

SENATE RULES COMMITTEE Office of Senate Floor Analyses 1020 N Street, Suite 524 (916) 445-6614                      Fax: (916) 327-4478	AB 1886
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 THIRD READING

Bill No: AB 1886  
 Author: Jackson (D)  
 Amended: 8/22/02 in Senate  
 Vote: 21

SENATE TRANSPORTATION COMMITTEE : 9-3, 6/25/02  
 AYES: Murray, Costa, Dunn, Karnette, Romero, Scott, Soto,  
       Speier, Torlakson  
 NOES: McClintock, Brulte, Morrow

SENATE PUBLIC SAFETY COMMITTEE : 4-0, 8/6/02  
 AYES: McPherson, Burton, Margett, Sher

SENATE APPROPRIATIONS COMMITTEE : 7-3, 8/21/02  
 AYES: Alpert, Bowen, Escutia, Karnette, Murray, Perata,  
       Speier  
 NOES: Battin, Johannessen, Poochigian

ASSEMBLY FLOOR : 67-9, 5/29/02 - See last page for vote

SUBJECT : Vehicles: school zone fines

SOURCE : Author

DIGEST : This bill allows for the creation of double fine  
 zones in specifically posted school zones in Alameda, Santa  
 Barbara and Ventura Counties.

ANALYSIS : Existing law creates a pilot project setting  
 up twelve "Safety Enhancement-Double Fine Zones" which  
 doubles the fine for specified misdemeanors and raises the  
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fine for specified infractions. The "Safety Enhancement-Double Fine Zones" must be marked.

Existing law provides that the above provision shall sunset on January 1, 2004.

Existing law provides for an additional "state penalty" of \$10 for every \$10 or fraction thereof levied upon every fine, penalty or forfeiture imposed and collected by the courts for criminal offenses including all offenses, except parking offenses, involving the Vehicle Code. The money collected from the penalty is distributed in specified percentages among the Fish and Game Preservation Fund, the Restitution Fund, the Peace Officers Training Fund, the Driver Training Penalty Assessment Fund, the Corrections Training Fund, the Local Public Prosecutors and Public

Defenders Fund, the Victim-Witness Assistance Fund, and the Traumatic Brain Injury Fund.

Existing law provides that in each county there shall be an additional penalty of \$7 for every \$10 thereof upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code except parking offenses. The money collected shall be placed in any of the following funds if established by a County Board of Supervisors: Courthouse Construction Fund, a Criminal Justice Facilities Construction Fund, Automated Fingerprint Identification Fund, Emergency Medical Services Fund, and DNA Identification Fund.

This bill doubles or increases the base fines for the following designated violations which occur in a specially posted school zones in the Counties of Alameda, Santa Barbara and Ventura:

1. Disobeying traffic control devices.
2. Improper overtaking or passing other vehicles.
3. Failure to yield the right-of-way.
4. Improper turning, stopping, or signaling.

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5. Excessive speed.
6. Ignoring special traffic control signals.
7. Reckless driving.
8. Involvement in a speed contest.
9. Driving under the influence and other driving under the influence violations.
10. Driving with drinking an alcoholic beverage.
11. Driving while in possession of an open container of alcohol or marijuana.
12. A person under 21 driving a motor vehicle containing an alcoholic beverage.

The provisions of this bill apply only in Alameda County, Santa Barbara County, Ventura County, or in a city in any of these counties and only if that jurisdiction has adopted this section by a vote of the city council or county board of supervisors, as appropriate.

The increased fines authorized by this bill may only be imposed and collected once per offense or notwithstanding the fact that the offense occurred within more than one jurisdiction all of which have adopted this section. Furthermore, no increased fine shall be imposed if an increased fine is imposed under Section 42009 or 42020 because the offense occurred within a highway construction or maintenance area or safety enhancement area.

This bill repeals these provisions on January 1, 2007, unless they are extended.

This bill requires that the State Department of the California Highway Patrol shall do a report with existing resources.

FISCAL EFFECT : Appropriation: No Fiscal Com.: Yes  
 Local: Yes

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Fiscal Impact (in thousands)

<u>Major Provisions</u>	<u>Fund</u>	<u>2002-03</u>	<u>2003-04</u>
<u>2004-05</u>			
Signs - Caltrans revenue	Local/	Unknown increase in fine	
costs		minor increased	State Hwy
Signs - Local	Local	Unknown increased costs	

SUPPORT : (Verified 8/23/02)

Alameda County  
 California Federation of Teachers  
 California State PTA  
 Cajon Park PTSA  
 City of Oakland  
 City of San Jose  
 City of Santa Barbara  
 City of Santa Rosa  
 County of Ventura  
 Downey High School PTSA  
 School Traffic Safety Committee of the Hughes PTA  
 League of California Cities  
 Association for Los Angeles Deputy Sheriffs  
 Los Angeles Unified School District  
 Marina Middle School  
 Marshall Elementary School  
 Oak Avenue Elementary PTA's Safe Route Committee  
 Pedestrian Friendly Alameda  
 Presidio Middle School  
 Roosevelt Middle School  
 Small School Districts' Association  
 Tule Park Child Development Center  
 Twenty-First Century Academy  
 County of Santa Barbara  
 City of Ojai  
 City of Pleasant Hill  
 Ojai Unified School District; a number of individuals

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ARGUMENTS IN SUPPORT : According to the author's office:

"According to a 1997 study by the National Highway Traffic Safety Administration (NHTSA), nearly one-third of all children between the ages of 5 and 9 years who were killed in motor vehicle traffic crashes were pedestrians. One-fifth of the traffic fatalities under the age of 16 were pedestrians."

"In 2000, 37 pedestrian children were killed and 6,164 injured during school hours as a result of pedestrian-vehicle collisions."

ASSEMBLY FLOOR :

AYES: Alquist, Aroner, Bogh, Calderon, John Campbell, Canciamilla, Cardenas, Cardoza, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dickerson, Dutra, Firebaugh, Florez, Frommer, Goldberg, Havice, Hertzberg, Horton, Jackson, Keeley, Kehoe, Kelley, Koretz, Leach, Leonard, Leslie, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Nakano, Nation, Negrete McLeod, Oropeza, Robert Pacheco, Rod Pacheco, Pavley, Pescetti, Reyes, Richman, Runner, Salinas, Shelley, Simitian, Steinberg, Strickland, Strom-Martin, Thomson, Vargas, Washington, Wayne, Wiggins, Wright, Wyland, Zettel, Wesson  
NOES: Aanestad, Ashburn, Briggs, Bill Campbell, Harman, Hollingsworth, La Suer, Mountjoy, Wyman

RJG:cm 8/24/02 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

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