

AMENDED IN ASSEMBLY JUNE 4, 2018
AMENDED IN SENATE JANUARY 23, 2018
AMENDED IN SENATE JANUARY 10, 2018
AMENDED IN SENATE JANUARY 3, 2018

SENATE BILL

No. 760

Introduced by Senator Wiener

(Principal coauthors: Assembly Members Chiu and Kalra)
(Coauthors: Assembly Members Bloom and Friedman)

February 17, 2017

An act to ~~add~~ *amend* Section ~~891.1~~ to *670.1* of the Streets and Highways Code, relating to ~~bikeways~~. *state highways*.

LEGISLATIVE COUNSEL'S DIGEST

SB 760, as amended, Wiener. ~~Bikeways: design guides. State highways: permits: improvements.~~

Existing law authorizes the Department of Transportation to issue a permit to the owner or developer of property adjacent to or near a state highway, including the associated right-of-way, to construct, alter, repair, or improve any portion of the highway for the purpose of improving local traffic access, as provided. Existing law specifies that the permit may be issued only if the work within the highway right-of-way is to be performed in accordance with plans and specifications approved by the department.

If the improvement would not affect the operation of the state highway and the associated work would be performed in accordance with local agency plans and specifications, this bill would prohibit the department from denying an application for a permit solely because the associated

work is not to be performed in accordance with plans and specifications approved by the department.

~~Existing law requires the Department of Transportation to establish minimum safety design criteria for the planning and construction of bikeways and uniform specifications and symbols for associated signs, markers, and traffic control devices. Existing law requires all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to utilize all minimum safety design criteria and uniform specifications and symbols for signs, markers, and traffic control devices established under these provisions, except that alternative minimum safety design criteria may be used under certain conditions.~~

~~This bill would authorize a city, county, regional, or other local agency, when using the alternative minimum safety design criteria, to consider additional design guides, including the Urban Street Design Guide of the National Association of City Transportation Officials. The bill would authorize a state entity that is responsible for the planning and construction of roadways to consider additional design guides, including the Urban Street Design Guide of the National Association of City Transportation Officials.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 670.1 of the Streets and Highways Code
- 2 is amended to read:
- 3 670.1. (a) The department may issue a permit to the owner or
- 4 developer of property adjacent to or near a state highway to
- 5 construct, alter, repair, or improve any portion of the highway for
- 6 the purpose of improving local traffic access, if the improvements
- 7 to the highway are required as part of, or as a condition to, the
- 8 development of property and the improvements are accepted by
- 9 the department.
- 10 (b) ~~The~~(1) *Except as specified in paragraph (2), the permit*
- 11 may be issued only if the work within the highway right-of-way
- 12 is to be performed in accordance with plans and specifications
- 13 approved by the department and the department reserves the right
- 14 to inspect and accept the work as complying with the approved
- 15 plans and specifications.

1 (2) *If the improvement would not affect the operation of the*
2 *state highway and the associated work would be performed in*
3 *accordance with local agency plans and specifications, the*
4 *department shall not deny an application for a permit solely*
5 *because the associated work is not to be performed in accordance*
6 *with plans and specifications approved by the department.*

7 (c) All road, bridge, street lighting, or installation of signal work
8 performed under a permit issued pursuant to this section for
9 acceptance into the state highway system, except work performed
10 solely to allow private encroachments onto the state highway or
11 for utility or drainage encroachments within the state highway, are
12 public works for purposes of Part 7 (commencing with Section
13 1720) of Division 2 of the Labor Code.

14 ~~SECTION 1. Section 891.1 is added to the Streets and~~
15 ~~Highways Code, to read:~~

16 ~~891.1. (a) Pursuant to Section 891, a city, county, regional, or~~
17 ~~other local agency responsible for the development or operation~~
18 ~~of bikeways or roadways where bicycle travel is permitted, may~~
19 ~~consider additional design guides, including, but not limited to,~~
20 ~~the Urban Street Design Guide of the National Association of City~~
21 ~~Transportation Officials.~~

22 (b) ~~A state entity responsible for the planning and construction~~
23 ~~of roadways may consider additional design guides, including, but~~
24 ~~not limited to, the Urban Street Design Guide of the National~~
25 ~~Association of City Transportation Officials.~~