

ASSEMBLY BILL

No. 2128

Introduced by Assembly Member Cook

February 23, 2012

An act to amend Sections 21400, 21453, and 21455.7 of, and to add Section 21455.4 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2128, as introduced, Cook. Vehicles: automated traffic enforcement systems.

(1) Existing law requires the Department of Transportation to adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices, publicize the specifications for uniform types of warning signs, lights, and devices to be placed upon a highway, revise the California Manual on Uniform Traffic Control Devices (MUTCD), as it read on January 1, 2012, and requires the department or a local authority, in cases in which the speed limit needs to be rounded up to the nearest 5 mile-per-hour increment of the 85th-percentile speed, to decide to round down the speed limit to the lower 5 mile-per-hour increment, but then prohibit it from reducing the speed limit any further for any reason.

This bill would require the Department of Transportation or local authority to use the next higher 5 mile-per-hour increment of the 85th-percentile speed to determine the minimum yellow light change interval for traffic signals when the department or local authority decides to run down the speed limit to the lower 5 mile-per-hour increment.

(2) 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 specified. A violation of this provision is an infraction punishable by a fine of \$100. Existing law authorizes a driver who is facing a steady circular red signal, after stopping as required, to turn right or turn left from a one-way street onto a one-way street, except when a sign is in place prohibiting a turn. A violation of this provision is generally punishable by a fine of up to \$100.

This bill would recast these provisions. The bill would instead prohibit the driver stopped at the red signal pursuant to these provisions from proceeding straight through the intersection or making a left turn, except a left turn from a one-way street onto a one-way street, until an indication to proceed is shown, a violation of which would be punishable by a fine of \$100. The bill would authorize a driver stopped at a red signal pursuant to these provisions to turn right, or turn left from a one-way street onto a one-way street, except when a sign is in place prohibiting the turn, a violation of which would be punishable by a fine of up to \$100.

(3) Existing law requires, at an intersection at which there is an automated traffic enforcement system in operation, that the minimum yellow light change intervals relating to designated approach speeds provided in the Traffic Manual of the Department of Transportation are the mandatory minimum yellow light intervals.

This bill would revise and recast these provisions to require a local governmental agency that operates an automatic traffic enforcement system to extend the time on the yellow light change interval by one second beyond the minimum yellow light change intervals for posted speeds or prima facie speeds as designated pursuant to the MUTCD, or its successor, and that a citation issued by a law enforcement agency or authority shall be dismissed if the previously described yellow light change intervals have not been established.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

1 SECTION 1. Section 21400 of the Vehicle Code is amended
 2 to read:
 3 21400. (a) (1) The Department of Transportation shall, after
 4 consultation with local agencies and public hearings, adopt rules
 5 and regulations prescribing uniform standards and specifications

1 for all official traffic control devices placed pursuant to this code,
2 including, but not limited to, stop signs, yield right-of-way signs,
3 speed restriction signs, railroad warning approach signs, street
4 name signs, lines and markings on the roadway, and stock crossing
5 signs placed pursuant to Section 21364.

6 (2) The Department of Transportation shall, after notice and
7 public hearing, determine and publicize the specifications for
8 uniform types of warning signs, lights, and devices to be placed
9 upon a highway by a person engaged in performing work that
10 interferes with or endangers the safe movement of traffic upon
11 that highway.

12 (3) Only those signs, lights, and devices as are provided for in
13 this section shall be placed upon a highway to warn traffic of work
14 that is being performed on the highway.

15 (4) Control devices or markings installed upon traffic barriers
16 on or after January 1, 1984, shall conform to the uniform standards
17 and specifications required by this section.

18 (b) The Department of Transportation shall revise the California
19 Manual on Uniform Traffic Control Devices, as it read on January
20 1, 2012, to require the Department of Transportation or a local
21 authority to round speed limits to the nearest five miles per hour
22 of the 85th percentile of the free-flowing traffic. However, in cases
23 in which the speed limit needs to be rounded up to the nearest five
24 miles per hour increment of the 85th-percentile speed, the
25 Department of Transportation or a local authority may decide to
26 instead round down the speed limit to the lower five miles per hour
27 increment, but then the Department of Transportation or a local
28 authority shall not reduce the speed limit any further for any reason.

29 (c) *If the Department of Transportation or a local authority*
30 *decides to round down the speed limit to the lower five miles per*
31 *hour increment as permitted in subdivision (b), the department or*
32 *local authority shall use the next higher five miles per hour*
33 *increment of the 85th-percentile speed to determine the minimum*
34 *yellow change interval for traffic signals upon that section of*
35 *roadway.*

36 SEC. 2. Section 21453 of the Vehicle Code is amended to read:

37 21453. (a) A driver facing a steady circular red signal alone
38 shall stop at a marked limit line, but if none, before entering the
39 crosswalk on the near side of the intersection or, if none, then
40 before entering the intersection, and ~~shall remain stopped~~ *may not*

1 *proceed straight through the intersection or turn left, except a left*
 2 *turn from a one-way street onto a one-way street, until an*
 3 *indication to proceed is shown, except as provided in subdivision*
 4 *(b).*

5 (b) ~~Except when a sign is in place prohibiting a turn, a driver,~~
 6 ~~after stopping as required by subdivision (a), facing a steady~~
 7 ~~circular red signal, A driver facing a steady circular red signal~~
 8 *alone shall stop at a marked limit line, but if none, before entering*
 9 *the crosswalk on the near side of the intersection or, if none, then*
 10 *before entering the intersection, and may turn right, or turn left*
 11 *from a one-way street onto a one-way street, except when a sign*
 12 *is in place prohibiting the turn. A driver making that the turn shall*
 13 *yield 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) Unless otherwise directed by a pedestrian control signal as
 26 provided in Section 21456, a pedestrian facing a steady circular
 27 red or red arrow signal shall not enter the roadway.

28 SEC. 3. Section 21455.4 is added to the Vehicle Code, to read:

29 21455.4. A local governmental agency that operates an
 30 automatic traffic enforcement system pursuant to Section 21455.5
 31 shall extend the time on the yellow light interval by one second
 32 beyond the minimum yellow light change intervals for posted
 33 speeds or prima facie speeds as designated pursuant to the
 34 California Manual on Uniform Traffic Control Devices (MUTCD),
 35 or its successor.

36 SEC. 4. Section 21455.7 of the Vehicle Code is amended to
 37 read:

38 21455.7. (a) At an intersection at which there is an automated
 39 enforcement system in operation, the minimum yellow light change
 40 interval shall be established in accordance with the Traffic Manual

1 ~~of the Department of Transportation~~ *at one second beyond the*
2 *yellow light change intervals as designated pursuant to the*
3 *California Manual on Uniform Traffic Control Devices (MUTCD),*
4 *or its successor.*

5 (b) ~~For purposes of subdivision (a), the~~ *The minimum yellow*
6 *light change intervals relating to designated approach speeds*
7 *provided in the Traffic Manual of the Department of Transportation*
8 *established pursuant to subdivision (a) are mandatory minimum*
9 *yellow light change intervals. Any citation issued by a law*
10 *enforcement agency shall be dismissed if the local governmental*
11 *agency or local authority has not established the yellow light*
12 *change intervals in compliance with the requirements of this*
13 *section.*

14 (c) A yellow light change interval may exceed the minimum
15 interval established pursuant to subdivision (a).