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AB-1680 Transportation: San Francisco Bay Area Rapid Transit District: policing responsibilities. (2021-2022)

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Assembly Bill No. 1680

CHAPTER 252

An act to amend Section 11 of Chapter 86 of the Statutes of 2022, relating to transportation.

[Approved by Governor September 06, 2022. Filed with Secretary of State September 06, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1680, Lee. Transportation: San Francisco Bay Area Rapid Transit District: policing responsibilities.

Existing law creates the San Francisco Bay Area Rapid Transit District (BART). Existing law authorizes BART to acquire, construct, own, operate, control, or use rights-of-way, rail lines, bus lines, stations, platforms, switches, yards, terminals, parking lots, and any and all other facilities necessary or convenient for rapid transit service, as specified.

Section 99171 of the Public Utilities Code authorizes specified transit districts, including BART, to issue prohibition orders to any person that is cited 3 times within a period of 90 days for specified infractions committed in or on a vehicle, bus stop, or train or light rail station of a transit district, and prohibits a person issued a prohibition order from entering the property, facilities, or vehicles of the transit district, as specified. AB 1337 (Chapter 534 of the Statutes of 2021), effective January 1, 2022, amended Section 99171 of the Public Utilities Code to authorize a prohibition order to also be issued for those infractions committed in or on a property, facility, or vehicle upon which BART owes policing responsibilities, and to also prohibit a person issued a prohibition order from additionally entering the property, facilities, or vehicles upon which BART owes policing responsibilities, as specified.

SB 357 (Chapter 86 of the Statutes of 2022), effective January 1, 2023, among other things, amended Section 99171 of the Public Utilities Code to strike a cross-reference to a statute the bill repeals. SB 357 also made the same changes to Section 99171 of the Public Utilities Code made by AB 1337, but only if SB 357 and AB 1337 were enacted and became effective on or before January 1, 2022, and SB 357 was enacted last. SB 357 was not enacted and did not become effective on or before January 1, 2022. Thus, SB 357, in addition to striking the cross-reference, deletes the amendments AB 1337 made to Section 99171 of the Public Utilities Code, as described above.

This bill would amend the above-described provision of SB 357 to instead incorporate the changes to Section 99171 of the Public Utilities Code made by AB 1337 if SB 357 and AB 1337 are enacted and become effective on or before January 1, 2023, rather than January 1, 2022, thereby preserving the changes AB 1337 made to Section 99171 of the Public Utilities Code that would otherwise be deleted by SB 357.

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

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

SECTION 1. Section 11 of Chapter 86 of the Statutes of 2022 is amended to read:

SEC. 11. Section 8.5 of this bill incorporates amendments to Section 99171 of the Public Utilities Code proposed by both this bill and Assembly Bill 1337. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2023, (2) each bill amends Section 99171 of the Public Utilities Code, and (3) this bill is enacted after Assembly Bill 1337, in which case Section 8 of this bill shall not become operative.