

AMENDED IN ASSEMBLY APRIL 24, 1997

AMENDED IN ASSEMBLY APRIL 9, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1191

Introduced by Assembly Member Shelley
(Principal coauthor: Senator Kopp)
**(Coauthors: Assembly Members Alquist, 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 amended, 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 \$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 of this code~~
16 *Sections 1463 and 1464 of this code and Section 76000 of*
17 *the Government Code*, eighty dollars (\$80) of each fine
18 or forfeiture collected for a violation of subdivision (a),
19 (b), or (c) of Section 21453 of, subdivision (c) of Section
20 21454 of, or subdivision (a) of Section 21457 of, the Vehicle
21 Code, and which are required to be deposited with the
22 county treasurer pursuant to Section 1463 of this code
23 shall be allocated by the county treasurer to the local law
24 enforcement agency of the jurisdiction in which the
25 offense occurred.

26 SEC. 3. Section 42001 of the Vehicle Code is amended
27 to read:

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

35 (1) By a fine not exceeding one hundred dollars
36 (\$100).

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



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

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

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

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

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

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

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



1 assessments and court costs, otherwise applicable under
2 this code.

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

5 42001.15. Every person convicted of an infraction for
6 a violation of subdivision (a), (b), or (c) of Section 21453,
7 subdivision (c) of Section 21454, or subdivision (a) of
8 Section 21457 shall be punished by a fine of one hundred
9 dollars (\$100).

10 SEC. 5. Notwithstanding Section 17610 of the
11 Government Code, if the Commission on State Mandates
12 determines that this act contains costs mandated by the
13 state, reimbursement to local agencies and school
14 districts for those costs shall be made pursuant to Part 7
15 (commencing with Section 17500) of Division 4 of Title
16 2 of the Government Code. If the statewide cost of the
17 claim for reimbursement does not exceed one million
18 dollars (\$1,000,000), reimbursement shall be made from
19 the State Mandates Claims Fund.

20 Notwithstanding Section 17580 of the Government
21 Code, unless otherwise specified, the provisions of this act
22 shall become operative on the same date that the act
23 takes effect pursuant to the California Constitution.

