

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 03/14/2012
POSITION: Oppose

BILL NUMBER: AB 1535
AUTHOR: Halderman, Linda

BILL SUMMARY: Highway Signs: Motorcycles in High-occupancy Vehicle Lanes.

This bill would require the Department of Transportation (Caltrans) or a local authority to include language stating that motorcycles are permitted in high-occupancy vehicle (HOV) lanes when replacing signs designating HOV lane use in an area that permits motorcycles in those lanes.

FISCAL SUMMARY

Caltrans reports that there are approximately 3,540 posted signs designating HOV lane use. While this bill only requires new signage when existing signs are replaced in order to minimize cost, this could pose operational issues because signage would be inconsistent, thereby creating additional motorist confusion. To address this concern, Caltrans would likely install new signs at one time on specific corridors or in particular geographic regions. Based on Caltrans' estimate of \$2,000 per sign for fabrication and setting up the necessary lane closures, this bill could result in a cost of approximately \$7 million over a one to two year period. If the new HOV signs were added only when old signs are replaced, the costs to Caltrans would be minor and absorbable.

While this bill has been flagged as a mandate by the Legislative Counsel, Section 17564(a) of the Government Code requires that, with certain exceptions, any claim for reimbursement of state-mandated local costs must exceed \$1,000 per affected local entity per year. Because this bill requires new signage only when existing signs are scheduled to be replaced, it is unlikely that this bill would result in costs in excess of \$1,000 per local entity per year if deemed reimbursable. While HOV lanes on local roads are less common than those on the state highway system, there are HOV lanes on the Santa Clara County expressway system and on a local road in the City of San Francisco.

COMMENTS

The Department of Finance is opposed to this bill because no data has been established to indicate that confusion over whether a motorcycle can or cannot use HOV lanes is a widespread problem.

When the HOV network was established in the 1970's, the federal government required that motorcycles be allowed to operate in HOV lanes. At the time, because the HOV system was new and rules were not clear, Caltrans posted signs indicating that motorcycles were permitted in HOV lanes. In 1991, state law was amended to specifically permit motorcycles in HOV lanes unless prohibited by a traffic control device such as a sign and, therefore, with the public being generally aware that motorcycles are permitted in HOV lanes, Caltrans discontinued posting new signs and replacing damaged signs. When the state adopted the 2009 Manual on Uniform Traffic Control Devices, a decision was made not to adopt the use of the "Motorcycles OK" sign due to the state law that specifically allows motorcycles to use HOV lanes. Caltrans suggests that this issue instead be brought before the California Transportation Control Devices Committee, which would review the issue and potentially make changes to standards and guidelines related to traffic control devices based on the engineering judgment of the committee.

Analyst/Principal (0751) M.Almy	Date	Program Budget Manager Mark Hill	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

Halderman, Linda

03/14/2012

AB 1535

COMMENTS (continued)

The author's office indicates that a lack of adequate notification that motorcycles are permitted in HOV lanes puts motorcyclists at risk, as many drivers do not look for motorcyclists in HOV lanes or are unaware that motorcyclists are permitted. The author's office also notes that this bill would encourage motorcycle use, which is one of the most fuel efficient forms of mechanized transportation.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)						Fund Code
	LA	(Dollars in Thousands)						
	CO	PROP						
	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014
2660/Caltrans	SO	No	A	--	C	3,500	C	3,500
<u>Fund Code</u> 0042	<u>Title</u> Highway Account, State, STF							