

Date of Hearing: June 27, 2016

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

SB 986 (Hill) – As Amended June 20, 2016

SENATE VOTE: 39-0

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 behind the limit line at a red light.
- 2) Provides that, after stopping at a red light, a driver may proceed to turn right or to turn left from a one-way street onto a one-way street, if it is safe to do so.
- 3) Established the base fine for red-light violations at \$100 the total cost of which amounts to \$541 after surcharges, penalties, and assessments are applied.

FISCAL EFFECT: Unknown

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 and 2015. AB 909 (Hill) 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 (Hill) of 2016, was held on Suspense in the Senate Appropriations Committee.

Writing in support of SB 986, Safer Streets LA points out that for persons with lesser means, these tickets represent a substantial financial burden, particularly given that they were issued for a relatively minor infraction. In fact, the Assembly Transportation Committee recently passed SB 881 (Hertzberg) that addressed concerns for low income motorists being driven further into poverty as a result penalties associated with the inability to pay the substantial fines resulting from added penalty assessments.

The San Francisco Municipal Transportation Agency (SFMTA) writes that reducing the fine for rolling right turn violations would send the message to the public regarding the seriousness of these offenses. They point out that San Francisco police reports show that an average of 319 injury collisions were caused annually between 2008 and 2014 by drivers running red lights. Of these, SFMTA notes that an average of 14 collisions involved right turns.

Related legislation: SB 881 (Hertzberg) would end the practice of suspending an individual's driver's license for failing to appear in court or failing to pay a traffic fine for certain violations. SB 881 passed out of this committee and is scheduled to be heard by the Assembly Committee on Public Safety on June 28, 2016.

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

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

SB 681 (Hill) of 2016, was identical to this bill in that it would have reduced the fine for a "rolling right turn." SB 681 was held on Suspense in the Senate Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

A New Way of Life Re-Entry Project
American Civil Liberties Union of California
Automobile Club of Southern California
California Association of Highway Patrolmen
Legal Services for Prisoners with Children
National Motorists Association
Safer Streets L.A.
Western States Trucking Association

Opposition

San Francisco Municipal Transportation Agency

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