

ASSEMBLY BILL

No. 1191

Introduced by Assembly Member Shelley
(Principal coauthor: Senator Kopp)
(Coauthors: Assembly Members Keeley, Lempert, Perata,
and Wayne)

February 28, 1997

An act to add Section 1463.11 of the Penal Code, and to amend Section 42001 of, and to add Section 42001.15 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1191, as introduced, Shelley. Vehicles: traffic rules and regulations: violations.

(1) Under existing law, it is an infraction punishable by a base fine of not exceeding \$100 for any person to fail to stop at a steady or flashing red signal light. Existing law provides for increased fines for subsequent convictions of infractions occurring within a one-year period.

This bill would change the base fine for a violation of the above described red signal light infraction to a fine of not less than \$100.

(2) Under existing law, all fines and forfeitures imposed and collected for crimes, other than parking offenses, resulting from a filing in a court are required to be deposited with the county treasurer and distributed in accordance with a specified formula each month to the state, counties, and cities.

This bill would require, notwithstanding the specified distribution for fines and forfeitures, \$80 for each conviction of a violation of specified Vehicle Code provisions concerning red lights be allocated by the county treasurer to the local law enforcement agencies in whose jurisdictions the offenses occurred. By imposing additional administrative duties on counties, this bill would impose a state-mandated local program.

(3) The bill would set forth certain legislative findings and declarations.

(4) 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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. The Legislature finds and declares all of
2 the following:

3 (a) Running a red light is a serious offense that causes
4 death, injury, and destruction of property, and
5 particularly endangers pedestrians, senior citizens,
6 children, and the physically disabled.

7 (b) The automobile accidents caused by drivers
8 running red lights greatly increase the cost of municipal
9 government, requiring police, fire, and ambulance
10 responses, as well as medical care, frequently involving
11 public hospitals.



1 (c) The horrific accidents caused by drivers who run
2 red lights continue to be a major source of traffic
3 accidents in California.

4 (d) The current fines are insufficient for a traffic
5 offense that is as serious and potentially life threatening
6 as running a red light.

7 (e) An increase in the base fine to not less than one
8 hundred dollars (\$100) would significantly decrease the
9 number of red light violations, thereby saving lives,
10 reducing personal injury and property damage, and
11 lowering the costs of municipal government required to
12 deal with accidents caused by red light violators.

13 SEC. 2. Section 1463.11 is added to the Penal Code, to
14 read:

15 1463.11. Notwithstanding Section 1463, eighty dollars
16 (\$80) of each fine or forfeiture collected for a violation of
17 subdivision (a), (b), or (c) of Section 21453, subdivision
18 (c) of Section 21454, or subdivision (a) of Section 21457
19 and which are required to be deposited with the county
20 treasurer pursuant to Section 1463 shall be allocated by
21 the county treasurer to the local law enforcement agency
22 of the jurisdiction in which the offense occurred.

23 SEC. 3. Section 42001 of the Vehicle Code is amended
24 to read:

25 42001. (a) Except as provided in Section 42000.5,
26 42001.1, 42001.2, 42001.3, 42001.5, 42001.7, 42001.8, 42001.9,
27 42001.11, ~~or~~ 42001.12, *42001.14, or 42001.15*, or subdivision
28 (b) or (c) of this section, or Article 2 (commencing with
29 Section 42030), every person convicted of an infraction
30 for a violation of this code or of any local ordinance
31 adopted pursuant to this code shall be punished as follows:

32 (1) By a fine not exceeding one hundred dollars
33 (\$100).

34 (2) For a second infraction occurring within one year
35 of a prior infraction which resulted in a conviction, a fine
36 not exceeding two hundred dollars (\$200).

37 (3) For a third or any subsequent infraction occurring
38 within one year of two or more prior infractions which
39 resulted in convictions, a fine not exceeding two hundred
40 fifty dollars (\$250).

(b) Every person convicted of a misdemeanor violation of Section 2800, 2801, or 2803, insofar as they affect failure to stop and submit to inspection of equipment or for an unsafe condition endangering any person, shall be punished as follows:

(1) By a fine not exceeding fifty dollars (\$50) or imprisonment in the county jail not exceeding five days.

(2) For a second conviction within a period of one year, a fine not exceeding one hundred dollars (\$100) or imprisonment in the county jail not exceeding 10 days, or both that fine and imprisonment.

(3) For a third or any subsequent conviction within a period of one year, a fine not exceeding five hundred dollars (\$500) or imprisonment in the county jail not exceeding six months, or both that fine and imprisonment.

(c) A pedestrian convicted of an infraction for a violation of this code or any local ordinance adopted pursuant to this code shall be punished by a fine not exceeding fifty dollars (\$50).

(d) Notwithstanding any other provision of law, any local public entity that employs peace officers, as designated under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, the California State University, and the University of California may, by ordinance or resolution, establish a schedule of fines applicable to infractions committed by bicyclists within its jurisdiction. Any fine, including all penalty assessments and court costs, established pursuant to this subdivision shall not exceed the maximum fine, including penalty assessment and court costs, otherwise authorized by this code for that violation. If a bicycle fine schedule is adopted, it shall be used by the courts having jurisdiction over the area within which the ordinance or resolution is applicable instead of the fines, including penalty assessments and court costs, otherwise applicable under this code.

SEC. 4. Section 42001.15 is added to the Vehicle Code, to read:

1 42001.15. Every person convicted of an infraction for
2 a violation of subdivision (a), (b), or (c) of Section 21453,
3 subdivision (c) of Section 21454, or subdivision (a) of
4 Section 21457 shall be punished by a fine of not less than
5 one hundred dollars (\$100).

6 SEC. 5. Notwithstanding Section 17610 of the
7 Government Code, if the Commission on State Mandates
8 determines that this act contains costs mandated by the
9 state, reimbursement to local agencies and school
10 districts for those costs shall be made pursuant to Part 7
11 (commencing with Section 17500) of Division 4 of Title
12 2 of the Government Code. If the statewide cost of the
13 claim for reimbursement does not exceed one million
14 dollars (\$1,000,000), reimbursement shall be made from
15 the State Mandates Claims Fund.

16 Notwithstanding Section 17580 of the Government
17 Code, unless otherwise specified, the provisions of this act
18 shall become operative on the same date that the act
19 takes effect pursuant to the California Constitution.

