
THIRD READING

Bill No: AB 1976
Author: Wicks (D)
Amended: 8/21/26 in Senate
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 5-1, 6/23/26
AYES: Durazo, Arreguín, Ashby, Cervantes, Laird
NOES: Seyarto
NO VOTE RECORDED: Choi

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-2, 7/1/26
AYES: Blakespear, Allen, Gonzalez, Hurtado, Menjivar
NOES: Valladares, Dahle

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 49-19, 5/28/26 - See last page for vote

SUBJECT: Streets and highways: pedestrian and bicycle facilities

SOURCE: Streets for All

DIGEST: This bill exempts the development of pedestrian malls from the California Environmental Quality Act (CEQA) and limits cities' and counties' ability to deny or delay pedestrian and bicycle safety improvements, among other provisions.

Senate Floor Amendments of 8/21/26 clarify that limits on community input meetings do not limit public participation required by federal regulation or funding requirements.

ANALYSIS:

Existing law:

- 1) Allows a city to “make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” It is from this fundamental power (commonly called the police power) that local governments derive their authority to regulate behavior to preserve the health, safety, and welfare of the public.
- 2) Allows local agencies to adopt rules and regulations prohibiting entry to or exit from any street if it is necessary to implement the circulation element of its General Plan.
- 3) Enacts the Pedestrian Mall Law (PML) of 1960 to create a statewide process to build pedestrian malls in recognition that in certain areas in cities, and particularly in retail shopping areas, there is a need to separate pedestrian travel from vehicular travel, and that the separation is necessary to protect the public safety or otherwise to serve the public interest and convenience. Under PML, a city or county can establish a pedestrian mall to prohibit vehicular traffic on a pedestrian mall, and pay property owners for damages resulting from establishing a pedestrian mall from the general fund or via assessment.
- 4) Provides that, to establish a pedestrian mall, the city or county must adopt a resolution declaring its intent describing the pedestrian mall, notifying the public of the opportunity to protest the mall’s establishment at a public hearing, and describing how the city or county will pay for damages to property owners. Not less than 90 days before the public hearing, the city or county must post the resolution on all affected streets and intersections and record the resolution with the county recorder. No later than 45 days before the public hearing, the city or county must mail the resolution to affected property owners. At the public hearing, the city or county must hear all objections, protests, and claims. If at least a majority of affected property owners protest the mall’s establishment, the city or county cannot establish the mall, and must wait a year before it brings it up again.
- 5) Provides that property owners that might suffer damage due to the pedestrian mall can file a claim of damages to the city or county’s clerk. At the public hearing, the city or county can allow for any damage claims. If there are unsettled claims, the city or county must direct that action to the relevant superior court in the nature of an eminent domain claim.

- 6) Provides that, under the California Environmental Quality Act (CEQA), a lead agency determines whether a project is exempt from CEQA, or if it must do an initial study to determine if a project will have significant effects on the environment. If a project has no effect on the environment or effects that can be mitigated, the lead agency prepares a negative declaration (ND) or mitigated ND (MND). If the project will have significant impacts, the lead agency prepares an environmental impact report (EIR) to evaluate and propose mitigation measures for any effects on the environment, including impacts or likely impacts to land, air, water, minerals, flora, fauna, ambient noise, and historic or aesthetic significance.

This bill:

- 1) Prohibits a city or county from holding a community input meeting to reconsider, delay, or prevent implementation of a proposed pedestrian or bicycle safety project if that project is included in an approved plan that will be implemented as part of the circulation element of the city or county's general plan, after that project has passed 90% design, as specified.
- 2) Provides that the limits to community input meetings shall not be construed to limit public participation otherwise required by law, including, but not limited to, a federal regulation or federal funding requirement.
- 3) Prohibits, at a public meeting when a contract is awarded or when county or city staff are directed to begin the construction of a pedestrian or bicycle safety project, or anytime thereafter, the bill would prohibit the city or county from terminating the project unless the city or county makes at least one specified finding at a public meeting.
- 4) Prohibits a city or county from requiring a petition to request the installation of a traffic-calming measure to contain the signatures of more than a majority of the total number of persons whose residences are located within 1,000 feet of the proposed traffic-calming measure, as specified.
- 5) Establishes a CEQA exemption for pedestrian malls meeting existing CEQA criteria for location, labor standards, and public transparency.

Comments

Purpose of Bill. According to the author, "While many of California's transportation laws are well-intentioned, there are a number of laws and regulations that have become overly burdensome when implementing much-

needed bicycle and pedestrian-related safety measures and projects. Bicycle and pedestrian-related transportation projects have run into outdated regulations that discourage action, raise costs, and lead to delays. AB 1976 would update existing laws and regulations in order to provide more streamlined processes for projects that provide additional safety measures and accessibility for local communities to walk and live safely.”

Not so fast. The state empowers local officials to make decisions that principally affect only their residents. This ensures that local governments can be responsive to the needs and concerns of their residents. Rather than leave decisions about how best to engage with the local community when it comes to bicycle and pedestrian safety improvements, this bill imposes a statewide limitation to the steps local agencies can take when considering bicycle and pedestrian improvements. Specifically, the bill limits the types of public input meetings that local agencies can hold to gather community feedback once design is 90% complete. Additionally, if a local agency wants to ensure that a bicycle or pedestrian safety improvement shares broad community input, it can no longer institute a protest process that requires more than majority approval of affected residents. Finally, it limits when local agencies can stop pedestrian improvements already underway unless they make findings on the public benefits or fiscal constraints that justify terminating the project. This bill does this to limit the ways a local agency can try to misuse public input to interfere with bicycle and pedestrian safety improvements. However, it may also limit legitimate opportunities for the public to express their concerns with the proposed project. It is unclear whether the potential misuse of public input justifies state-imposed limitations to the public’s ability to provide input on bicycle and pedestrian safety improvements. Local officials may be better suited to make determinations regarding the amount of public input on bicycle and pedestrian safety improvements in their jurisdictions.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 8/21/26)

Streets for All (Source)

AARP

Active San Gabriel Valley

California Yimby

Sacramento Area Bicycle Advocates

San Diego County Bicycle Coalition

South Pas Active Streets

Spur

Sustainable Claremont
Transform
Walk San Francisco
One individual

OPPOSITION: (Verified 8/21/26)

California Contract Cities Association
California State Association of Counties
County of Fresno
League of California Cities
Rural County Representatives of California
Urban Counties of California (UCC)

ASSEMBLY FLOOR: 49-19, 5/28/26

AYES: Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Krell, Lee, Lowenthal, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Addis, Arambula, Bains, Boerner, Flora, Gabriel, Irwin, McKinnor, Muratsuchi, Petrie-Norris, Quirk-Silva, Celeste Rodriguez

Prepared by: Jonathan Peterson / L. GOV. / (916) 651-4119
8/24/26 11:09:06

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