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AB-162 State highways: wrong-way driving. (2015-2016)

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Assembly Bill No. 162

CHAPTER 101

An act to add and repeal Section 21651.1 of the Vehicle Code, relating to state highways, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 15, 2015. Filed with Secretary of State July 15, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 162, Rodriguez. State highways: wrong-way driving.

Existing law requires a vehicle to be driven on the right half of a roadway, subject to specified exceptions. On a highway that has been divided into 2 or more roadways by means of intermittent barriers or by means of specified kinds of dividing sections, existing law makes it unlawful to drive a vehicle on that highway, except to the right of the intermittent barrier or dividing section that separates 2 or more opposing lanes of traffic.

This bill would require the Department of Transportation, in consultation with the Department of the California Highway Patrol, to update a 1989 report on wrong-way driving on state highways to account for technological advancements and innovation, to include a review of methods studied or implemented by other jurisdictions and entities to prevent wrong-way drivers from entering state highways, and to provide a preliminary version of the report to specified legislative committees on or before December 1, 2015, and the final report on or before July 1, 2016. The bill would require the report to identify any additional treatments and technologies with the potential to reduce the number of instances of wrong-way driving on state highways and to include a plan to incorporate those treatments and technologies into the Department of Transportation's wrong way monitoring and mitigation program. The bill would make related findings and declarations.

The bill would provide that its provisions are repealed as of January 1, 2021.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Wrong-way driving on state highways kills or injures numerous Californians each year.

(b) Accidents caused by wrong-way driving on highways are more likely to result in fatal or serious injuries than other types of accidents.

(c) According to the Department of the California Highway Patrol, from 2001 to 2014, inclusive, a total of 193 fatal collisions and 685 injury collisions occurred on state highways in this state as a result of wrong-way driving.

(d) Innovative countermeasures are needed to prevent drivers from entering the highway the wrong way.

SEC. 2. Section 21651.1 is added to the Vehicle Code, to read:

21651.1. (a) The Department of Transportation, in consultation with the Department of the California Highway Patrol, shall update the June 1989 report entitled "Prevention of Wrong-Way Accidents" prepared by the Department of Transportation pursuant to Chapter 153 of the Statutes of 1987. The update shall account for technological advancements and innovation since publication of the 1989 report and shall include a review of methods studied or implemented by other jurisdictions, including state or local agencies within or outside the state, and methods studied by nongovernmental entities to prevent wrong-way drivers from entering state highways. A preliminary version of the updated report shall be provided to the Senate Committee on Housing and Transportation and the Assembly Committee on Transportation on or before December 1, 2015, and the final report shall be provided to those committees on or before July 1, 2016. The report shall identify any additional treatments and technologies with the potential to reduce the number of instances of wrong-way driving on state highways and shall include a plan to incorporate those treatments and technologies into the Department of Transportation's wrong way monitoring and mitigation program for the state highway system.

(b) This section is repealed on January 1, 2021, pursuant to Section 10231.5 of the Government Code.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make progress on prevention of wrong-way accidents as quickly as possible, it is necessary that this act take effect immediately.