

CONCURRENCE IN SENATE AMENDMENTS

AB 413 (Lee)

As Amended September 8, 2023

Majority vote

**SUMMARY**

Prohibits a person from parking a vehicle within 20 feet of either side of any marked or unmarked crosswalk, or within 15 feet of any crosswalk where a curb extension is present, but permits a local government to allow parking for bicycles or motorized scooters within 20 feet of a crosswalk.

**Senate Amendments**

- 1) Authorizes a local authority to establish a different distance if both of the following requirements are met:
  - a) A local authority establishes the different distance by ordinance that includes a finding that the different distance is justified by established traffic safety standards.
  - b) A local authority has marked the different distance at the intersection using paint or a sign.
- 2) Allows a local authority to permit commercial vehicle loading or unloading at a crosswalk if both of the following requirements are met:
  - a) A local authority authorizes the commercial vehicle loading and unloading by ordinance and identifies the crosswalk or crosswalks in the ordinance.
  - b) A local authority has marked the commercial loading and unloading areas with paint or signage.
- 3) Delays enforcement until January 1, 2025, unless the area is marked using paint or a sign.

**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.

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.

*Committee concerns:* 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. Daylighting improves a driver's line of sight at intersections, making both pedestrians and other drivers safer.

Senate amendments permit cities to designate parking spots near crosswalks as loading zones for trucks. A city that does so by simply updating their city ordinance to reflect this new law would likely be placing both pedestrians and drivers in danger. Delivery vehicles tend to be larger and taller than most passenger vehicles and can significantly reduce the visibility and increased safety for drivers, pedestrians and cyclists that this bill intends to provide.

For example, the size and height of 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 unaware the vehicle in front of them is about to stop.

### **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."

### **Arguments in Support**

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."

### **Arguments in Opposition**

According to the California Contract Cities Association, "CCCA appreciates the intent behind AB 413 which aims to make streets safer in communities across the state. Further, we recognize

that the bill's requirements are flexible, as the legislation allows cities to pass ordinances authorizing different daylighting standards in their jurisdictions. However, our organization remains concerned about the added burden placed upon cities to mark their parking distance requirements should they decide to diverge from the statewide standard in their jurisdictions. If cities decide to decrease the amount of daylighting, the legislation requires cities to erect new signage and paint curbs, which will come at a cost and pull resources away from other community priorities."

## **FISCAL COMMENTS**

According to the Senate Appropriations Committee, unknown mandated costs for local agencies to adopt and enforce policies to restrict parking within a specified distance of crosswalks, and to establish a process for issuing warning notices for first-time violations of the bill's prohibition. Some local costs associated with the bill may be reimbursable from the state General Fund, subject to a determination by the Commission on State Mandates.

## **VOTES:**

### **ASM TRANSPORTATION: 11-4-0**

**YES:** Friedman, Berman, Juan Carrillo, Gipson, Hart, Jackson, Kalra, Lowenthal, Stephanie Nguyen, Ward, Wicks

**NO:** Vince Fong, Davies, Sanchez, Wallis

### **ASM APPROPRIATIONS: 12-3-1**

**YES:** Holden, Bryan, Calderon, Wendy Carrillo, Mike Fong, Addis, Lowenthal, Papan, Pellerin, Robert Rivas, Weber, Wilson

**NO:** Megan Dahle, Dixon, Sanchez

**ABS, ABST OR NV:** Mathis

### **ASSEMBLY FLOOR: 53-16-11**

**YES:** Addis, Alvarez, Arambula, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Juan Carrillo, Wendy Carrillo, Cervantes, Connolly, Mike Fong, Friedman, Gabriel, Garcia, Gipson, Grayson, Haney, Hart, Holden, Irwin, Jackson, Jones-Sawyer, Kalra, Lee, Low, Lowenthal, Maienschein, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Pellerin, Petrie-Norris, Reyes, Luz Rivas, Robert Rivas, Santiago, Schiavo, Ting, Valencia, Villapudua, Ward, Weber, Wicks, Wilson, Zbur, Rendon

**NO:** Alanis, Megan Dahle, Davies, Dixon, Essayli, Flora, Vince Fong, Gallagher, Hoover, Mathis, Jim Patterson, Joe Patterson, Sanchez, Ta, Waldron, Wallis

**ABS, ABST OR NV:** Aguiar-Curry, Bains, Calderon, Chen, Lackey, Quirk-Silva, Ramos, Rodriguez, Blanca Rubio, Soria, Wood

## **UPDATED**

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