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AB-773 Street closures and designations. (2021-2022)

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Assembly Bill No. 773

CHAPTER 587

An act to amend Section 21101 of the Vehicle Code, relating to streets.

[Approved by Governor October 06, 2021. Filed with Secretary of State October 06, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 773, Nazarian. Street closures and designations.

Existing law authorizes local authorities to adopt rules and regulations by ordinance or regulation for highways under their jurisdiction if specified criteria are met. Under existing law, authorized actions by local authorities include permanent or temporary highway or street closures under certain conditions and the designation of a highway as a through highway.

This bill would authorize a local authority to adopt a rule or regulation by ordinance to implement a slow streets program, which may include closures to vehicular traffic or through vehicular traffic of neighborhood local streets with connections to citywide bicycle networks, destinations that are within walking distance, or green space. The bill would require the local authority to meet specified conditions to implement a slow street, including a determination that closure or traffic restriction is necessary for the safety and protection of persons using the closed or restricted portion of the street, conducting an outreach and engagement process, and clearly designating the closure or traffic restriction with specific signage.

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

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

SECTION 1. Section 21101 of the Vehicle Code is amended to read:

21101. Local authorities, for those highways under their jurisdiction, may adopt rules and regulations by ordinance or resolution, except as provided in subdivision (f), on the following matters:

(a) Closing any highway to vehicular traffic when, in the opinion of the legislative body having jurisdiction, the highway is either of the following:

- (1) No longer needed for vehicular traffic.
- (2) The closure is in the interests of public safety and all of the following conditions and requirements are met:
 - (A) The street proposed for closure is located in a county with a population of 6,000,000 or more.
 - (B) The street has an unsafe volume of traffic and a significant incidence of crime.

(C) The affected local authority conducts a public hearing on the proposed street closure.

(D) Notice of the hearing is provided to residents and owners of property adjacent to the street proposed for closure.

(E) The local authority makes a finding that closure of the street likely would result in a reduced rate of crime.

(b) Designating any highway as a through highway and requiring that all vehicles observe official traffic control devices before entering or crossing the highway or designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances to the intersection.

(c) Prohibiting the use of particular highways by certain vehicles, except as otherwise provided by the Public Utilities Commission pursuant to Article 2 (commencing with Section 1031) of Chapter 5 of Part 1 of Division 1 of the Public Utilities Code.

(d) Closing particular streets during regular school hours for the purpose of conducting automobile driver training programs in the secondary schools and colleges of this state.

(e) Temporarily closing a portion of any street for celebrations, parades, local special events, and other purposes when, in the opinion of local authorities having jurisdiction or a public officer or employee that the local authority designates by resolution, the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing.

(f) Implementing a slow streets program. For purposes of this section, a "slow streets program" may include closures to vehicular traffic or through vehicular traffic of neighborhood local streets with connections to citywide bicycle networks; destinations, such as a business district, that are within walking distance; or green space. A local authority may implement a slow streets program by adopting an ordinance that provides for the closing of streets to vehicular traffic or limiting access and speed on a street using roadway design features, including, but not limited to, islands, curbs, or traffic barriers. A local authority may implement a slow streets program if it meets all of the following requirements:

(1) Conducts an outreach and engagement process that includes notification to residents and owners of property abutting any street being considered for inclusion in the slow streets program.

(2) Determines that the closure or traffic restriction leaves a sufficient portion of the streets in the surrounding area for other public uses, including vehicular, pedestrian, and bicycle traffic.

(3) Provides advance notice of the closure or traffic restriction to residents and owners of property abutting the street.

(4) Clearly designates the street closure or traffic restriction with signage in compliance with the California Manual on Uniform Traffic Control Devices.

(5) Determines that the closure or traffic restriction is necessary for the safety and protection of persons who are to use that portion of the street during the closure or traffic restriction.

(6) Maintains a publically available internet website with information about its slow streets program, a list of streets that are included in the program or are being evaluated for inclusion in the program, and instructions for participating in the public engagement process.

(g) Prohibiting entry to, or exit from, or both, from any street by means of islands, curbs, traffic barriers, or other roadway design features to implement the circulation element of a general plan adopted pursuant to Article 6 (commencing with Section 65350) of Chapter 3 of Division 1 of Title 7 of the Government Code. The rules and regulations authorized by this subdivision shall be consistent with the responsibility of local government to provide for the health and safety of its citizens.