

AMENDED IN ASSEMBLY JULY 20, 2001
AMENDED IN ASSEMBLY JULY 16, 2001
AMENDED IN ASSEMBLY JULY 3, 2001
AMENDED IN ASSEMBLY JUNE 19, 2001
AMENDED IN ASSEMBLY JUNE 5, 2001
AMENDED IN SENATE MARCH 22, 2001

SENATE BILL

No. 290

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

February 16, 2001

An act to amend Section 5440 of, and to add Section ~~5442.10~~ 5442.11 to, the Business and Professions Code, 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 Sections 6700.2, 9410, 9862.5, 12509, 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) The Outdoor Advertising Act regulates the placement of advertising displays adjacent to and within specified distances of highways that are part of the national system of interstate and defense

highways and federal aid highways. The act, except as specified, prohibits any advertising display from being placed or maintained on property adjacent to a section of a freeway that has been landscaped if the advertising display is designed to be viewed primarily by persons traveling on the main-traveled way of the landscaped freeway.

This bill would additionally exempt from that prohibition, and would subject an advertising display to special removal and relocation provisions, not more than 4 nonconforming advertising displays located in the Mid-City Recovery Redevelopment Project Area within the City of Los Angeles, if the displays meet prescribed conditions.

The bill would set forth facts and declare that the provisions specified above constitute necessary special legislation.

(2) 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, containing revised information to the Department of General Services by July 1, 2002, and each July 1; thereafter, with respect to lands, buildings, office buildings, maintenance stations, equipment yards, and parking facilities. The bill would exclude from the report existing highways, airspace, excess lands, and property acquired for highway projects.

(3) 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.

~~(4) 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.~~

~~(5)~~ 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.

~~(6)~~

~~(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.

~~(7)~~

~~(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.

~~(8)~~

(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.

~~(9)~~

(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¢.

~~(10)~~

(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 permitholder to operate a vehicle for 24 months, rather than 12 months, from the date of the application.

~~(11)~~

(10) 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.

~~(12)~~

(11) 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.

~~(13)~~

(12) 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.

~~(14)~~

(13) 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 5440 of the Business and Professions
2 Code is amended to read:

3 ~~5440. Except as provided in Sections 5441, 5442, 5442.7,~~
4 ~~5442.8, 5442.9, and 5442.10, no advertising display may be placed~~
5 ~~or maintained on property adjacent to a section of a freeway that~~
6 ~~has been landscaped if the advertising display is designed to be~~
7 ~~viewed primarily by persons traveling on the main-traveled way~~
8 ~~of the landscaped freeway.~~

9 5440. Except as provided in Sections 5441, 5442, 5442.7,
10 5442.8, 5442.9, and 5442.10, and 5442.11, no advertising display
11 may be placed or maintained on property adjacent to a section of
12 a freeway that has been landscaped if the advertising display is
13 designed to be viewed primarily by persons traveling on the
14 main-traveled way of the landscaped freeway.

15 SEC. 2. Section ~~5442.10~~ 5442.11 is added to the Business and
16 Professions Code, to read:

17 ~~5442.10.—~~

18 5442.11. Notwithstanding any other provision of this chapter,
19 Section 5440 does not apply to any advertising display in the
20 Mid-City Recovery Redevelopment Project Area within the City
21 of Los Angeles if all of the following conditions are met:

22 (a) Not more than four advertising displays, whose placement
23 or maintenance is otherwise prohibited under this chapter, may be
24 erected if approved by the Community Redevelopment Agency of
25 the City of Los Angeles as part of an owner-participation
26 agreement or disposition and development agreement.

27 (b) All four advertising displays meet the requirements set
28 forth in Section 5405 and 5408.



1 (c) Placement or maintenance of each advertising display does
2 not require the immediate trimming, pruning, topping, or removal
3 of trees located on a state highway right-of-way to provide
4 visibility to the advertising display, unless done as part of the
5 normal landscape maintenance activities that would have been
6 undertaken without regard to the placement of the display.

7 (d) No advertising display shall advertise products or services
8 that are directed at an adult population, including, but not limited
9 to, alcohol, tobacco, gambling, or sexually explicit material.

10 (e) If any advertising display erected pursuant to this section is
11 removed for purposes of a transportation project undertaken by the
12 department, the display owner is entitled to relocate that display
13 and is not entitled to monetary compensation for the removal or
14 relocation.

15 (f) The advertising display shall not cause a reduction in federal
16 aid highway funds as provided in Section 131 of Title 23 of the
17 United States Code.

18 SEC. 3. Section 11011.18 of the Government Code is
19 amended to read:

20 11011.18. The Department of Transportation, by July 1, 2002,
21 shall furnish to the Department of General Services a record of
22 each parcel of real property that it ~~possess~~ *possesses*, including
23 lands, buildings, office buildings, maintenance stations,
24 equipment yards, and parking facilities. This furnishing
25 requirement does not apply to existing highways, airspace, excess
26 lands, and properties acquired for highway projects. The record
27 shall be furnished by the Department of Transportation to the
28 Department of General Services in a uniform format specified by
29 the Department of General Services. The Department of General
30 Services shall consult with the Department of Transportation on
31 the development of the uniform format. The Department of
32 Transportation shall update its record of these real property
33 holdings, reflecting any changes, by July 1 of each year. The
34 record shall include the following information:

35 (a) The location of the property within the state and county, the
36 size of the property, including its acreage, and any other relevant
37 property data.

38 (b) The date of acquisition of the real property, if available.

39 (c) The manner in which the property was acquired and the
40 purchase price, if available.



1 (d) A description of the current uses of the property and any
2 projected future uses, if available.

3 (e) A concise description of each major structure on the
4 property.

5 SEC. 4. Section 14529.3 of the Government Code, as added
6 by Chapter 783 of the Statutes of 1999, is repealed.

7 ~~SEC. 5. Section 42803.5 of the Public Resources Code is~~
8 ~~amended to read:~~

9 ~~42803.5.—(a) Except as provided in subdivision (b), “new or~~
10 ~~used motor vehicle” means any device by which any person or~~
11 ~~property may be propelled, moved or drawn upon a highway,~~
12 ~~excepting a device moved exclusively by human power or used~~
13 ~~exclusively upon stationary rails or tracks.~~

14 ~~(b) “New or used motor vehicle” or “vehicle” does not~~
15 ~~include any of the following:~~

16 ~~(1) A self-propelled wheelchair.~~

17 ~~(2) A motorized tricycle or motorized quadricycle, as defined~~
18 ~~in Section 407 of the Vehicle Code, or other similar vehicle,~~
19 ~~designed to be operated by a person who, by reason of the person’s~~
20 ~~physical disability, is otherwise unable to move about as a~~
21 ~~pedestrian.~~

22 ~~(3) A golf cart, as defined in Section 345 of the Vehicle Code.~~

23 ~~SEC. 6. Section 42950 of the Public Resources Code is~~
24 ~~amended to read:~~

25 ~~42950.—For purposes of this chapter, the following definitions~~
26 ~~apply:~~

27 ~~(a) “Agricultural purposes” means the use of waste tires as~~
28 ~~bumpers on agricultural equipment or as a ballast to maintain~~
29 ~~covers or structures at an agricultural site.~~

30 ~~(b) (1) “Altered waste tire” means a waste tire that has been~~
31 ~~baled, shredded, chopped, or split apart. “Altered waste tire” does~~
32 ~~not mean crumb rubber.~~

33 ~~(2) “Alteration” or “altering,” with reference to a waste tire,~~
34 ~~means an action that produces an altered waste tire.~~

35 ~~(c) “Applicant” means any person seeking to register as a~~
36 ~~waste tire hauler.~~

37 ~~(d) “Baled tire” means either a whole or an altered tire that has~~
38 ~~been compressed and then secured with a binding material for the~~
39 ~~purpose of reducing its volume.~~



1 ~~(c) “Common carrier” means a “common carrier,” as defined~~
2 ~~in Section 211 of the Public Utilities Code.~~

3 ~~(f) “Crumb rubber” means rubber granules derived from a~~
4 ~~waste tire that are less than or one quarter inch or six millimeters~~
5 ~~in size.~~

6 ~~(g) “Repairable tire” means a worn, damaged, or defective tire~~
7 ~~that is retreadable, recappable, or regrooveable, or that can be~~
8 ~~otherwise repaired to return the tire to use as a vehicle tire, and that~~
9 ~~meets the applicable requirements of the Vehicle Code and Title 13~~
10 ~~of the California Code of Regulations.~~

11 ~~(h) “Scrap tire” means a worn, damaged, or defective tire that~~
12 ~~is not a repairable tire.~~

13 ~~(i) “Tire derived product” means material that meets both of~~
14 ~~the following requirements:~~

15 ~~(1) Is derived from a process using whole tires as a feedstock.~~
16 ~~A process using whole tires includes, but is not limited to,~~
17 ~~shredding, crumbing, or chipping.~~

18 ~~(2) Has been sold and removed from the processing facility.~~

19 ~~(j) “Used tire” means a tire that meets all of the following~~
20 ~~requirements:~~

21 ~~(1) The tire is no longer mounted on a vehicle but is still~~
22 ~~suitable for use as a vehicle tire.~~

23 ~~(2) The tire meets the applicable requirements of the Vehicle~~
24 ~~Code and of Title 13 of the California Code of Regulations.~~

25 ~~(3) (A) The used tire is stored by size in a rack or a stack, but~~
26 ~~not in a pile, in a manner approved by the local fire marshal and~~
27 ~~vector control authorities and in accordance with the state~~
28 ~~minimum standards.~~

29 ~~(B) A used tire stored pursuant to this section shall be stored in~~
30 ~~a manner to allow the inspection of each individual tire.~~

31 ~~(k) (1) “Vehicle means any device by which any person or~~
32 ~~property may be propelled, moved, or drawn upon a highway,~~
33 ~~excepting a device moved exclusively by human power or used~~
34 ~~exclusively upon stationary rails or tracks.~~

35 ~~(2) “Vehicle” does not include any of the following:~~

36 ~~(A) A self-propelled wheelchair.~~

37 ~~(B) A motorized triecyle or motorized quadricycle, as defined~~
38 ~~in Section 407 of the Vehicle Code, or other similar vehicle~~
39 ~~designed to be operated by a person who, by reason of the person’s~~



1 ~~physical disability, is otherwise unable to move about as a~~
2 ~~pedestrian.~~

3 ~~(C) A golf cart as defined in Section 345 of the Vehicle Code.~~

4 ~~(I) "Waste tire" means a tire that is no longer mounted on a~~
5 ~~vehicle and is no longer suitable for use as a vehicle tire due to~~
6 ~~wear, damage, or deviation from the manufacturer's original~~
7 ~~specifications. A waste tire includes a repairable tire, scrap tire,~~
8 ~~and altered waste tire, but does not include a tire derived product,~~
9 ~~crumb rubber, or a used tire that is organized for inspection and~~
10 ~~resale by size in a rack or a stack in accordance with subdivision~~
11 ~~(j).~~

12 ~~SEC. 7.—~~

13 ~~SEC. 5.~~ Section 302 of the Streets and Highways Code is
14 amended to read:

15 302. (a) Route 2 is from:

16 (1) The point where Santa Monica Boulevard crosses the city
17 limits of the City of Santa Monica at Centinela Avenue to Route
18 101 in Los Angeles.

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

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

23 (b) Upon a determination by the commission that it is in the best
24 interests of the state to do so, the commission may, upon terms and
25 conditions approved by it, relinquish that portion or portions of
26 Route 2 located within the City of West Hollywood or the City of
27 Santa Monica, or both, to that city or cities, upon agreement by the
28 city or cities to accept the relinquishment or relinquishments. A
29 relinquishment shall be effective on the date specified in the
30 commission's approved terms and conditions with the respective
31 city. Thereafter, Route 2 shall not include the portion or portions
32 so relinquished, nor shall the portion or portions be considered for
33 future adoption in accordance with Section 81. For portions of
34 Route 2 that are so relinquished, the City of West Hollywood or the
35 City of Santa Monica, or both, shall maintain within their
36 respective jurisdictions signs directing motorists to the
37 continuation of State Highway Route 2.

38 (c) (1) Notwithstanding subdivision (a), the commission may
39 relinquish to the City of Los Angeles the portion of Route 2 that
40 is located between Route 405 and Moreno Drive in that city, upon



1 terms and conditions the commission finds to be in the best
2 interests of the state.

3 (2) A relinquishment under this subdivision shall become
4 effective immediately following the county recorder's recordation
5 of the relinquishment resolution containing the commission's
6 approval of the terms and conditions of the relinquishment.

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

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

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

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

16 ~~SEC. 8.—~~

17 *SEC. 6.* Section 325 of the Streets and Highways Code is
18 amended to read:

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

20 ~~SEC. 9.—~~

21 *SEC. 7.* Section 6700.2 of the Vehicle Code is amended to
22 read:

23 6700.2. (a) Notwithstanding Section 4000.4, subdivision (a)
24 of Section 6700, or Section 6702, a nonresident daily commuter
25 may operate a motor vehicle on the highways of this state only if
26 all of the following conditions are met:

27 (1) The motor vehicle is a passenger vehicle or a commercial
28 vehicle of less than 8,001 pounds unladen weight with not more
29 than two axles of the type commonly referred to as a pickup truck.

30 (2) The motor vehicle is used regularly to transport passengers
31 on the highways of this state principally between, and to and from,
32 the place of residence in a contiguous state and the place of
33 employment in this state by the owner of the motor vehicle and for
34 no other business purpose.

35 (3) The motor vehicle is not used in the course of a business
36 within this state, including the transportation of property other
37 than incidental personal property between, and to or from, the
38 place of residence in a contiguous state and the place of
39 employment of the motor vehicle owner in this state.



1 (4) Nothing in paragraphs (2) and (3) prohibits a nonresident
2 daily commuter operating a motor vehicle that displays currently
3 valid external vehicle identification indicia and who possess a
4 corresponding identification card issued pursuant to Section
5 6700.25 from using that vehicle for other lawful purposes.

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

9 (c) This section does not apply to a resident of a foreign
10 country.

11 ~~SEC. 10.~~

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

13 9410. (a) One commercial vehicle weighing less than 8,001
14 pounds unladen, which displays the distinguishing license plate
15 designated in, and is registered to a person who qualifies for the
16 exemption provided by, Section 22511.5, or one commercial
17 vehicle weighing less than 8,001 pounds unladen, which is not
18 registered to a disabled person who qualifies for that exemption
19 but which has been assigned and displays a distinguishing license
20 plate and is used primarily for the transportation of the disabled
21 person, is exempt from the weight fees provided for in Section
22 9400.

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

25 ~~SEC. 11.~~

26 SEC. 9. Section 9862.5 of the Vehicle Code is amended to
27 read:

28 9862.5. In computing any penalty imposed under this chapter,
29 a fraction of a dollar shall be disregarded unless it equals or
30 exceeds fifty cents (\$0.50), in which case it shall be treated as one
31 dollar (\$1).

32 ~~SEC. 12.~~

33 SEC. 10. Section 12509 of the Vehicle Code is amended to
34 read:

35 12509. (a) Except as otherwise provided in subdivision (f) of
36 Section 12514, the department, for good cause, may issue an
37 instruction permit to any physically and mentally qualified person
38 who meets one of the following requirements and who applies to
39 the department for an instruction permit:



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

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

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

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

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

15 (c) An instruction permit issued pursuant to subdivision (a)
16 shall entitle the applicant to operate a vehicle, subject to the
17 limitations imposed by this section and any other provisions of
18 law, upon the highways for a period not exceeding 24 months from
19 the date of the application.

20 (d) Any person, while having in his or her immediate
21 possession a valid permit issued pursuant to subdivision (a), may
22 operate a motor vehicle, other than a motorcycle or a motorized
23 bicycle, when either taking the driver training instruction of a kind
24 referred to in paragraph (3) of subdivision (a) of Section 12814.6,
25 or when practicing that instruction, and when accompanied by, and
26 under the immediate supervision of, a California licensed driver
27 with a valid license of the appropriate class, 25 years of age or over
28 whose driving privilege is not on probation. The age requirement
29 of this subdivision does not apply if the licensed driver is the
30 parent, spouse, or guardian of the permitholder or is a licensed or
31 certified driving instructor. Except as provided in subdivision (e),
32 an accompanying licensed driver at all times shall occupy a
33 position within the driver's compartment that would enable the
34 accompanying licensed driver to assist the person in controlling
35 the vehicle as may be necessary to avoid a collision and to provide
36 immediate guidance in the safe operation of the vehicle.

37 (e) Any person while having in his or her immediate possession
38 a valid permit issued pursuant to subdivision (a), who is age 15
39 years and 6 months or over and who has successfully completed
40 approved courses in automobile education and driver training as



1 provided in paragraph (3) of subdivision (a) of Section 12814.6,
2 and any person while having in his or her immediate possession a
3 valid permit issued pursuant to subdivision (a) who is age 17 years
4 and 6 months or over, may, in addition to operating a motor vehicle
5 pursuant to subdivision (d), also operate a motorcycle or a
6 motorized bicycle, except that the person shall not operate a
7 motorcycle or a motorized bicycle during hours of darkness, shall
8 stay off any freeways that have full control of access and no
9 crossings at grade and shall not carry any passenger except an
10 instructor licensed under Chapter 1 (commencing with Section
11 11100) of Division 5 of this code or a qualified instructor as
12 defined in Section 18252.2 of the Education Code.

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

16 (g) The department may also issue an instruction permit to a
17 person who has been issued a valid driver's license to authorize the
18 person to obtain driver training instruction and to practice that
19 instruction in order to obtain another class of driver's license or an
20 endorsement.

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

24 ~~SEC. 13.—~~

25 *SEC. 11.* Section 16020 of the Vehicle Code is amended to
26 read:

27 16020. (a) Every driver and every owner of a motor vehicle
28 shall at all times be able to establish financial responsibility
29 pursuant to Section 16021, and shall at all times carry in the vehicle
30 evidence of the form of financial responsibility in effect for the
31 vehicle.

32 (b) "Evidence of financial responsibility" means any of the
33 following:

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

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



1 (3) An insurance covering note or binder pursuant to Section
2 382 or 382.5 of the Insurance Code.

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

6 (c) For purposes of this section, “evidence of financial
7 responsibility” also may be obtained by a law enforcement officer
8 from an electronic reporting system when that system becomes
9 available for use by law enforcement officers.

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

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

18 (2) The identifying motor carrier of property permit number
19 issued by the Department of the California Highway Patrol to the
20 motor carrier of property as defined in Section 34601, and
21 displayed on the motor vehicle in the manner specified by the
22 Department of the California Highway Patrol.

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

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

32 (e) Evidence of financial responsibility does not include any of
33 the identification numbers in paragraph (1), (2), (3), or (4) of
34 subdivision (d) if the carrier is currently suspended by the issuing
35 agency for lack or lapse of insurance or other form of financial
36 responsibility.

37 ~~SEC. 14.~~

38 *SEC. 12.* Section 16028 of the Vehicle Code is amended to
39 read:



1 16028. (a) Upon the demand of a peace officer pursuant to
2 subdivision (b) or upon the demand of a peace officer or traffic
3 collision investigator pursuant to subdivision (c), every person
4 who drives a motor vehicle upon a highway shall provide evidence
5 of financial responsibility for the vehicle that is in effect at the time
6 the demand is made. However, a peace officer shall not stop a
7 vehicle for the sole purpose of determining whether the vehicle is
8 being driven in violation of this subdivision.

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

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

37 (d) (1) If, at the time a notice to appear for a violation of
38 subdivision (a) is issued, the person is driving a motor vehicle
39 owned or leased by the driver's employer, and the vehicle is being
40 driven with the permission of the employer, this section shall apply



1 to the employer rather than the driver. In that case, a notice to
2 appear shall be issued to the employer rather than the driver, and
3 the driver may sign the notice on behalf of the employer.

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

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

19 ~~SEC. 15.—~~

20 *SEC. 13.* Section 20002 of the Vehicle Code is amended to
21 read:

22 20002. (a) The driver of any vehicle involved in an accident
23 resulting only in damage to any property, including vehicles, shall
24 immediately stop the vehicle at the nearest location that will not
25 impede traffic or otherwise jeopardize the safety of other
26 motorists. Moving the vehicle in accordance with this subdivision
27 does not affect the question of fault. The driver shall also
28 immediately do either of the following:

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



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

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

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

21 ~~SEC. 16.—~~

22 *SEC. 14.* Section 24612 is added to the Vehicle Code, to read:

23 24612. (a) All trailers and semitrailers having an overall
24 width of 80 inches or more and a gross vehicle weight rating of
25 more than 10,000 pounds, and manufactured on or after December
26 1, 1993, except those designed exclusively for living or office use,
27 and all truck tractors manufactured on or after July 1, 1997, shall
28 be equipped with the conspicuity system specified in federal
29 Motor Vehicle Safety Standard No. 108 (49 C.F.R. 571.108). The
30 conspicuity system shall consist of either retroreflective sheeting
31 or reflex reflectors, or a combination of retroreflective sheeting
32 and reflex reflectors, as specified in the federal standard applicable
33 on the date of manufacture of the vehicle.

34 (b) Any trailer, semitrailer, or motor truck having an overall
35 width of 80 inches or more and manufactured prior to December
36 1, 1993, and any truck tractor manufactured prior to July 1, 1997,
37 may be equipped with the conspicuity system described in
38 subdivision (a).

39 ~~SEC. 17.—~~



1 *SEC. 15.* Section 34672 of the Vehicle Code is amended to
2 read:

3 34672. If a motor carrier permit is paid for by a check that is
4 dishonored by the bank, the permit shall be canceled. The
5 department shall notify the carrier that the check was dishonored
6 and that the permit will be canceled 30 days from the date of
7 notification if the applicant does not make restitution. If the
8 applicant does not make restitution for the dishonored check, and
9 pay the dishonored check fee within 30 days of the notice, the
10 application for a motor carrier permit shall be canceled.

11 ~~SEC. 18.~~

12 *SEC. 16.* The Legislature finds and declares that a special law,
13 as set forth in Section ~~5442.10~~ 5442.11 of the Business and
14 Professions Code, as added by Section 2 of this act, is necessary
15 and that a general law cannot be made applicable within the
16 meaning of Section 16 of Article IV of the California Constitution
17 because of the unique circumstances that exist in the Mid-City
18 Recovery Redevelopment Project Area in the City of Los Angeles.
19 The facts constituting the special circumstances are as follows:

20 The physical location of property in the Mid-City Recovery
21 Redevelopment Project Area would benefit the Community
22 Redevelopment Agency of the City of Los Angeles in its efforts
23 to revitalize the affected area if the property may be used in the
24 manner allowed by Section 2 of this act, with minimal disruption
25 of the purposes served by Section 5440 of the Business and
26 Professions Code.

27 ~~SEC. 19.~~

28 *SEC. 17.* No reimbursement is required by this act pursuant
29 to Section 6 of Article XIII B of the California Constitution for
30 certain costs that may be incurred by a local agency or school
31 district because in that regard this act creates a new crime or
32 infraction, eliminates a crime or infraction, or changes the penalty
33 for a crime or infraction, within the meaning of Section 17556 of
34 the Government Code, or changes the definition of a crime within
35 the meaning of Section 6 of Article XIII B of the California
36 Constitution.

37 However, notwithstanding Section 17610 of the Government
38 Code, if the Commission on State Mandates determines that this
39 act contains other costs mandated by the state, reimbursement to
40 local agencies and school districts for those costs shall be made



1 pursuant to Part 7 (commencing with Section 17500) of Division
2 4 of Title 2 of the Government Code. If the statewide cost of the
3 claim for reimbursement does not exceed one million dollars
4 (\$1,000,000), reimbursement shall be made from the State
5 Mandates Claims Fund.

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