

Date of Hearing: June 21, 2021

ASSEMBLY COMMITTEE ON TRANSPORTATION  
Laura Friedman, Chair  
SB 214 (Bates) – As Introduced January 12, 2021

**SENATE VOTE:** 37-0

**SUBJECT:** Neighborhood electric vehicles: County of Orange: Ranch Plan Planned Community

**SUMMARY:** Makes permanent the authority of Orange County to establish a neighborhood electric vehicle transportation plan (NEV Plan) for the Ranch Plan Planned Community, also known as Rancho Mission Viejo.

**EXISTING LAW:**

- 1) Defines NEV as a low-speed vehicle, weighing less than 3,000 pounds, with four wheels, that can attain a speed of between 20 and 25 miles per hour (mph).
- 2) Authorizes Orange County, by ordinance or resolution, to adopt an NEV Plan for the Ranch Plan Planned Community.
- 3) Requires the NEV Plan to be reviewed, and commented upon, by the relevant transportation and traffic law enforcement agencies. Requires the NEV Plan to include: route selection; transportation interfacing; provisions for parking, charging, and NEV related facilities, special signage; and provisions for special paving, road markings, signage and striping for NEV lanes.
- 4) Requires Orange County to submit a report to the Legislature on or before November 1, 2020 in consultation with the Department of Transportation (Caltrans), the Department of the California Highway Patrol (CHP), and local law enforcement agencies, detailing: a) a description of the NEV Plan and its elements; b) an evaluation of the effectiveness of the NEV Plan, including its impacts on traffic flows and safety; and c) a recommendation as to whether the authorizing legislation should be terminated, continued in existence and applicable solely to the Ranch Plan Planned Community, or expanded statewide.
- 5) Repeals provisions related to Orange County's NEV authority as of January 1, 2022.

**FISCAL EFFECT:** Unknown

**COMMENTS:** Rancho Mission Viejo is a master planned community development in south Orange County. Residents of the community are able to access work, shopping, dining, and recreation using NEV networks. NEVs are electric-powered vehicles, similar to a golf cart, that travel up to 25 mph and are designed for low-speed neighborhood use. Because NEVs are smaller, lack important safety features, and travel at slower speeds, they are typically not allowed to operate on streets with posted speed limits exceeding 35 mph, unless otherwise authorized.

In 2007, the Legislature passed SB 956 (Correa) Chapter 442, which granted authority to Rancho Mission Viejo to develop an NEV Plan. SB 956 contained a sunset provision. Since passage of

SB 956, the Legislature has granted several extensions to Rancho Mission Viejo to develop its NEV Plan and to report to the Legislature on the performance of its NEV Plan.

The Legislature has granted authority to adopt NEV Plans to other communities in California including the County of Riverside, the City of Fresno, the County of Amador, the cities of Lincoln and Rocklin, and the County of San Diego. In 2006, Lincoln was the first city in California to adopt an NEV Plan. In a January 1, 2011 report to the Legislature, Lincoln reported that its NEV transportation plan has “generally been successful” and Rocklin reported that the early results “show promise.” While NEV Plan authority has lapsed in some of these jurisdictions, a 2014 SacBee article describes NEVs as hugely popular in the retirement community of Sun City Lincoln Hills. In 2019, Caltrans funded two 8-foot shoulders for shared NEV/bike lanes in Lincoln as part of a bridge widening project.

The main concern with NEV transportation plans has been safety. In its report, the City of Lincoln raised several public safety concerns, such as conflict with bicycles, conflict with motorists in shared lanes, and the difficulty of an NEV crossing traffic from the dedicated right lane to the left lane to make a left turn on a street with a speed limit in excess of 35 mph. In recognition of these unresolved safety concerns, prior legislative authority all had sunset dates. Rancho Mission Viejo planned its community specifically with NEVs in mind, so the same safety issues have not been identified.

The Capistrano Area of the CHP completed its review of the July 2017 Rancho Mission Viejo NEV Plan. It supported the NEV Plan, the infrastructure elements, and supporting strategies. Similarly, Caltrans District 12 Traffic Operations Southwest had no objections to the proposed NEV Plan.

The legislatively required report for the Rancho Mission Viejo NEV Plan recommends continuance. The report states “To date, Rancho Mission Viejo’s NEV transportation plan has provided access and mobility for NEVs throughout the development, with no recorded safety or traffic problems. As a result, we recommend that the NEV program at Rancho Mission Viejo be continued.”

According to the author, “In 2015, I authored SB 241 extending from January 1, 2017 until January 1, 2022, the authority of Orange County to establish a neighborhood electric vehicle transportation plan for the Ranch Plan Planned Community. Now that the sunset date in SB 241 is approaching, I am reintroducing the bill as SB 214, which will permanently extend the County of Orange’s authority to establish a NEV transportation plan that supports NEV use in Rancho Mission Viejo. For Rancho Mission Viejo, the community’s transportation system encourages NEV, bicycle and pedestrian alternatives to traveling by automobile. This reduces the community’s greenhouse gas emissions and helps them achieve their objective. We can reduce greenhouse gas emissions in Orange County with the increased use of neighborhood electric vehicles. Given the information we have after years of study, it is time to make permanent the County’s authority to establish a NEV transportation plan for Rancho Mission Viejo.”

In support, the Orange County Business Council writes, “NEVs are electric-powered vehicles, similar in scale to golf carts, designed for low-speed neighborhood use. The Ranch has seen an increase in the use of NEVs as an environmentally friendly way to explore the community. NEVs will remain an important component of the community’s transportation demand measures as The Ranch continues to grow.”

*Previous legislation:* SB 1151 (Bates), Chapter 564, Statutes of 2018 authorizes the County of San Diego or any city in the county to establish a NEV Plan until January 1, 2029.

SB 241 (Bates), Chapter 156, Statutes of 2015 extends authorization of NEV Plan in Ranch Plan Planned Community in Orange County to 2022.

SB 290 (Correa), Chapter 150, Statutes of 2011 extends authorization for NEV Plan in Ranch Plan Planned Community in Orange County to 2017.

AB 61 (Jeffries), Chapter 170, Statutes of 2011 authorizes NEV Plan in Riverside County until 2017.

AB 1781 (Villines), Chapter 452, Statutes of 2010 authorizes NEV Plan in city of Fresno until 2016.

AB 584 (Huber), Chapter 437, Statutes of 2010 authorizes NEV Plan in Amador County and cities of Jackson, Sutter Creek, and Amador until 2016.

AB 2963 (Gaines), Chapter 199, Statutes of 2008 extends authorization for NEV Plans in cities of Lincoln and Rocklin to 2012.

SB 956 (Correa), Chapter 442, Statutes of 2007 authorizes NEV Plan in Ranch Plan Planned Community in Orange County until 2013.

AB 2353 (Leslie), Chapter 422, Statutes of 2004 authorizes NEV Plans in cities of Lincoln and Rocklin until 2009.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Rancho Mission Viejo, LLC (Sponsor)  
California Building Industry Association  
Orange County  
Orange County Business Council

**Opposition**

None on file

**Analysis Prepared by:** Christine Casey / TRANS. / (916) 319-2093