

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 5, 2010
POSITION: Neutral

BILL NUMBER: AB 2324
AUTHOR: J. Perez

BILL SUMMARY: Transit: Public Transit Facilities

This bill would expand current law designed to promote airport and passenger vessel terminal security to include public transit vehicles and facilities. In addition, this bill would create new misdemeanors and recast the fines and punishments for crimes committed against public transit facilities.

FISCAL SUMMARY

The California Constitution requires the state to reimburse local government for the costs of any program or increased level of service mandated by the Legislature or any state agency. Any local government costs resulting from the mandate in this measure would not be state-reimbursable because the mandate only involves the definition of a crime or the penalty for conviction of a crime.

COMMENTS

Existing law:

- Defines the possession of various weapons, potential weapons, and simulated weapons within defined "sterile areas" of airports or passenger vessel terminals a crime, punishable as a misdemeanor.
Specifies that trespassing in restricted airport or passenger vessel terminal areas is a crime, punishable as a misdemeanor.
Prohibits a person from intentionally avoiding submission to screening and inspection when entering or reentering a sterile area of an airport or passenger vessel terminal, except as specified, and provides that a violation of this prohibition is punishable by not more than one year in a county jail, as specified.
Makes it a crime, punishable by a fine not to exceed \$250 and by specified community service, to evade the payment of any fare of, or engage in specified passenger misconduct on or in, a described facility or vehicle.

This bill would:

- Define a facility or vehicle of a public transit system as that portion of a facility or vehicle as described in Section 99211 of the Public Utilities Code, by any entity subsidized by the Department of Transportation, or a leased or rented vehicle or facility for which a public transit facility incurs the cost to clean, repair, or replace equipment, as specified.

(Continued)

COMMENTS (continued)

Analyst/Principal Date Assistant Program Budget Manager Date
(0236) J. Sturges Zlatko Theodorovic

Department Deputy Director Date

Governor's Office: By: Date: Position Approved
Position Disapproved

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

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- Define controlled areas of public transit facilities as sterile areas and make unauthorized entry into such an area with the knowledge that entry is prohibited a crime punishable by a fine not to exceed \$100.
- Recast the penalties for avoiding submission to screening to a punishment of a fine not to exceed \$500 fine for a first offense that does not result in an evacuation or delay, and by a fine of \$1,000 and imprisonment in county jail not to exceed one year for a second or subsequent offense. For a first offense that results in the evacuation of the terminal or facility, as specified, this bill would impose a penalty of not more than one year in a county jail.
- Add the operation of an electronic personal assistive mobility device or motorized scooter in a system facility, vehicle, or parking structure to the list of activities that are considered passenger misconduct.
- Recast the penalties for passenger misconduct to make it a misdemeanor, punishable by up to 90 days in county jail, by a fine not to exceed \$400, or by both imprisonment and a fine for the 3rd or subsequent violation of committing passenger misconduct, as specified.
- Make it a crime, punishable as a misdemeanor to willfully tamper with, remove, displace, injure, or destroy any part of any light rail train or bus equipment.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP	2009-2010		2010-2011		2011-2012		
RV	98	FC	FC	FC	FC	FC	FC		
5225/Corr & Rehab	SO	No	-----	No/Minor	Fiscal Impact	-----	-----	0001	
8885/Comm St Mndt	LA	No	-----	No/Minor	Fiscal Impact	-----	-----	0001	