



AB 2324 PUBLIC TRANSIT FACILITIES (08/20/2010)

SUMMARY

AB 2324 prohibits the possession of specified weapons in certain areas of a public transit facility or vehicle, called “sterile areas.”

This bill also prohibits an unauthorized person from knowingly entering a sterile area if that area has been posted with a notice that access is restricted, and this bill creates a punishment if that person refuses to leave the area after being requested to do so by a peace officer or authorized personnel.

AB 2324 also makes it a misdemeanor to willfully tamper with, remove, displace, injure, or destroy any part of any transit facility or vehicle; and it increases penalties on certain crimes committed by repeat offenders.

Finally, this bill modifies the penalties for certain third or subsequent offenses committed on public transit property.

EXISTING LAW

Existing law prohibits a person from knowingly possessing specified weapons and other items within any sterile area, as defined, of an airport or passenger vessel terminal, except as specified.

Existing law prohibits an unauthorized person from knowingly entering any airport operations area or passenger vessel terminal, as defined, if the area

has been posted with certain notices. Existing law provides that a person

convicted of violating this provision is punishable by a specified fine or term of imprisonment, or both, if he or she refuses to leave the area after being requested to do so by a peace officer or authorized personnel.

Existing law 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. Existing law provides that a violation of this prohibition that is responsible for the evacuation of an airport terminal or passenger vessel terminal is punishable by not more than one year in a county jail under certain circumstances.

Existing law provides that it is an infraction, 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.

RATIONALE

In the aftermath of the terrorist attacks on September 11, 2001, California made several changes to the Penal Code to address gaps in state law that deal with trespassing and possessing certain weapons at airports and

seaports. Over time, these laws were expanded to include certain public buildings and other facilities, but trains and bus terminals were not included at that time.

The Los Angeles County Sheriff's Department and other law enforcement agencies that provide public safety services to public transit agencies have expressed significant concerns over the safety of California's public transit systems. Current law does not provide for adequate protection from illegal weapons and dangerous or illegal behaviors on public transit systems.

AB 2324 gives law enforcement the tools necessary to strengthen security for buses, trains and other public transportation systems in California by prohibiting the possession of dangerous weapons in certain areas of a public transit facility and prohibits a person from intentionally engaging dangerous activities that can jeopardize the safety of transit operators, passengers and the public.

PREVIOUS LEGISLATION

SB 510 (Chapter 608, Statutes of 2002) made it a misdemeanor to possess specified weapons and/or parts, or ammunition within a "sterile area" of an airport, as defined.

AB 1263 (Chapter 361, Statutes of 2003) made it a crime to intentionally avoid the screening and inspection of one's person or property when entering the sterile area of an airport.

AB 280 (Chapter 289, Statutes of 2005) prohibited a person from knowingly possessing specified weapons and

other items within any sterile area of a harbor.

AB 584 (Chapter 378, Statutes of 2005) expanded existing misdemeanor trespass laws to specifically prohibit intentionally avoiding the screening and inspection procedures applicable to courthouses or a city, county, city and county or state building, as specified.

SPONSOR

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SUPPORT

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BILL HISTORY

Sen. Floor	32-0
Sen. Public Safety Committee	6-0
Asm. Floor	77-0
Asm. Appropriations Committee	14-0
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