



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 9b

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Memorandum

TO: Commission

DATE: July 21, 2010

FR: Executive Director

W. I.

RE: AB 909 (Hill): Violation Right Turn on Red

Background

The goal of AB 909 (Hill) is to make a technical clean-up to current law with respect to the fine for failing to make a complete stop before a vehicle makes a right turn at a red light. In 1997, the Legislature adopted AB 1191 (Shelley) to increase the base fine for red-light violations to \$100 under vehicle code 21453(a). Base fines are set by state law and subject to additional court costs and administrative fees that help fund the local court system; a driver subject to a \$100 base fine pays about \$445. Current law also contains a specific provision authorizing right turns or left turns onto a one-way street while at a red traffic light, after stopping. A violation of this provision (Vehicle Code 21453 (b)) is punishable by a base fine of \$35, resulting in a total fine of approximately \$211.

In practice, however, law enforcement in certain areas, including San Mateo County, has been selecting one particular section of code over another and citing all vehicles that do not come to a complete stop prior to turning right at a red light as violating Vehicle Code 21453 (a), thus subjecting motorists to paying the larger fine. AB 909 would clarify that the lower fine applies for right turn on red violations.

Out of concern that the bill was sending the wrong message and could potentially result in negative impacts to pedestrians, several members of your Policy Advisory Council requested that the Commission oppose the bill at the July Legislation Committee meeting. Since the bill was not on the Legislation Committee agenda for action, we have placed it on the Commission's agenda for discussion.

Recommendation: Take no position

Discussion

In general, MTC has not taken positions on the amount of traffic fines imposed on motorists and the amount of money collected by local government. Under AB 909, motorists who fail to come to a complete stop before turning right will be subject to a \$211 fine as well as a point on their driving record instead of about \$445. In addition, the bill appears to be consistent with current statute, which attempts to distinguish between right-turns on red and standard red-light violations, and establishes the two-tiered fine structure as a result.

We recommend taking no position on this bill and leaving this legislative debate to other entities with more direct traffic enforcement expertise.

Known Positions

Support

California Conference Board of the Amalgamated Transit Union
California Teamsters Public Affairs Council

Oppose

California League of Cities
California Police Chiefs Association
California Walks



Steve Heminger