

AMENDED IN ASSEMBLY MAY 1, 1997
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, *and assessments, that* \$80 for each conviction, *as designated from fines, forfeitures, and assessments collected*, 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



1 responses, as well as medical care, frequently involving
2 public hospitals.

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

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

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

15 SEC. 2. Section 1463.11 is added to the Penal Code, to
16 read:

17 1463.11. Notwithstanding Sections 1463 and 1464 of
18 this code and Section 76000 of the Government Code,
19 ~~eighty dollars (\$80)~~ *twenty-nine dollars and sixty-three*
20 *cents (\$29.63)* of each fine or forfeiture collected
21 *pursuant to Section 1463 of this code, twenty-nine dollars*
22 *and sixty-three cents (\$29.63) of each state penalty*
23 *assessment collected pursuant to Section 1464 of this code,*
24 *and twenty dollars and seventy-four cents (\$20.74) of*
25 *each county penalty assessment collected pursuant to*
26 *Section 76000 of the Government Code* for a violation of
27 subdivision (a), (b), or (c) of Section 21453 of, subdivision
28 (c) of Section 21454 of, or subdivision (a) of Section 21457
29 of, the Vehicle Code, and which are required to be
30 deposited with the county treasurer pursuant to Section
31 1463 of this code shall be allocated by the county treasurer
32 to the local law enforcement agency of the jurisdiction in
33 which the offense occurred.

34 SEC. 3. Section 42001 of the Vehicle Code is amended
35 to read:

36 42001. (a) Except as provided in Section 42000.5,
37 42001.1, 42001.2, 42001.3, 42001.5, 42001.7, 42001.8, 42001.9,
38 42001.11, 42001.12, 42001.14, or 42001.15, or subdivision
39 (b) or (c) of this section, or Article 2 (commencing with
40 Section 42030), every person convicted of an infraction



1 for a violation of this code or of any local ordinance
2 adopted pursuant to this code shall be punished as follows:

3 (1) By a fine not exceeding one hundred dollars
4 (\$100).

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

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

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

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

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

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

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

32 (d) Notwithstanding any other provision of law, any
33 local public entity that employs peace officers, as
34 designated under Chapter 4.5 (commencing with Section
35 830) of Title 3 of Part 2 of the Penal Code, the California
36 State University, and the University of California may, by
37 ordinance or resolution, establish a schedule of fines
38 applicable to infractions committed by bicyclists within
39 its jurisdiction. Any fine, including all penalty assessments
40 and court costs, established pursuant to this subdivision



1 shall not exceed the maximum fine, including penalty
2 assessment and court costs, otherwise authorized by this
3 code for that violation. If a bicycle fine schedule is
4 adopted, it shall be used by the courts having jurisdiction
5 over the area within which the ordinance or resolution is
6 applicable instead of the fines, including penalty
7 assessments and court costs, otherwise applicable under
8 this code.

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

11 42001.15. Every person convicted of an infraction for
12 a violation of subdivision (a), (b), or (c) of Section 21453,
13 subdivision (c) of Section 21454, or subdivision (a) of
14 Section 21457 shall be punished by a fine of one hundred
15 dollars (\$100).

16 SEC. 5. Notwithstanding Section 17610 of the
17 Government Code, if the Commission on State Mandates
18 determines that this act contains costs mandated by the
19 state, reimbursement to local agencies and school
20 districts for those costs shall be made pursuant to Part 7
21 (commencing with Section 17500) of Division 4 of Title
22 2 of the Government Code. If the statewide cost of the
23 claim for reimbursement does not exceed one million
24 dollars (\$1,000,000), reimbursement shall be made from
25 the State Mandates Claims Fund.

26 Notwithstanding Section 17580 of the Government
27 Code, unless otherwise specified, the provisions of this act
28 shall become operative on the same date that the act
29 takes effect pursuant to the California Constitution.

