

Date of Hearing: March 27, 2017

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 697 (Fong) – As Introduced February 15, 2017

**SUBJECT:** Tolls: exemption for privately owned emergency ambulances

**SUMMARY:** Exempts privately owned emergency ambulances, as defined, from requirements to pay tolls, under conditions similar to exemptions already granted for authorized emergency vehicles; defines "private ambulance" to mean a privately owned emergency ambulance licensed by the California Highway Patrol (CHP).

**EXISTING LAW:**

- 1) Makes it unlawful for any person to refuse to pay tolls or other charges on any vehicular crossing or toll highway. Entering any vehicular crossing without either lawful money or other electronic toll payment device associated with a valid automatic vehicle identification account (and a balance sufficient to pay the tolls) is prima facie evidence of a toll evasion violation.
- 2) Exempts authorized emergency vehicles from requirements to pay tolls, under certain conditions, including:
  - a) The authorized emergency vehicle is properly displaying an exempt California license plate, and is properly identified or marked as an authorized emergency vehicle, including, but not limited to, displaying an external surface-mounted red warning light, blue warning light, or both, and displaying public agency identification, including, but not limited to, "Fire Department," "Sheriff," or "Police;" and,
  - b) The vehicle is being driven while responding to or returning from an urgent or emergency call (as defined), engaging in an urgent or emergency response, or engaging in a fire station coverage assignment directly related to an emergency response. However, authorized emergency vehicles are *not* exempt from paying tolls on high-occupancy toll lanes when returning from an urgent or emergency call.
- 3) Prescribes a process whereby heads of public agencies can satisfy a toll bill or invoice by justifying an urgent or emergency response.
- 4) Specifically stipulates that an authorized emergency vehicle is not exempt from the requirement to pay tolls if it does not comply with the prescribed conditions warranting an exemption.
- 5) Authorizes toll facility operators to enter into agreements with emergency service providers to set forth mutually agreed upon terms for the providers' use of the toll facility.
- 6) Prohibits any person from operating a privately owned emergency ambulance until licensed by the CHP.

**FISCAL EFFECT:** Unknown

**COMMENTS:** AB 254 (Jeffries), Chapter 425, Statutes of 2009, originally exempted authorized emergency vehicles from requirements to pay tolls. AB 254 addressed a situation that arose when fire fighters from across the state traveled to Southern California to battle wildfires and were charged tolls. Local fire departments generally had agreements with the toll operators that alleviated the need for them to pay tolls but the agreements did not apply to fire departments from other areas of the state.

The author introduced this bill, on behalf of the California Ambulance Association (CAA), to provide uniformity in the way both public agency ambulances and privately owned ambulances are subject to toll charges. The author asserts that most ambulances in California are owned and operated by private companies that offer life-saving service at far less cost than government entities. Consequently, he believes privately owned ambulances should receive the same exemptions from toll charges so they can continue to use the most effective routes without being penalized. Furthermore, while toll operators already have the authority to enter into agreements with local ambulance companies, these agreements do not generally apply to ambulance companies from outside the area.

Writing in support of this bill, CCA asserts that AB 697 will ensure private ambulance companies are not encumbered with the toll costs when using the most efficient routes on emergency calls.

The manner in which toll operators in California address the use of their facilities by privately owned ambulances varies. For example, the Transportation Corridor Agencies, the operator of an expansive network of toll roads in Orange County, suggests that this bill would not have any impact on its operations because it already applies the existing exemption for emergency vehicles to privately owned ambulances. The Riverside County Transportation Commission, on the other hand, only grants exemptions to California Highway Patrol and local fire departments.

According to the CHP, it licenses about 4,000 ambulances (operated by 148 privately owned ambulance companies) in California. CAA reports that, collectively, tolls cost these companies about \$2.5 million annually.

*Committee concerns:*

- 1) The burden of providing an exemption for privately owned ambulances will be shifted to other toll paying customers.
- 2) While this bill could arguably reduce costs for privately owned ambulances, the bill does not require the companies to pass on the savings to customers, for instance, by way of reduced rates.

*Previous legislation:* AB 254 (Jeffries), Chapter 425, Statutes of 2009, exempted authorized emergency vehicles from requirements to pay tolls.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Ambulance Association

**Opposition**

None on file

**Analysis Prepared by:** Janet Dawson / TRANS. /