

AMENDED IN ASSEMBLY MARCH 7, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1725

Introduced by Assembly Member Wagner

January 28, 2016

An act to amend ~~Sections 21453, 42001.15, and 42007.3~~ *Section 21455* of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

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

Existing law defines an “official traffic control signal” as any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and proceed and which is erected by authority of a public body or official having jurisdiction.

Existing law states that any required stop be made at a sign, crosswalk, or limit line indicating where the stop is to be made, but, in the absence of that sign or marking, existing law requires that the stop be made at the official traffic control signal.

This bill would expressly state that a stop is required to be made at an official traffic control signal erected and maintained at a freeway or highway on ramp. This bill would also make technical, nonsubstantive changes to that provision.

~~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-no. State-mandated local program: yes-no.~~

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

1 SECTION 1. Section 21455 of the Vehicle Code is amended to
2 read:

3 21455. When an official traffic control signal is erected and
4 maintained at a place other than an intersection, *including a*
5 *freeway or highway on ramp*, the provisions of this article shall
6 ~~be applicable~~ *apply*, except those provisions ~~which~~ *that* by their
7 nature can have no application. Any stop required shall be made
8 at a ~~sign or crosswalk sign, crosswalk,~~ or limit line indicating
9 where the stop shall be made, ~~but~~ *but*, in the absence of ~~any such~~
10 ~~that sign or marking~~ *marking*, the stop shall be made at the signal.

11 SECTION 1. Section 21453 of the Vehicle Code is amended
12 to read:

13 21453. ~~(a) A driver facing a steady circular red signal alone~~
14 ~~shall stop at a marked limit line, but if none, before entering the~~
15 ~~crosswalk on the near side of the intersection or, if none, then~~
16 ~~before entering the intersection, and shall remain stopped until an~~
17 ~~indication to proceed is shown, except as provided in subdivision~~
18 ~~(b).~~

19 ~~(b) Except when a sign is in place prohibiting a turn, a driver,~~
20 ~~after stopping as required by subdivision (a), facing a steady~~
21 ~~circular red signal, may turn right, or turn left from a one-way~~
22 ~~street onto a one-way street. A driver making that turn shall yield~~
23 ~~the right-of-way to pedestrians lawfully within an adjacent~~

1 crosswalk and to any vehicle that has approached or is approaching
2 so closely as to constitute an immediate hazard to the driver, and
3 shall continue to yield the right-of-way to that vehicle until the
4 driver can proceed with reasonable safety.

5 (e) A driver facing a steady red arrow signal shall not enter the
6 intersection to make the movement indicated by the arrow and,
7 unless entering the intersection to make a movement permitted by
8 another signal, shall stop at a clearly marked limit line, but if none,
9 before entering the crosswalk on the near side of the intersection,
10 or if none, then before entering the intersection, and shall remain
11 stopped until an indication permitting movement is shown.

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

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

19 SEC. 2. Section 42001.15 of the Vehicle Code is amended to
20 read:

21 42001.15. (a) Every person convicted of an infraction for a
22 violation of subdivision (a) or (e) of Section 21453, subdivision
23 (e) of Section 21454, or subdivision (a) of Section 21457 shall be
24 punished by a fine of one hundred dollars (\$100).

25 (b) Every person convicted of an infraction for a violation of
26 subdivision (d) of Section 21453 shall be punished by a fine of
27 fifty dollars (\$50).

28 SEC. 3. Section 42007.3 of the Vehicle Code is amended to
29 read:

30 42007.3. (a) Notwithstanding Section 42007, revenues derived
31 from fees collected under Section 42007 from each person required
32 or permitted to attend traffic violator school pursuant to Section
33 41501 or 42005 as a result of a violation of subdivision (a), (c), or
34 (d) of Section 21453, subdivision (c) of Section 21454, or
35 subdivision (a) of Section 21457 shall be allocated as follows:

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

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

1 ~~(b) This section does not apply to the additional forty-nine-dollar~~
2 ~~(\$49) court administrative fee assessed pursuant to subdivision (e)~~
3 ~~of Section 11208 collected under subdivision (a) of Section~~
4 ~~42007.1.~~

5 ~~SEC. 4. No reimbursement is required by this act pursuant to~~
6 ~~Section 6 of Article XIII B of the California Constitution because~~
7 ~~the only costs that may be incurred by a local agency or school~~
8 ~~district will be incurred because this act creates a new crime or~~
9 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
10 ~~for a crime or infraction, within the meaning of Section 17556 of~~
11 ~~the Government Code, or changes the definition of a crime within~~
12 ~~the meaning of Section 6 of Article XIII B of the California~~
13 ~~Constitution.~~