

AMENDED IN SENATE MAY 27, 2010

AMENDED IN ASSEMBLY APRIL 21, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 909

**Introduced by Assembly Members Feuer and Furutani Assembly
Member Hill
(Coauthor: Senator Hancock)**

February 26, 2009

~~An act to amend Section 13102 of the Elections Code, relating to elections. An act to amend Section 21453 of the Vehicle Code, relating to vehicles.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 909, as amended, ~~Feuer Hill. Elections: voting. Vehicles: right turn violations.~~

Existing law requires a driver facing a steady circular red signal alone to stop at a marked limit line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and to remain stopped until an indication to proceed is shown, except as specified.

Existing law also authorizes, except when a sign is in place prohibiting a turn, a driver, facing a steady circular red signal who has stopped as required pursuant to the above provisions, to turn right or turn left from a one-way street onto a one-way street provided the driver yields the right-of-way, as specified.

This bill would revise these provisions to allow a driver to turn right or turn left, as specified above, without having to stop at a marked limit line, or if none, before entering the crosswalk on the near side of the

intersection, or, if none, then before entering the intersection and without an indication to proceed having to be shown.

~~Existing law requires that one form of ballot be provided at an election for public officers, except at partisan primary elections, at which a ballot for each qualified political party and a nonpartisan ballot shall be provided. Under existing law, at partisan primary elections, a voter not registered with one of the political parties is to be furnished a nonpartisan ballot, unless he or she requests a ballot of a political party that has authorized a voter not registered with that party to vote the ballot of that party, as prescribed.~~

~~This bill would require that a member of the precinct board, prior to furnishing a ballot to a voter not registered with a political party, provide written notification to the voter that he or she may request a ballot of a political party that has authorized a voter not registered with that party to vote the ballot of that party or a nonpartisan ballot. The bill would require the written notification to list each political party that has authorized a voter not registered with that party to vote the ballot of that party.~~

~~Because the bill would require elections officials to perform additional duties, it would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

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

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

- 1 *SECTION 1. Section 21453 of the Vehicle Code is amended to*
- 2 *read:*
- 3 21453. (a) A driver facing a steady circular red signal alone
- 4 shall stop at *an intersection or at a marked limit line, but if none,*
- 5 ~~before entering the crosswalk on the near side of the intersection~~
- 6 ~~or, if none, then before entering~~ *proceeding through the*
- 7 intersection, and shall remain stopped until an indication to proceed
- 8 is shown, except as provided in subdivision (b).

1 (b) Except when a sign is in place prohibiting a turn, a driver,
2 ~~after stopping as required by subdivision (a)~~, facing a steady
3 circular red signal, may turn right, or turn left from a one-way
4 street onto a one-way street. A driver making that turn shall yield
5 the right-of-way to pedestrians lawfully within an adjacent
6 crosswalk and to any vehicle that has approached or is approaching
7 so closely as to constitute an immediate hazard to the driver, and
8 shall continue to yield the right-of-way to that vehicle until the
9 driver can proceed with reasonable safety.

10 (c) A driver facing a steady red arrow signal shall not enter the
11 intersection to make the movement indicated by the arrow and,
12 unless entering the intersection to make a movement permitted by
13 another signal, shall stop at a clearly marked limit line, but if none,
14 before entering the crosswalk on the near side of the intersection,
15 or if none, then before entering the intersection, and shall remain
16 stopped until an indication permitting movement is shown.

17 (d) Unless otherwise directed by a pedestrian control signal as
18 provided in Section 21456, a pedestrian facing a steady circular
19 red or red arrow signal shall not enter the roadway.

20 SECTION 1. ~~Section 13102 of the Elections Code is amended~~
21 ~~to read:~~

22 ~~13102. (a) All voting shall be by ballot. There shall be~~
23 ~~provided, at each polling place, at an election at which a public~~
24 ~~officer is to be voted for, but one form of ballot for all candidates~~
25 ~~for public office, except that, for partisan primary elections, one~~
26 ~~form of ballot shall be provided for each qualified political party~~
27 ~~as well as one form of nonpartisan ballot, in accordance with~~
28 ~~subdivision (b).~~

29 ~~(b) At a partisan primary election, prior to furnishing a ballot~~
30 ~~to a voter who has declined to state a party affiliation, a member~~
31 ~~of the precinct board shall provide written notification informing~~
32 ~~the voter that he or she may request a ballot for a political party~~
33 ~~that has adopted a party rule as provided in subdivision (c) or a~~
34 ~~nonpartisan ballot. If the voter does not request a ballot for a~~
35 ~~political party that has adopted a party rule as provided in~~
36 ~~subdivision (c), the voter shall be furnished a nonpartisan ballot.~~
37 ~~The nonpartisan ballot shall contain only the names of all~~
38 ~~candidates for nonpartisan offices and measures to be voted for at~~
39 ~~the primary election. A voter registered as intending to affiliate~~
40 ~~with a political party participating in the election shall be furnished~~

1 only a ballot of the political party with which he or she is registered
2 and the nonpartisan ballot, both of which shall be printed together
3 as one ballot in the form prescribed by Section 13207.

4 ~~(1) For purposes of this subdivision, written notification~~
5 ~~includes, signs, placards, posters, and other forms of written notice.~~

6 ~~(2) The written notification required by this subdivision shall~~
7 ~~list each party that has adopted a party rule as provided in~~
8 ~~subdivision (c). It shall be translated into a language other than~~
9 ~~English if translation is required by Section 14201 of this code~~
10 ~~and paragraph (4) of subdivision (f) of Section 4 (42 U.S.C. Sec.~~
11 ~~1973b(f)(4)) or Section 203 (42 U.S.C. Sec. 1973aa-1a) of the~~
12 ~~federal Voting Rights Act of 1965.~~

13 ~~(3) A voter who has declined to state a party affiliation may,~~
14 ~~request, verbally or in writing, a partisan ballot for a party that has~~
15 ~~adopted a party rule pursuant to subdivision (c).~~

16 ~~(c) A political party may adopt a party rule in accordance with~~
17 ~~subdivision (b) that authorizes a person who has declined to state~~
18 ~~a party affiliation to vote the ballot of that political party at the~~
19 ~~next ensuing partisan primary election. The political party shall~~
20 ~~notify the party chair immediately upon adoption of that party rule.~~
21 ~~The party chair shall provide written notice of the adoption of that~~
22 ~~rule to the Secretary of State not later than the 135th day prior to~~
23 ~~the partisan primary election at which the vote is authorized.~~

24 ~~(d) The county elections official shall maintain a record of which~~
25 ~~political party's ballot was requested pursuant to subdivision (b),~~
26 ~~or whether a nonpartisan ballot was requested, by each person who~~
27 ~~declined to state a party affiliation. The record shall be made~~
28 ~~available to a person or committee who is authorized to receive a~~
29 ~~copy of the printed indexes of registration for a primary or a general~~
30 ~~election pursuant to Section 2184. A record produced pursuant to~~
31 ~~this subdivision shall be made available in either a printed or~~
32 ~~electronic format, as requested by the authorized person or~~
33 ~~committee.~~

34 ~~SEC. 2. If the Commission on State Mandates determines that~~
35 ~~this act contains costs mandated by the state, reimbursement to~~
36 ~~local agencies and school districts for those costs shall be made~~
37 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
38 ~~4 of Title 2 of the Government Code.~~

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