

Date of Hearing: June 26, 2017

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

SB 493 (Hill) – As Introduced February 16, 2017

SENATE VOTE: 40-0

SUBJECT: Vehicles: right-turn violations

SUMMARY: Reduces the base fine, from \$100 to \$35, for turning right on a red light (rolling right turn), or turning left from a one-way street onto another one-way street, without coming to a complete stop.

EXISTING LAW:

- 1) Requires a driver to stop at a red light and prohibits the driver from proceeding until given an indication to do so. Failing to stop at a red light is a violation carrying a base fine of \$100, as well as a violation point.
- 2) Allows a driver to turn right after coming to a complete stop, unless there is a sign prohibiting it. Also allows a driver to turn left from a one-way street onto another one-way street, after coming to a complete stop, during a red light.
- 3) Provides that stopping, but then proceeding to make an unsafe turn - for example, by failing to yield to a pedestrian in the crosswalk - carries a \$35 base fine and a violation point.
- 4) Provides that the state Judicial Council annually adopts a uniform traffic penalty schedule for all non-parking infractions outlined in the Vehicle Code.
- 5) Establishes the base fine for red-light violations at \$100; due to additional surcharges, penalties, and assessments, a \$100 base fine is equivalent to a total of \$541.

FISCAL EFFECT: According to the Senate Appropriations Committee, this bill would result in unknown, but potentially significant, loss of state and local penalty assessment revenues.

COMMENTS: According to the author, the intent of this bill is to correct a drafting error in the enactment of AB 1191 (Shelley), Chapter 852, Statutes of 1997, that increased the base fine for red light violations from \$35 to \$100. The author asserts that AB 1191 was intended to only target drivers for going straight through intersections or making left-turns against a red light, which are the most dangerous violations at intersections and can result in catastrophic right angle collisions. AB 1191 raised the fine for these violations to more accurately reflect their seriousness and the potential for catastrophic accidents. He notes, however, that AB 1191 also raised the fine for failing to make a complete stop on a right turn on a red light, a violation that, while it should not be condoned, is far less serious and does not warrant the increased fine of a running straight through the intersection, particularly given that these citations, with fines and penalties, have a total cost of \$541.

With the advent of automated traffic enforcement systems (also known as red light cameras), AB 1191 has resulted in a significant increase in the number of drivers being cited, at the higher

fine rate, for rolling right turn violations. The author contends that citing these violations at \$100, with the total cost at \$541 after assessments, is overly punitive given that the maneuver that is not overtly dangerous. To address this issue, the author has introduced this bill which would reduce the base fine for rolling right turn violations to \$35, ultimately resulting in a total fine of \$289, after penalty assessments are applied. He notes that lowering the fine for these violations would make the monetary penalty more equitable and in the context of other traffic violations.

To the author's point, generally, the Vehicle Code assigns higher penalties to traffic violations with potential for injury or death. Violations with a fine equal to the fine for running a red light, include failure to yield to an emergency vehicle, throwing lighted material on the highway, and failure to use child safety seats. Violations resulting in \$35 fines include failing to yield the right-of-way in a crosswalk and unsafe turns or lane changes.

A San Mateo County Civil Grand Jury report noted that "the fine for failure to stop before making a right-hand turn seems out of proportion to similar offenses and, as a result, is often appealed in traffic court." The report states that there has been an 80% increase in the number of red light citations and that challenges to the citations are overwhelming the San Mateo County Superior Court. Similarly, a Texas Transportation Institute report entitled "*Synthesis on the Safety of Right Turn on Red in the United States and Canada*" concluded that rolling right turns are not a dangerous maneuver at signalized intersections for either vehicles or pedestrians in most circumstances and, proportionally, rolling right turn crashes are very low (less than 0.5% of all crashes) and, in the event of a crash, the outcome is generally not severe.

The author carried nearly identical bills in 2010, 2015, and 2016. AB 909 of 2010 was vetoed by Governor Schwarzenegger. In his veto message, the Governor noted that modifying the law to make red-light violations less egregious would send the wrong message to the public that California is tolerant of these types of offenses. SB 681 of 2015 and SB 986 of 2016, were both held in the Senate Appropriations Committee on the suspense file.

Previous legislation: SB 986 (Hill) of 2016 would have reduced the base fine for "rolling right turn" violations from \$100 to \$35. SB 986 was held on the Assembly Appropriations Committee suspense file.

SB 681 (Hill) of 2015 would have reduced the base fine for "rolling right turn" violations from \$100 to \$35. SB 681 was held on the Senate Appropriations Committee suspense file.

AB 909 (Hill) of 2010 would have reduced the base fine for "rolling right turn" violations from \$100 to \$35. AB 909 was vetoed by Governor Schwarzenegger.

AB 1191 (Shelley), Chapter 852, Statutes of 1997, increased the base fine for red-light signal violations from \$35 to \$100.

REGISTERED SUPPORT / OPPOSITION:

Support

AAA Northern California
American Civil Liberties Union of California

Automobile Club of Southern California
California Association of Highway Patrolmen
Safer Streets LA
Western States Trucking Association

Opposition

None on file

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