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AB-1353 Highway rest areas: vending machines: utility costs. (2015-2016)

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Assembly Bill No. 1353

CHAPTER 173

An act to amend Section 220.5 of the Streets and Highways Code, relating to highway rest areas.

[Approved by Governor August 11, 2015. Filed with Secretary of State August 11, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1353, Patterson. Highway rest areas: vending machines: utility costs.

Existing law requires the Department of Transportation to authorize the placement of vending machines in safety roadside rests, except as specified, and requires the department to give preference in the placement of those vending machines to vendors operating under the Business Enterprises Program for the Blind. Existing law requires the department to determine the costs for specified activities, including any maintenance and operation, related to the vending machines and requires that the department be reimbursed for those costs from the revenues derived from the operation of the machines.

This bill would prohibit the department from being reimbursed for utility costs incurred by vendors operating under the Business Enterprises Program for the Blind and would require the department to pay for those utility costs using state funds.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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

SECTION 1. Section 220.5 of the Streets and Highways Code is amended to read:

220.5. (a) The department shall authorize the placement of vending machines in safety roadside rests, unless prohibited by federal laws, rules, or regulations.

(b) The department, pursuant to provisions contained in paragraph (5) of subsection (a) of Section 2 of the Act of June 20, 1936, commonly known as the Randolph-Sheppard Act, as amended (20 U.S.C. Sec. 107a(a)(5)), shall give preference for the placement of vending machines in safety roadside rest areas along state highways to vendors operating under the Business Enterprises Program for the Blind in accordance with Article 5 (commencing with Section 19625) of Chapter 6 of Part 2 of Division 10 of the Welfare and Institutions Code.

(c) The department may determine which safety roadside rest areas are suitable for inclusion in the vending machine program and the appropriate location within each roadside rest area for the placement of the machines, and the department shall approve the design and construction of any shelter or structure that may be required for the machines.

(d) (1) The department shall determine the costs for any maintenance, operations, design review, or other activities related to the vending machines and, except as provided in paragraph (2), shall be reimbursed for those costs from the revenues derived from

the operation of the machines.

(2) (A) The department shall not be reimbursed for utility costs incurred by vendors operating under the Business Enterprises Program for the Blind and shall pay for those utility costs using state funds.

(B) For purposes of this paragraph, "utility costs" includes fees incurred for providing electricity service, water service, sewage service, or any other similar service.

(e) Any money received by the department for authorizing the placement of, or from the income from, the vending machines shall be transferred to the State Highway Account.