The highway segment is eligible for designation pursuant  
7 to subdivision (b).

1 (2) The Director of Transportation, in consultation with the  
2 Commissioner of the California Highway Patrol, certifies that the  
3 segment identified in subdivision (b) meets all of the following  
4 criteria:

5 (A) The highway segment is a conventional highway or  
6 expressway and is part of the state highway system.

7 (B) The rate of total collisions per mile per year on the segment  
8 under consideration has been at least 1.5 times the statewide  
9 average for similar roadway types during the most recent three-year  
10 period for which data are available.

11 (C) The rate of head-on collisions per mile per year on the  
12 segment under consideration has been at least 1.5 times the  
13 statewide average for similar roadway types during the most recent  
14 three-year period for which data are available.

15 (3) The Department of the California Highway Patrol or local  
16 agency having traffic enforcement jurisdiction, as the case may  
17 be, has concurred with the designation.

18 (4) The governing board of each city, or county with respect to  
19 an unincorporated area, in which the segment is located has by  
20 resolution indicated that it supports the designation.

21 (5) An active public awareness effort to change driving behavior  
22 is ongoing either by the local agency with jurisdiction over the  
23 segment or by another state or local entity.

24 (6) Other traffic safety enhancements, including, but not limited  
25 to, increased enforcement and other roadway safety measures, are  
26 in place or are being implemented concurrent with the designation  
27 of the Safety Enhancement-Double Fine Zone.

28 (b) The following segments are eligible for designation as a  
29 Safety Enhancement-Double Fine Zone pursuant to subdivision  
30 (a):

31 State Highway Route 12 between the State Highway Route 80  
32 junction in Solano County and the State Highway Route 5 junction  
33 in San Joaquin County.

34 (c) Designation of a segment as a Safety Enhancement-Double  
35 Fine Zone by the department pursuant to subdivision (a) shall be  
36 done in writing and a written notification shall be provided to the  
37 court with jurisdiction over the area in which the highway segment  
38 is located. The designation shall be valid for a minimum of two  
39 years from the date of submission to the court.

1 (d) After the two-year period, and at least every two years  
2 thereafter, the department, in consultation with the Department of  
3 the California Highway Patrol, shall evaluate whether the highway  
4 segment continues to meet the conditions set forth in subdivision  
5 (a). If the segment meets those conditions, the department shall  
6 renew the designation in which case an updated notification shall  
7 be sent to the court. If the department, in consultation with the  
8 Department of the California Highway Patrol, determines that any  
9 of those conditions no longer ~~apply~~ *applies* to a segment designated  
10 as a Safety Enhancement-Double Fine Zone under this section,  
11 the department shall revoke the designation and the segment shall  
12 cease to be a Safety Enhancement-Double Fine Zone.

13 (e) A Safety Enhancement-Double Fine Zone is subject to the  
14 rules and regulations adopted by the department prescribing  
15 uniform standards for warning signs to notify motorists that,  
16 pursuant to Section 42010 of the Vehicle Code, increased penalties  
17 apply for traffic violations that are committed within a Safety  
18 Enhancement-Double Fine Zone.

19 (f) (1) The department or the local authority having jurisdiction  
20 over these highway and road segments shall place and maintain  
21 the warning signs identifying these segments by stating that a  
22 “Special Safety Zone Region Begins Here” and a “Special Safety  
23 Zone Ends Here.”

24 (2) Increased penalties shall apply to violations under Section  
25 42010 of the Vehicle Code only if appropriate signage is in place  
26 pursuant to this subdivision.

27 (3) If designation as a Safety Enhancement-Double Fine Zone  
28 is revoked pursuant to subdivision (d), the department shall be  
29 responsible for removal of all signage placed pursuant to this  
30 subdivision.

31 (g) Safety Enhancement-Double Fine Zones do not increase the  
32 civil liability of the state or local authority having jurisdiction over  
33 the highway segment under Division 3.6 (commencing with Section  
34 810) of Title 1 of the Government Code or any other provision of  
35 law relating to civil liability.

36 (1) Only the base fine shall be enhanced pursuant to this section.

37 (2) Notwithstanding any other provision of law, any additional  
38 penalty, forfeiture, or assessment imposed by any other statute  
39 shall be based on the amount of the base fine before enhancement

1 or doubling and shall not be based on the amount of the enhanced  
2 fine imposed pursuant to this section.

3 (h) The projects specified as a Safety Enhancement-Double  
4 Fine Zone shall not be elevated in priority for state funding  
5 purposes.

6 (i) The requirements of subdivision (a) shall not apply to the  
7 Safety Enhancement-Double Fine Zone established prior to the  
8 effective date of this subdivision pursuant to Section 97.4 or to the  
9 Safety Enhancement-Double Fine Zones established pursuant to  
10 Section 97.5.

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