

**ASSEMBLY BILL**

**No. 1725**

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**Introduced by Assembly Member Wagner**

January 28, 2016

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An act to amend Sections 21453, 42001.15, and 42007.3 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1725, as introduced, Wagner. Vehicles: automated traffic enforcement systems.

Existing law requires a driver facing a steady circular red signal alone to stop at a marked limit line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection, and to remain stopped until an indication to proceed is shown, except as provided. A violation of this provision is an infraction punishable by a fine of \$100.

This bill would also require a driver facing a steady circular red signal alone at a freeway or highway onramp signal, to stop at a marked limit line, but if none, before the signal, and to remain stopped until an indication to proceed is shown. The bill would make a violation of this requirement an infraction punishable by a fine of \$50. By creating a new crime, this bill would impose a state-mandated local program.

The bill would also make a conforming change.

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 21453 of the Vehicle Code is amended  
2 to read:

3 21453. (a) A driver facing a steady circular red signal alone  
4 shall stop at a marked limit line, but if none, before entering the  
5 crosswalk on the near side of the intersection or, if none, then  
6 before entering the intersection, and shall remain stopped until an  
7 indication to proceed is shown, except as provided in subdivision  
8 (b).

9 (b) Except when a sign is in place prohibiting a turn, a driver,  
10 after stopping as required by subdivision (a), facing a steady  
11 circular red signal, may turn right, or turn left from a one-way  
12 street onto a one-way street. A driver making that turn shall yield  
13 the right-of-way to pedestrians lawfully within an adjacent  
14 crosswalk and to any vehicle that has approached or is approaching  
15 so closely as to constitute an immediate hazard to the driver, and  
16 shall continue to yield the right-of-way to that vehicle until the  
17 driver can proceed with reasonable safety.

18 (c) A driver facing a steady red arrow signal shall not enter the  
19 intersection to make the movement indicated by the arrow and,  
20 unless entering the intersection to make a movement permitted by  
21 another signal, shall stop at a clearly marked limit line, but if none,  
22 before entering the crosswalk on the near side of the intersection,  
23 or if none, then before entering the intersection, and shall remain  
24 stopped until an indication permitting movement is shown.

25 *(d) A driver facing a steady circular red signal alone at a*  
26 *freeway or highway onramp shall stop at a marked limit line, but*  
27 *if none, before the signal, and shall remain stopped until an*  
28 *indication to proceed is shown.*

29 ~~(d)~~

30 (e) Unless otherwise directed by a pedestrian control signal as  
31 provided in Section 21456, a pedestrian facing a steady circular  
32 red or red arrow signal shall not enter the roadway.

33 SEC. 2. Section 42001.15 of the Vehicle Code is amended to  
34 read:

1 42001.15. (a) Every person convicted of an infraction for a  
2 violation of subdivision (a) or (c) of Section 21453, subdivision  
3 (c) of Section 21454, or subdivision (a) of Section 21457 shall be  
4 punished by a fine of one hundred dollars (\$100).

5 (b) *Every person convicted of an infraction for a violation of*  
6 *subdivision (d) of Section 21453 shall be punished by a fine of fifty*  
7 *dollars (\$50).*

8 SEC. 3. Section 42007.3 of the Vehicle Code is amended to  
9 read:

10 42007.3. (a) Notwithstanding Section 42007, revenues derived  
11 from fees collected under Section 42007 from each person required  
12 or permitted to attend traffic violator school pursuant to Section  
13 41501 or 42005 as a result of a violation of subdivision (a) ~~or (e)~~,  
14 (c), or (d) of Section 21453, subdivision (c) of Section 21454, or  
15 subdivision (a) of Section 21457 shall be allocated as follows:

16 (1) The first 30 percent of the amount collected shall be allocated  
17 to the general fund of the city or county in which the offense  
18 occurred.

19 (2) The balance of the amount collected shall be deposited by  
20 the county treasurer under Section 42007.

21 (b) This section does not apply to the additional forty-nine-dollar  
22 (\$49) court administrative fee assessed pursuant to subdivision (c)  
23 of Section 11208 collected under subdivision (a) of Section  
24 42007.1.

25 SEC. 4. No reimbursement is required by this act pursuant to  
26 Section 6 of Article XIII B of the California Constitution because  
27 the only costs that may be incurred by a local agency or school  
28 district will be incurred because this act creates a new crime or  
29 infraction, eliminates a crime or infraction, or changes the penalty  
30 for a crime or infraction, within the meaning of Section 17556 of  
31 the Government Code, or changes the definition of a crime within  
32 the meaning of Section 6 of Article XIII B of the California  
33 Constitution.