

Date of Hearing: March 20, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 413 (Lee) – As Introduced February 2, 2023

SUBJECT: Vehicles: stopping, standing, and parking

SUMMARY: Prohibits a person from stopping, parking, or leave standing any vehicle whether attended or unattended within 20 feet of a marked or unmarked crosswalk.

EXISTING LAW:

- 1) Prohibits a person from stopping, parking or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in any of the following places:
 - a) Within an intersection, except adjacent to curbs as may be permitted by local ordinance.
 - b) On a crosswalk, except that a bus engaged as a common carrier or a taxicab may stop in an unmarked crosswalk to load or unload passengers when authorized by the legislative body of a city pursuant to an ordinance.
 - c) Between a safety zone and the adjacent right-hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb, which sign or paint was erected or placed by local authorities pursuant to an ordinance.
 - d) Within 15 feet of the driveway entrance to a fire station. This subdivision does not apply to any vehicle owned or operated by a fire department and clearly marked as a fire department vehicle.
 - e) In front of a public or private driveway, except that a bus engaged as a common carrier, schoolbus, or a taxicab may stop to load or unload passengers when authorized by local authorities pursuant to an ordinance.
 - f) In unincorporated territory, where the entrance of a private road or driveway is not delineated by an opening in a curb or by other curb construction, so much of the surface of the ground as is paved, surfaced, or otherwise plainly marked by vehicle use as a private road or driveway entrance, shall constitute a driveway.
 - g) On a portion of a sidewalk, or with the body of the vehicle extending over a portion of a sidewalk, except electric carts when authorized by local ordinance, as specified in Section 21114.5. Lights, mirrors, or devices that are required to be mounted upon a vehicle under this code may extend from the body of the vehicle over the sidewalk to a distance of not more than 10 inches.
 - h) Alongside or opposite a street or highway excavation or obstruction when stopping, standing, or parking would obstruct traffic.

- i) On the roadway side of a vehicle stopped, parked, or standing at the curb or edge of a highway, except for a schoolbus when stopped to load or unload pupils in a business or residence district where the speed limit is 25 miles per hour or less.
 - j) Except as provided under Section 22500.5, alongside curb space authorized for the loading and unloading of passengers of a bus engaged as a common carrier in local transportation when indicated by a sign or red paint on the curb erected or painted by local authorities pursuant to an ordinance.
 - k) In a tube or tunnel, except vehicles of the authorities in charge, being used in the repair, maintenance, or inspection of the facility.
 - l) Upon a bridge, except vehicles of the authorities in charge, being used in the repair, maintenance, or inspection of the facility, and except that buses engaged as a common carrier in local transportation may stop to load or unload passengers upon a bridge where sidewalks are provided, when authorized by local authorities pursuant to an ordinance, and except that local authorities pursuant to an ordinance or the Department of Transportation pursuant to an order, within their respective jurisdictions, may permit parking on bridges having sidewalks and shoulders of sufficient width to permit parking without interfering with the normal movement of traffic on the roadway. Local authorities, by ordinance or resolution, may permit parking on these bridges on state highways in their respective jurisdictions if the ordinance or resolution is first approved in writing by the Department of Transportation. Parking shall not be permitted unless there are signs in place, as may be necessary, to indicate the provisions of local ordinances or the order of the Department of Transportation.
 - m) In front of or upon that portion of a curb that has been cut down, lowered, or constructed to provide wheelchair accessibility to the sidewalk.
 - n) In a portion of a highway that has been designated for the exclusive use of public transit buses. (Vehicle Code Section (VEH) 22500)
- 2) Provides that any violation of any regulation that is not a misdemeanor governing the standing or parking a vehicle is subject to a civil penalty. (VEH 40200)

FISCAL EFFECT: Unknown

COMMENTS:

Intersections are dangerous. According to the Federal Highway Administration (FHWA), Of the 38,824 traffic fatalities in the United States in 2020, 10,626 of them were at an intersection. 1,674 of those fatalities were pedestrians representing nearly 25% of all pedestrian fatalities. Nearly half of all traffic injuries occur at intersections.

According to the author, “California’s pedestrian fatality rate is almost 25% higher than the national average. This bill will implement “daylighting” which would increase visibility by prohibiting parking within 20 feet of intersections and crosswalks, which will improve safety for pedestrians, bicyclists, and motor vehicles.”

FHWA notes that “insufficient sight distance can be a contributing factor in intersection traffic crashes. Intersection sight distance is typically defined as the distance a motorist can see approaching vehicles before their line of sight is blocked by an obstruction near the intersection. The driver of a vehicle approaching or departing from a stopped position at an intersection should have an unobstructed view of the intersection, including any traffic control devices, and sufficient lengths along the intersecting roadway to permit the driver to anticipate and avoid potential collisions.”

The National Association of City Transportation Officials (NACTO) recommends improving visibility at intersections through a strategy referred to as “daylighting” which involves removing parking within 20-25 feet of an intersection. Parking at intersections reduces visibility for oncoming traffic in several ways. It reduces visibility of pedestrians about to cross the street. It also obstructs traffic signals like stop signs both for the driver approaching the intersection and the driver behind that driver, increasing the likelihood of getting rear ended because they do not expect the first driver to come to a complete stop. It also can reduce visibility for drivers seeing oncoming traffic at an intersection only contains a stop sign for one direction of traffic.

This bill would prohibit parking within 20 feet of a crosswalk to improve visibility. The prohibition in this bill was part of the 1923 Uniform Law Commission created to provide a standardized set of motor vehicle laws across the country. According to a California Research Bureau (CRB) memo requested by this committee in June of 2022, 43 states already prohibit parking within a certain distance of a crosswalk, with most states prohibiting parking within 20 feet of an intersection. When California adopted the model code for parking restrictions in 1935, it did not include the restriction on parking near to intersections.

Daylighting has been shown to reduce collisions at intersections. According to data collected by CRB, daylighting in the Tenderloin district in San Francisco resulted in 14% fewer collisions at intersections. Hoboken, New Jersey had a 30% decrease in pedestrian injuries when they coupled daylighting with vertical delineators.

Streets for All, the sponsor of this bill, argues “Parked cars near crosswalks and intersections make it difficult or impossible to see oncoming traffic, bicyclists, and pedestrians. To deal with this problem, 43 states already have some form of daylighting in statute. San Francisco and Alameda have also begun implementing this policy and have seen increases in safety as a result. For example, San Francisco found 14% fewer reported collisions at intersections where daylighting was implemented.

This bill would increase street safety by implementing daylighting throughout the state. With California’s pedestrian fatality rate over 25% higher than the national average, this measure is clearly needed.”

The California Trucking Association (CTA) is opposing the bill and requesting an amendment. They argue, “While we understand and support the intent of the bill to better roadway safety by implementing daylighting at intersections throughout the state, we are concerned that further reducing parking capacity in densely populated settings will increase driver safety issues related to lack of parking in these same areas.

Daylighting has traditionally been implemented on a limited basis in high traffic incident intersections as a means to increase pedestrian and bicyclist visibility. Expanding this practice to all streets would decrease as many as two spots per city block or more.” CTA argues that the loss of

parking spots will reduce the availability of places for drivers to deliver packages, and is asking for an amendment to exempt short term-commercial vehicle loading or unloading.

Committee comments: Improving intersection safety is imperative for the state to reach its goal of zero traffic fatalities. Daylighting is an easy way to improve safety at intersections that is the law in 43 other states.

While The CTA is correct that this bill will reduce available parking spots the suggested amendment may pose additional safety concerns. Delivery vehicles tend to be larger and taller than traditional vehicles, Their size is even more likely to significantly reduce the visibility this bill intends to provide for drivers, pedestrians and cyclists for safety purposes.

More concerning, the size and height of these delivery vehicles are more likely to block the visibility of a stop sign. This could potentially lead to a driver missing the stop sign and getting into a collision or getting rear ended by the vehicle behind them that may be unawares the vehicle in front of them is about to stop. CTA may wish to work with cities on providing curb space away from intersections for package delivery instead of getting authorization to park in spaces that provide a safety risk to motorists and pedestrians alike.

Other road treatments, like curb extensions, can provide physical barriers to cars for parking at intersections, while also improving visibility of pedestrians. They also help narrow the road, which will reduce speeds at intersections. In order to encourage cities that are concerned about losing parking space as a result of this bill to build curb extensions that can add further safety benefits, the committee recommends allowing vehicles to park within 15 feet of an intersection if the street contains a curb extension (similar to Connecticut and New Jersey).

The extra parking space may also be a good place for motorized scooter and bicycle parking, both of which are substantially smaller than cars and unlikely to cause the visibility issues a car would at an intersection. Racks for parking for these devices to lock to may also provide the added benefit of a physical barrier to cars parking in these spots. As such the committee recommends permitting local authorities to authorize the parking of motorized scooters and bicycles in those locations.

The committee recommends the following amendment:

(n) Within 20 feet of either side of any marked or unmarked crosswalk, or within 15 feet if the crosswalk has a curb extension. A local authority may permit parking for bicycles and motorized scooters within 20 feet of a crosswalk.

REGISTERED SUPPORT / OPPOSITION:

Support

Streets for All (sponsor)
AARP
California Bicycle Coalition
City of Fremont
Disability Rights California
Happy City Coalition
Norwalk Unides
San Diego County Bicycle Coalition

Opposition

California Trucking Association (unless amended)

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