

AMENDED IN ASSEMBLY JUNE 19, 2001

AMENDED IN ASSEMBLY JUNE 5, 2001

AMENDED IN SENATE MARCH 22, 2001

**SENATE BILL**

**No. 290**

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**Introduced by Committee on Transportation (Senators Murray (Chair), Costa, Figueroa, Karnette, Perata, Scott, Soto, and Torlakson)**

February 16, 2001

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An act to amend Section 11011.18 of, and to repeal Section 14529.3 of, the Government Code, to amend Sections 42803.5 and 42950 of the Public Resources Code, to amend Sections 302 and 325 of the Streets and Highways Code, and to amend ~~Section 20002~~ *Sections 6700.2, 9410, 9862.5, 12509, 14900, 14900.1, 16020, 16028, 20002, and 34672* of, and to add Section 24612 to, the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 290, as amended, Committee on Transportation. Transportation.

(1) Existing law requires the Department of Transportation to furnish to the Department of General Services a record of each parcel of real property, where available, or identified transportation project, which it possesses, except certain existing properties or projects. Existing law further requires certain other descriptions to be provided.

This bill would recast these provisions to instead require the department to furnish the above record of each parcel to the Department of General Services by July 1, 2002, and each July 1, thereafter, with respect to lands and buildings, office buildings, maintenance stations,

equipment yards, and parking facilities. The bill would require the project description to include a concise description of each major structure on the above described property.

(2) Existing law requires funds received by the Department of Transportation as reimbursement for any work performed by the department under contract or other agreement for any local agency or entity or for any other state agency or state entity be deposited in the Transportation Reimbursable Work Account which is a continuously appropriated account in the State Transportation Fund.

This bill would repeal those provisions.

(3) Existing law defines the terms “new motor vehicle” and “used motor vehicle” for purposes of the laws governing waste tires and tire hauler registration to mean any device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

This bill would similarly define the word “vehicle” within that definition and would exclude from that definition a self-propelled wheelchair, motorized tricycle or motorized quadricycle, as defined, or other similar vehicle, designed to be operated by a person who, by reason of the person’s physical disability, is otherwise unable to move about as a pedestrian, and a golf cart, as defined.

(4) Existing law authorizes the California Transportation Commission, upon a determination by the commission that it is in the best interests of the state to do so, to relinquish, upon terms and conditions approved by it, that portion or portions of State Highway Route 2 located within the City of West Hollywood or the City of Santa Monica, or both, to that city or cities, upon agreement by the city or cities to accept the relinquishment or relinquishments. A relinquishment under this authority is effective on the date specified in the commission’s approved terms and conditions with the respective city, and, thereafter, State Highway Route 2 may not include the portion or portions so relinquished, nor may the portion or portions be considered for future adoption by the state.

This bill would authorize the commission to relinquish to the City of Los Angeles a specified portion of State Highway Route 2, upon terms and conditions the commission finds to be in the best interests of the state, and would require the City of Los Angeles to maintain within its jurisdiction certain directional signs, thereby imposing a state-mandated local program. The relinquishment would become



effective immediately following the county recorder's recordation of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment. The portion of State Highway Route 2 relinquished as specified would cease to be a state highway on the effective date of the relinquishment.

(5) Existing law lists and describes the highway routes in the state highway system, including State Highway Route 25.

This bill would amend the description of State Highway Route 25.

(6) Under existing law, the driver of any vehicle involved in an accident resulting only in damage to any property, including vehicles, is allowed to move the vehicle, if possible, off the main lanes of the highway to a safe location within the immediate vicinity of the accident unless that action would create a traffic hazard or cause an injury to any person. Existing law requires that driver to undertake certain notification actions.

This bill would recast this provision to require the driver involved in the described accident to, instead, immediately stop the vehicle at the nearest location that will not impede traffic or otherwise jeopardize the safety of other motorists. The bill would also require the driver to immediately undertake the notification requirements.

Because these changes would have the effect of expanding the scope of an existing crime, this bill would impose a state-mandated local program.

(7) *Existing law exempts from vehicle weight fees one commercial vehicle weighing less than 6,001 pounds unladen which, among other things, is used primarily for the transportation of a disabled person.*

*This bill would increase the weight of the commercial vehicle entitled to the exemption to those weighing less than 8,001 pounds unladen, rather than less than 6,001 pounds unladen. The bill would make a correspondingly related change in a provision governing nonresident daily commuters.*

(8) *Under existing law, in computing any penalty relating to the registration and transfer of vessels, a fraction of a dollar is disregarded unless it exceeds 50¢.*

*This bill would apply the above if the fraction of a dollar equals or exceeds 50¢.*

(9) *Existing law provides for the issuance of an instruction permit by the Department of Motor Vehicles subject to certain requirements which permit entitles the applicant to operate a vehicle for a period not exceeding 12 months.*



*This bill would additionally require an applicant to qualify for and be issued an instruction permit within 12 months from the date of the application and would entitle an instruction permit holder to operate a vehicle for 24 months, rather than 12 months, from the date of the application.*

*(10) Under existing law, the payment of a \$12 fee entitles the person paying the fee to apply for an original class C or M driver's license, which expires on the 4th birthday of the applicant, and to take 3 examinations within a period of 12 months from the date of the application or during the period that an instruction permit is valid.*

*This bill would increase the fee to \$15, provide for the expiration of the driver's license on the 5th birthday of the applicant, and allow the taking of 3 examinations within 24 months rather than 12 months, from the described date.*

*(11) Under existing law, the payment of a \$15 fee entitles the person paying the fee to apply for a renewal driver's license and to take 3 examinations within a period of 12 months from the date of the application or during the period that an instruction permit is valid.*

*This bill would allow the person to take the 3 examinations within 24 months, rather than 12 months, from the described date.*

*(12) Existing law requires every driver and every owner of a motor vehicle to be able to establish financial responsibility, and, at all times, carry in the vehicle evidence of a form of financial responsibility, which may be obtained by a law enforcement officer from the electronic reporting system established by the Department of Motor Vehicles. Existing law provides that evidence of financial responsibility may include the number of an insurance policy. Existing law requires, upon the demand of a peace officer, that evidence of financial responsibility be provided by a person driving a motor vehicle.*

*This bill would provide that the electronic reporting system alternative applies when that system becomes available for use by law enforcement officers.*

*The bill would also provide that the name of the insurance company is required to be included, as well as the number of the insurance policy, as evidence of financial responsibility. The bill would also provide that evidence of financial responsibility be provided to a traffic collision investigator upon the demand of that investigation.*

*(13) Existing law sets forth in the Vehicle Code lighting and reflector requirements for vehicles operating upon the highways.*



This bill would require all trailers and semitrailers having an overall width of 80 inches or more and a gross vehicle weight rating of more than 10,000 pounds, and manufactured on or after December 1, 1993, except as specified, and all truck tractors manufactured on or after July 1, 1997, to be equipped with the conspicuity system specified in a federal Motor Vehicle Safety Standard.

The bill would allow any trailer, semitrailer, or motor truck having an overall width of 80 inches or more and manufactured prior to December 1, 1993, and any truck tractor manufactured prior to July 1, 1997, to be equipped with the conspicuity system.

Because a violation of Vehicle Code equipment requirements is, under existing law, a crime, this bill would impose a state-mandated local program by creating a new crime.

~~(8)~~

*(14) Existing law requires a motor carrier permit to be canceled and a \$20 fee to be assessed to the motor carrier permit applicant if the permit is paid by check and the check is dishonored by the bank.*

*This bill would delete the required \$20 fee assessment for dishonored checks.*

*(15) 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.*

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

1 SECTION 1. Section 11011.18 of the Government Code is  
2 amended to read:



1 11011.18. The Department of Transportation, by July 1, 2002,  
2 shall furnish to the Department of General Services a record of  
3 each parcel of real property, with respect to lands and buildings,  
4 office buildings, maintenance stations, equipment yards, and  
5 parking facilities. The record shall be furnished by the Department  
6 of Transportation to the Department of General Services in a  
7 uniform format specified by the Department of General Services.  
8 The Department of General Services shall consult with the  
9 Department of Transportation on the development of the uniform  
10 format. The Department of Transportation shall update its  
11 descriptions of projects, reflecting any changes, by July 1 of each  
12 year. This project description shall include all of the following  
13 information:

14 (a) The location of the project within the state and county,  
15 including beginning and ending postmile and, if available, any  
16 other relevant project data.

17 (b) The total number of parcels of real property acquired for the  
18 project.

19 (c) The years of acquisition of the real property, if available.

20 (d) The aggregate purchase price of the parcels of real property  
21 acquired for the project.

22 (e) A description of the current uses of the property, if any,  
23 specifying the number of agricultural, commercial, residential,  
24 industrial, other rental accounts, and any projected future uses, if  
25 available.

26 (f) A concise description of each major structure on the  
27 property.

28 SEC. 2. Section 14529.3 of the Government Code, as added  
29 by Chapter 783 of the Statutes of 1999, is repealed.

30 SEC. 3. Section 42803.5 of the Public Resources Code is  
31 amended to read:

32 42803.5. (a) Except as provided in subdivision (b), “new or  
33 used motor vehicle” means any device by which any person or  
34 property may be propelled, moved or drawn upon a highway,  
35 excepting a device moved exclusively by human power or used  
36 exclusively upon stationary rails or tracks.

37 (b) “New or used motor vehicle” or “vehicle” does not  
38 include any of the following:

39 (1) A self-propelled wheelchair.



1 (2) A motorized tricycle or motorized quadricycle, as defined  
2 in Section 407 of the Vehicle Code, or other similar vehicle,  
3 designed to be operated by a person who, by reason of the person's  
4 physical disability, is otherwise unable to move about as a  
5 pedestrian.

6 (3) A golf cart, as defined in Section 345 of the Vehicle Code.  
7 SEC. 4. Section 42950 of the Public Resources Code is  
8 amended to read:

9 42950. For purposes of this chapter, the following definitions  
10 apply:

11 (a) "Agricultural purposes" means the use of waste tires as  
12 bumpers on agricultural equipment or as a ballast to maintain  
13 covers or structures at an agricultural site.

14 (b) (1) "Altered waste tire" means a waste tire that has been  
15 baled, shredded, chopped, or split apart. "Altered waste tire" does  
16 not mean crumb rubber.

17 (2) "Alteration" or "altering," with reference to a waste tire,  
18 means an action that produces an altered waste tire.

19 (c) "Applicant" means any person seeking to register as a  
20 waste tire hauler.

21 (d) "Baled tire" means either a whole or an altered tire that has  
22 been compressed and then secured with a binding material for the  
23 purpose of reducing its volume.

24 (e) "Common carrier" means a "common carrier," as defined  
25 in Section 211 of the Public Utilities Code.

26 (f) "Crumb rubber" means rubber granules derived from a  
27 waste tire that are less than or one-quarter inch or six millimeters  
28 in size.

29 (g) "Repairable tire" means a worn, damaged, or defective tire  
30 that is retreadable, recappable, or regrooveable, or that can be  
31 otherwise repaired to return the tire to use as a vehicle tire, and that  
32 meets the applicable requirements of the Vehicle Code and Title 13  
33 of the California Code of Regulations.

34 (h) "Scrap tire" means a worn, damaged, or defective tire that  
35 is not a repairable tire.

36 (i) "Tire derived product" means material that meets both of  
37 the following requirements:

38 (1) Is derived from a process using whole tires as a feedstock.  
39 A process using whole tires includes, but is not limited to,  
40 shredding, crumbing, or chipping.



- 1 (2) Has been sold and removed from the processing facility.
- 2 (j) “Used tire” means a tire that meets all of the following
- 3 requirements:
- 4 (1) The tire is no longer mounted on a vehicle but is still
- 5 suitable for use as a vehicle tire.
- 6 (2) The tire meets the applicable requirements of the Vehicle
- 7 Code and of Title 13 of the California Code of Regulations.
- 8 (3) (A) The used tire is stored by size in a rack or a stack, but
- 9 not in a pile, in a manner approved by the local fire marshal and
- 10 vector control authorities and in accordance with the state
- 11 minimum standards.
- 12 (B) A used tire stored pursuant to this section shall be stored in
- 13 a manner to allow the inspection of each individual tire.
- 14 (k) (1) “Vehicle means any device by which any person or
- 15 property may be propelled, moved, or drawn upon a highway,
- 16 excepting a device moved exclusively by human power or used
- 17 exclusively upon stationary rails or tracks.
- 18 (2) “Vehicle” does not include any of the following:
- 19 (A) A self-propelled wheelchair.
- 20 (B) A motorized tricycle or motorized quadricycle, as defined
- 21 in Section 407 of the Vehicle Code, or other similar vehicle
- 22 designed to be operated by a person who, by reason of the person’s
- 23 physical disability, is otherwise unable to move about as a
- 24 pedestrian.
- 25 (C) A golf cart as defined in Section 345 of the Vehicle Code.
- 26 (l) “Waste tire” means a tire that is no longer mounted on a
- 27 vehicle and is no longer suitable for use as a vehicle tire due to
- 28 wear, damage, or deviation from the manufacturer’s original
- 29 specifications. A waste tire includes a repairable tire, scrap tire,
- 30 and altered waste tire, but does not include a tire derived product,
- 31 crumb rubber, or a used tire that is organized for inspection and
- 32 resale by size in a rack or a stack in accordance with subdivision
- 33 (j).
- 34 SEC. 5. Section 302 of the Streets and Highways Code is
- 35 amended to read:
- 36 302. (a) Route 2 is from:
- 37 (1) The point where Santa Monica Boulevard crosses the city
- 38 limits of the City of Santa Monica at Centinela Avenue to Route
- 39 101 in Los Angeles.



1 (2) Route 101 in Los Angeles to Route 210 in La Canada  
2 Flintridge via Glendale.

3 (3) Route 210 in La Canada Flintridge to Route 138 via  
4 Wrightwood.

5 (b) Upon a determination by the commission that it is in the best  
6 interests of the state to do so, the commission may, upon terms and  
7 conditions approved by it, relinquish that portion or portions of  
8 Route 2 located within the City of West Hollywood or the City of  
9 Santa Monica, or both, to that city or cities, upon agreement by the  
10 city or cities to accept the relinquishment or relinquishments. A  
11 relinquishment shall be effective on the date specified in the  
12 commission's approved terms and conditions with the respective  
13 city. Thereafter, Route 2 shall not include the portion or portions  
14 so relinquished, nor shall the portion or portions be considered for  
15 future adoption in accordance with Section 81. For portions of  
16 Route 2 that are so relinquished, the City of West Hollywood or the  
17 City of Santa Monica, or both, shall maintain within their  
18 respective jurisdictions signs directing motorists to the  
19 continuation of State Highway Route 2.

20 (c) (1) Notwithstanding subdivision (a), the commission may  
21 relinquish to the City of Los Angeles the portion of Route 2 that  
22 is located between Route 405 and Moreno Drive in that city, upon  
23 terms and conditions the commission finds to be in the best  
24 interests of the state.

25 (2) A relinquishment under this subdivision shall become  
26 effective immediately following the county recorder's recordation  
27 of the relinquishment resolution containing the commission's  
28 approval of the terms and conditions of the relinquishment.

29 (3) On and after the effective date of the relinquishment, both  
30 of the following shall occur:

31 (A) The portion of Route 2 relinquished under this subdivision  
32 shall cease to be a state highway.

33 (B) The portion of Route 2 relinquished under this subdivision  
34 shall be ineligible for future adoption under Section 81.

35 (4) For those portions of Route 2 that are relinquished, the City  
36 of Los Angeles shall maintain within its jurisdiction signs  
37 directing motorists to the continuation of Route 2.

38 SEC. 6. Section 325 of the Streets and Highways Code is  
39 amended to read:

40 325. Route 25 is from Route 198 to Route 101, near Gilroy.



1 SEC. 7. *Section 6700.2 of the Vehicle Code is amended to*  
2 *read:*

3 6700.2. (a) Notwithstanding Section 4000.4, subdivision (a)  
4 of Section 6700, or Section 6702, a nonresident daily commuter  
5 may operate a motor vehicle on the highways of this state only if  
6 all of the following conditions are met:

7 (1) The motor vehicle is a passenger vehicle or a commercial  
8 vehicle of less than ~~6,000~~ 8,001 pounds unladen weight with not  
9 more than two axles of the type commonly referred to as a pickup  
10 truck.

11 (2) The motor vehicle is used regularly to transport passengers  
12 on the highways of this state principally between, and to and from,  
13 the place of residence in a contiguous state and the place of  
14 employment in this state by the owner of the motor vehicle and for  
15 no other business purpose.

16 (3) The motor vehicle is not used in the course of a business  
17 within this state, including the transportation of property other  
18 than incidental personal property between, and to or from, the  
19 place of residence in a contiguous state and the place of  
20 employment of the motor vehicle owner in this state.

21 (4) Nothing in paragraphs (2) and (3) prohibits a nonresident  
22 daily commuter operating a motor vehicle that displays currently  
23 valid external vehicle identification indicia and who possess a  
24 corresponding identification card issued pursuant to Section  
25 6700.25 from using that vehicle for other lawful purposes.

26 (b) The exception to registration of a motor vehicle under the  
27 conditions specified in this section does not supersede any other  
28 exception to registration under other conditions provided by law.

29 (c) This section does not apply to a resident of a foreign  
30 country.

31 SEC. 8. *Section 9410 of the Vehicle Code is amended to read:*

32 9410. (a) One commercial vehicle weighing less than 6,001  
33 pounds unladen, which displays the distinguishing license plate  
34 designated in, and is registered to a person who qualifies for the  
35 exemption provided by, Section 22511.5, or one commercial  
36 vehicle weighing less than ~~6,001~~ 8,001 pounds unladen, which is  
37 not registered to a disabled person who qualifies for that  
38 exemption but which has been assigned and displays a  
39 distinguishing license plate and is used primarily for the



1 transportation of the disabled person, is exempt from the weight  
2 fees provided for in Section 9400.

3 (b) A commercial vehicle displaying a distinguishing placard  
4 pursuant to Section 22511.5 is not exempt from weight fees.

5 *SEC. 9. Section 9862.5 of the Vehicle Code is amended to*  
6 *read:*

7 9862.5. In computing any penalty imposed under this chapter,  
8 a fraction of a dollar shall be disregarded unless it *equals or*  
9 exceeds fifty cents (\$0.50), in which case it shall be treated as one  
10 dollar (\$1).

11 *SEC. 10. Section 12509 of the Vehicle Code is amended to*  
12 *read:*

13 12509. (a) Except as otherwise provided in subdivision (f) of  
14 Section 12514, the department, for good cause, may issue an  
15 instruction permit to any physically and mentally qualified person  
16 who meets one of the following requirements and who applies to  
17 the department for an instruction permit:

18 (1) Is age 15 years and 6 months or over and has successfully  
19 completed approved courses in automobile driver education and  
20 driver training as provided in paragraph (3) of subdivision (a) of  
21 Section 12814.6.

22 (2) Is age 15 years and 6 months or over and has successfully  
23 completed an approved course in automobile driver education and  
24 is taking driver training as provided in paragraph (3) of  
25 subdivision (a) of Section 12814.6.

26 (3) Is age 15 years or over and is enrolled in an approved driver  
27 education course and is at the same time or during the same  
28 semester enrolled in an approved driver training course.

29 (4) Is over the age of 17 years and 6 months.

30 (b) *The applicant shall qualify for and be issued an instruction*  
31 *permit within 12 months from the date of the application.*

32 (c) An instruction permit issued pursuant to subdivision (a)  
33 shall entitle the applicant to operate a vehicle, subject to the  
34 limitations imposed by this section and any other provisions of  
35 law, upon the highways for a period not exceeding ~~12~~ 24 months  
36 *from the date of the application.*

37 ~~(e)~~

38 (d) Any person, while having in his or her immediate  
39 possession a valid permit issued pursuant to subdivision (a), may  
40 operate a motor vehicle, other than a motorcycle or a motorized



1 bicycle, when either taking the driver training instruction of a kind  
2 referred to in paragraph (3) of subdivision (a) of Section 12814.6,  
3 or when practicing that instruction, and when accompanied by, and  
4 under the immediate supervision of, a California licensed driver  
5 with a valid license of the appropriate class, 25 years of age or over  
6 whose driving privilege is not on probation. The age requirement  
7 of this subdivision does not apply if the licensed driver is the  
8 parent, spouse, or guardian of the permitholder or is a licensed or  
9 certified driving instructor. Except as provided in subdivision ~~(d)~~  
10 (e), an accompanying licensed driver at all times shall occupy a  
11 position within the driver's compartment that would enable the  
12 accompanying licensed driver to assist the person in controlling  
13 the vehicle as may be necessary to avoid a collision and to provide  
14 immediate guidance in the safe operation of the vehicle.

15 ~~(d)~~

16 (e) Any person while having in his or her immediate possession  
17 a valid permit issued pursuant to subdivision (a), who is age 15  
18 years and 6 months or over and who has successfully completed  
19 approved courses in automobile education and driver training as  
20 provided in paragraph (3) of subdivision (a) of Section 12814.6,  
21 and any person while having in his or her immediate possession a  
22 valid permit issued pursuant to subdivision (a) who is age 17 years  
23 and 6 months or over, may, in addition to operating a motor vehicle  
24 pursuant to subdivision ~~(e)~~ (d), also operate a motorcycle or a  
25 motorized bicycle, except that the person shall not operate a  
26 motorcycle or a motorized bicycle during hours of darkness, shall  
27 stay off any freeways that have full control of access and no  
28 crossings at grade and shall not carry any passenger except an  
29 instructor licensed under Chapter 1 (commencing with Section  
30 11100) of Division 5 of this code or a qualified instructor as  
31 defined in Section 18252.2 of the Education Code.

32 ~~(e)~~

33 (f) No student shall take driver training instruction unless he or  
34 she is at the same time taking driver education instruction or has  
35 successfully completed driver education.

36 ~~(f)~~

37 (g) The department may also issue an instruction permit to a  
38 person who has been issued a valid driver's license to authorize the  
39 person to obtain driver training instruction and to practice that



1 instruction in order to obtain another class of driver’s license or an  
2 endorsement.

3 ~~(g)~~

4 (h) The department may further restrict permits issued under  
5 subdivision (a) as it may determine to be appropriate to assure the  
6 safe operation of a motor vehicle by the permittee.

7 *SEC. 11. Section 14900 of the Vehicle Code is amended to*  
8 *read:*

9 14900. Upon application for an original class C or M driver’s  
10 license, there shall be paid to the department a fee of ~~twelve~~ *fifteen*  
11 dollars ~~(\$12)~~ (\$15) for a license that will expire on the ~~fourth~~ *fifth*  
12 birthday of the applicant following the date of the application. The  
13 payment of the fee entitles the person paying the fee to apply for  
14 a driver’s license and to take three examinations within a period  
15 of ~~12~~ 24 months from the date of the application or during the  
16 period that an instruction permit is valid, as provided in Section  
17 12509.

18 *SEC. 12. Section 14900.1 of the Vehicle Code is amended to*  
19 *read:*

20 14900.1. Except as provided in Sections 15250.5 and 15255,  
21 upon application for the renewal of a driver’s license or for a  
22 license to operate a different class of vehicle, there shall be paid  
23 to the department a fee of fifteen dollars (\$15) for a license that will  
24 expire on the fifth birthday of the applicant following the date of  
25 the application. The payment of the fee entitles the person paying  
26 the fee to apply for a driver’s license and to take three examinations  
27 within a period of ~~12~~ 24 months from the date of the application  
28 or during the period that an instruction permit is valid, as provided  
29 in Section 12509.

30 *SEC. 13. Section 16020 of the Vehicle Code is amended to*  
31 *read:*

32 16020. (a) Every driver and every owner of a motor vehicle  
33 shall at all times be able to establish financial responsibility  
34 pursuant to Section 16021, and shall at all times carry in the vehicle  
35 evidence of the form of financial responsibility in effect for the  
36 vehicle.

37 (b) “Evidence of financial responsibility” means any of the  
38 following:

39 (1) A form issued by an insurance company or charitable risk  
40 pool, as specified by the department pursuant to Section 4000.37.



1 (2) If the owner is a self-insurer, as provided in Section 16052  
2 or a depositor, as provided in Section 16054.2, the certificate of  
3 self-insurance or the assignment of deposit letter issued by the  
4 department.

5 (3) An insurance covering note or binder pursuant to Section  
6 382 or 382.5 of the Insurance Code.

7 (4) A showing that the vehicle is owned or leased by, or under  
8 the direction of, the United States or any public entity, as defined  
9 in Section 811.2 of the Government Code.

10 (c) For purposes of this section, “evidence of financial  
11 responsibility” also may be obtained by a law enforcement officer  
12 from ~~the~~ *an* electronic reporting system ~~established by the~~  
13 ~~department~~ *when that system becomes available for use by law*  
14 *enforcement officers.*

15 (d) For purposes of this section, “evidence of financial  
16 responsibility” also includes any of the following:

17 (1) *The name of the insurance company and the* number of an  
18 insurance policy or surety bond that was in effect at the time of the  
19 accident or at the time that evidence of financial responsibility is  
20 required to be provided pursuant to Section 16028, if that  
21 information is contained in the vehicle registration records of the  
22 department.

23 (2) The identifying motor carrier of property permit number  
24 issued by the Department of the California Highway Patrol to the  
25 motor carrier of property as defined in Section 34601, and  
26 displayed on the motor vehicle in the manner specified by the  
27 Department of the California Highway Patrol.

28 (3) The identifying number issued to the household goods  
29 carrier, passenger stage carrier, or transportation charter party  
30 carrier by the Public Utilities Commission and displayed on the  
31 motor vehicle in the manner specified by the commission.

32 (4) The identifying number issued by the Interstate Commerce  
33 Commission or its successor federal agency, if proof of financial  
34 responsibility must be presented to the issuing agency as part of the  
35 identification number issuance process, and displayed on the  
36 motor vehicle in the manner specified by the issuing agency.

37 (e) Evidence of financial responsibility does not include any of  
38 the identification numbers in paragraph (1), (2), (3), or (4) of  
39 subdivision (d) if the carrier is currently suspended by the issuing



1 agency for lack or lapse of insurance or other form of financial  
2 responsibility.

3 *SEC. 14. Section 16028 of the Vehicle Code is amended to*  
4 *read:*

5 16028. (a) Upon *the* demand of a peace officer pursuant to  
6 subdivision (b) or *upon the demand of a peace officer or traffic*  
7 *collision investigator pursuant to subdivision (c)*, every person  
8 who drives a motor vehicle upon a highway shall provide evidence  
9 of financial responsibility for the vehicle that is in effect at the time  
10 the demand is made. However, a peace officer shall not stop a  
11 vehicle for the sole purpose of determining whether the vehicle is  
12 being driven in violation of this subdivision.

13 (b) Whenever a notice to appear is issued for any alleged  
14 violation of this code, except a violation specified in Chapter 9  
15 (commencing with Section 22500) of Division 11 or any local  
16 ordinance adopted pursuant thereto, the cited driver shall furnish  
17 written evidence of financial responsibility upon request of the  
18 peace officer issuing the citation. The peace officer shall request  
19 and write the driver's evidence of financial responsibility on the  
20 notice to appear, except when the peace officer is unable to write  
21 the driver's evidence of financial responsibility on the notice to  
22 appear due to an emergency that requires his or her presence  
23 elsewhere. If the cited driver fails to provide evidence of financial  
24 responsibility at the time the notice to appear is issued, the peace  
25 officer may issue the driver a notice to appear for violation of  
26 subdivision (a). The notice to appear for violation of subdivision  
27 (a) shall be written on the same citation form as the original  
28 violation.

29 (c) Whenever a peace officer, or a regularly employed and  
30 salaried employee of a city or county who has been trained as a  
31 traffic collision investigator, is summoned to the scene of an  
32 accident described in Section 16000, the driver of any motor  
33 vehicle that is in any manner involved in the accident shall furnish  
34 written evidence of financial responsibility upon the request of the  
35 peace officer or traffic collision investigator. If the driver fails to  
36 provide evidence of financial responsibility when requested, the  
37 peace officer may issue the driver a notice to appear for violation  
38 of this subdivision. A traffic collision investigator may cause a  
39 notice to appear to be issued for a violation of this subdivision,  
40 upon review of that citation by a peace officer.



1 (d) (1) If, at the time a notice to appear for a violation of  
2 subdivision (a) is issued, the person is driving a motor vehicle  
3 owned or leased by the driver's employer, and the vehicle is being  
4 driven with the permission of the employer, this section shall apply  
5 to the employer rather than the driver. In that case, a notice to  
6 appear shall be issued to the employer rather than the driver, and  
7 the driver may sign the notice on behalf of the employer.

8 (2) The driver shall notify the employer of the receipt of the  
9 notice issued pursuant to paragraph (1) not later than five days  
10 after receipt.

11 (e) A person issued a notice to appear for a violation of  
12 subdivision (a) may personally appear before the clerk of the court,  
13 as designated in the notice to appear, and provide written evidence  
14 of financial responsibility in a form consistent with Section 16020,  
15 showing that the driver was in compliance with that section at the  
16 time the notice to appear for violating subdivision (a) was issued.  
17 In lieu of the personal appearance, the person may submit by mail  
18 to the court written evidence of having had financial responsibility  
19 at the time the notice to appear was issued. Upon receipt by the  
20 clerk of that written evidence of financial responsibility in a form  
21 consistent with Section 16020, further proceedings on the notice  
22 to appear for the violation of subdivision (a) shall be dismissed.

23 *SEC. 15.* Section 20002 of the Vehicle Code is amended to  
24 read:

25 20002. (a) The driver of any vehicle involved in an accident  
26 resulting only in damage to any property, including vehicles, shall  
27 immediately stop the vehicle at the nearest location that will not  
28 impede traffic or otherwise jeopardize the safety of other  
29 motorists. Moving the vehicle in accordance with this subdivision  
30 does not affect the question of fault. The driver shall also  
31 immediately do either of the following:

32 (1) Locate and notify the owner or person in charge of that  
33 property of the name and address of the driver and owner of the  
34 vehicle involved and, upon locating the driver of any other vehicle  
35 involved or the owner or person in charge of any damaged  
36 property, upon being requested, present his or her driver's license,  
37 and vehicle registration, to the other driver, property owner, or  
38 person in charge of that property. The information presented shall  
39 include the current residence address of the driver and of the  
40 registered owner. If the registered owner of an involved vehicle is



1 present at the scene, he or she shall also, upon request, present his  
2 or her driver's license information, if available, or other valid  
3 identification to the other involved parties.

4 (2) Leave in a conspicuous place on the vehicle or other  
5 property damaged a written notice giving the name and address of  
6 the driver and of the owner of the vehicle involved and a statement  
7 of the circumstances thereof and shall without unnecessary delay  
8 notify the police department of the city wherein the collision  
9 occurred or, if the collision occurred in unincorporated territory,  
10 the local headquarters of the Department of the California  
11 Highway Patrol.

12 (b) Any person who parks a vehicle which, prior to the vehicle  
13 again being driven, becomes a runaway vehicle and is involved in  
14 an accident resulting in damage to any property, attended or  
15 unattended, shall comply with the requirements of this section  
16 relating to notification and reporting and shall, upon conviction  
17 thereof, be liable to the penalties of this section for failure to  
18 comply with the requirements.

19 (c) Any person failing to comply with all the requirements of  
20 this section is guilty of a misdemeanor and, upon conviction  
21 thereof, shall be punished by imprisonment in the county jail not  
22 exceeding six months, or by a fine not exceeding one thousand  
23 dollars (\$1,000), or by both that imprisonment and fine.

24 ~~SEC. 8.~~

25 *SEC. 16.* Section 24612 is added to the Vehicle Code, to read:

26 24612. (a) All trailers and semitrailers having an overall  
27 width of 80 inches or more and a gross vehicle weight rating of  
28 more than 10,000 pounds, and manufactured on or after December  
29 1, 1993, except those designed exclusively for living or office use,  
30 and all truck tractors manufactured on or after July 1, 1997, shall  
31 be equipped with the conspicuity system specified in federal  
32 Motor Vehicle Safety Standard No. 108 (49 C.F.R. 571.108). The  
33 conspicuity system shall consist of either retroreflective sheeting  
34 or reflex reflectors, or a combination of retroreflective sheeting  
35 and reflex reflectors, as specified in the federal standard applicable  
36 on the date of manufacture of the vehicle.

37 (b) Any trailer, semitrailer, or motor truck having an overall  
38 width of 80 inches or more and manufactured prior to December  
39 1, 1993, and any truck tractor manufactured prior to July 1, 1997,



1 may be equipped with the conspicuity system described in  
2 subdivision (a).

3 ~~SEC. 9.—~~

4 *SEC. 17. Section 34672 of the Vehicle Code is amended to*  
5 *read:*

6 34672. If a motor carrier permit is paid for by a check that is  
7 dishonored by the bank, the permit shall be canceled. ~~A dishonored~~  
8 ~~check fee of twenty dollars (\$20) shall be assessed to the motor~~  
9 ~~carrier permit applicant.~~ The department shall notify the carrier  
10 that the check was dishonored and that the permit will be canceled  
11 30 days from the date of notification if the applicant does not make  
12 restitution. If the applicant does not make restitution for the  
13 dishonored check, and pay the dishonored check fee within 30  
14 days of the notice, the application for a motor carrier permit shall  
15 be canceled.

16 *SEC. 18. No reimbursement is required by this act pursuant*  
17 *to Section 6 of Article XIII B of the California Constitution for*  
18 *certain costs that may be incurred by a local agency or school*  
19 *district because in that regard this act creates a new crime or*  
20 *infraction, eliminates a crime or infraction, or changes the penalty*  
21 *for a crime or infraction, within the meaning of Section 17556 of*  
22 *the Government Code, or changes the definition of a crime within*  
23 *the meaning of Section 6 of Article XIII B of the California*  
24 *Constitution.*

25 However, notwithstanding Section 17610 of the Government  
26 Code, if the Commission on State Mandates determines that this  
27 act contains other costs mandated by the state, reimbursement to  
28 local agencies and school districts for those costs shall be made  
29 pursuant to Part 7 (commencing with Section 17500) of Division  
30 4 of Title 2 of the Government Code. If the statewide cost of the  
31 claim for reimbursement does not exceed one million dollars  
32 (\$1,000,000), reimbursement shall be made from the State  
33 Mandates Claims Fund.

