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SB-516 Transportation: motorist aid services. (2015-2016)

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Senate Bill No. 516

CHAPTER 491

An act to amend Sections 2550 and 2557 of the Streets and Highways Code, relating to highways.

[Approved by Governor October 04, 2015. Filed with Secretary of State October 04, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 516, Fuller. Transportation: motorist aid services.

Existing law authorizes the establishment of a service authority for freeway emergencies in any county if the board of supervisors of the county and the city councils of a majority of the cities within the county adopt resolutions providing for the establishment of the service authority. Existing law authorizes a service authority to impose a fee of \$1 per year on vehicles registered in the counties served by the service authority. Existing law generally requires moneys received by a service authority to be used for the implementation, maintenance, and operation of a motorist aid system of call boxes and authorizes moneys received by a service authority in excess of what is needed for that system to be used for additional motorist aid services, including, among other things, changeable message signs and lighting for call boxes. Existing law requires the Department of Transportation and the Department of the California Highway Patrol to review and approve plans, and amendments to plans, for implementation of a motorist aid system of call boxes.

This bill would require each service authority to determine how those moneys received by it are to be used by the service authority for the implementation, maintenance, and operations of a motorist aid system, including call boxes. The bill would additionally authorize the use of those moneys for traveler information systems, Intelligent Transportation System architecture and infrastructure, and other transportation demand management services, and safety-related hazard and obstruction removal. The bill would require the Department of Transportation and the Department of the California Highway Patrol to review and approve plans, and amendments to plans, for implementation of a motorist aid system of call boxes pursuant to specified guidelines.

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

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

SECTION 1. Section 2550 of the Streets and Highways Code is amended to read:

2550. The Legislature declares that its intent in enacting this chapter is to encourage a motorist aid system comprising multiple service elements and infrastructure along the California Freeway and Expressway System to enable motorists in need of aid to obtain assistance. However, it is not intended that a motorist aid system be considered an emergency system.

SEC. 2. Section 2557 of the Streets and Highways Code is amended to read:

2557. (a) Each service authority shall determine how moneys received by it pursuant to subdivision (b) of Section 9250.10 of the Vehicle Code shall be used for the implementation, maintenance, and operation of a motorist aid system, including the lease or lease-purchase of facilities and equipment for the system, on the portions of the California Freeway and Expressway System and a county expressway system, and the unincorporated county roads in that county, and on state highway routes that connect segments of these systems, that are located within the county in which the authority is established. The department and the Department of the California Highway Patrol shall each review and approve plans, pursuant to the "CHP/Caltrans Call Box and Motorist Aid Guidelines," referenced in Section 2421.5 of the Vehicle Code, for implementation of a motorist aid system of call boxes proposed for any state highway route and shall be reimbursed by the service authority for all costs incurred due to review and approval of the plan.

(b) An authority or any other public entity may construct and maintain, and lease or lease-purchase on terms and conditions it deems appropriate, the facilities of a motorist aid system or it may contract with a private person or entity to do so.

(c) If leases or lease-purchase agreements are entered into pursuant to subdivision (a), or if revenue bonds are issued and sold pursuant to Section 2558, the moneys received by each service authority pursuant to subdivision (b) of Section 9250.10 of the Vehicle Code shall be used to the extent necessary to make lease payments or to pay the principal of, and interest on, the amount of bonded indebtedness outstanding, as the case may be. Facilities and equipment acquired through the expenditure of proceeds from the sale of those bonds shall have a useful life at least equal to the term of the bonds.

(d) (1) Any moneys received and allocated by a service authority pursuant to subdivision (b) of Section 9250.10 of the Vehicle Code may be used for purposes of paragraph (2) and for full implementation and ongoing costs to maintain and operate the motorist aid system pursuant to subdivision (a), including, but not limited to, the following motorist aid and safety-related projects:

(A) Call boxes.

(B) Changeable message signs.

(C) Lighting for call boxes.

(D) Support for traffic operations centers.

(E) Contracting for removal of disabled vehicles from the traveled portion of the right-of-way, including operation of the freeway service patrol pursuant to Chapter 15 (commencing with Section 2560).

(F) Traveler information systems, Intelligent Transportation System architecture and infrastructure, and other transportation demand management services.

(G) Safety-related hazard and obstruction removal.

(2) Any amendment to an existing plan for a motorist aid system of call boxes adopted by a service authority for any state highway route shall, prior to implementation, be submitted to the department and the Department of the California Highway Patrol for review and approval, and shall not be implemented until so reviewed and approved pursuant to the "CHP/Caltrans Call Box and Motorist Aid Guidelines," referenced in Section 2421.5 of the Vehicle Code. The service authority shall reimburse each department for the costs of that review.

(3) Service authority funding provided for projects described in subparagraphs (B),(F), and (G) of paragraph (1) is intended to supplement, and not replace, department expenditures for similar infrastructure and services on the California Freeway and Expressway System.

(e) A service authority may develop policies for the retention of records, including, but not limited to, authority operations, contracts, and programs, and the length of the retention period.

(f) A motorist aid system constructed, maintained, or operated pursuant to this section shall meet the applicable standards of Title II of the Americans with Disabilities Act of 1990 (Public Law 101-336) and federal regulations adopted pursuant thereto.

(g) Nothing in this section relieves a service authority of any obligation under the law to receive appropriate permission or approval from the department for activities within rights-of-way under the jurisdiction of the department.