

AMENDED IN ASSEMBLY MARCH 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 213

Introduced by Assembly Member Leslie

January 29, 2003

An act to add Section ~~41713.65~~ 9951 to the Vehicle Code, relating to ~~vehicle dealers~~ vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 213, as amended, Leslie. ~~Vehicle dealers: disclosure~~ Vehicles: manufacturers: disclosure.

Existing law sets forth various provisions governing vehicle ~~dealers~~ manufacturers. Those provisions include the requirement that ~~dealers~~ manufacturers disclose ~~specified information to buyers of motor vehicles in the owner's manual, or other written material, as specified,~~ of a new motor vehicle sold in this state, the fact that the vehicle, as equipped, may not be operated with tire chains.

This bill would ~~add to those provisions to make it unlawful and a violation of the Vehicle Code for a dealer to fail~~ require a manufacturer of a new motor vehicle sold or leased in this state, which is equipped with one or more recording devices commonly referred to as "sensing and diagnostic modules (SDM)," to disclose ~~in writing to the buyer or lessee of a motor vehicle that the vehicle is equipped with one or more recording devices, as defined by this bill~~ that fact in the owner's manual for the vehicle. ~~The~~ Because a violation of the Vehicle Code is an infraction, the bill, ~~therefore,~~ would create a new ~~crime~~ infraction, thereby imposing a state-mandated local program.

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

This bill would provide that no reimbursement is required by this act for a specified reason.

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 ~~41713.65~~ 9951 is added to the Vehicle
2 Code, to read:

3 ~~41713.65. (a) It is unlawful and a violation of this code for the~~
4 ~~holder of a dealer’s license issued under this article to fail to~~
5 ~~disclose in writing to the buyer or lessee of a motor vehicle that the~~
6 ~~vehicle is equipped with one or more recording devices commonly~~
7 ~~referred to as “sensing and diagnostic modules (SDM)” or “black~~
8 ~~boxes.”~~

9 9951. (a) A manufacturer of a new motor vehicle sold or
10 leased in this state, which is equipped with one or more recording
11 devices commonly referred to as “sensing and diagnostic modules
12 (SDM),” shall disclose that fact in the owner’s manual for the
13 vehicle.

14 (b) As used in this section, “recording devices” means any
15 device that does one or more of the following:

16 (1) Records how fast and in which direction the motor vehicle
17 is traveling.

18 (2) Records a history of where the motor vehicle travels.

19 (3) Records steering performance.

20 (4) Records brake performance, including, but not limited to,
21 whether brakes were applied before an accident.

22 (5) Records the driver’s seatbelt status.

23 (6) Has the ability to transmit information concerning an
24 accident in which the motor vehicle has been involved to a central
25 communications system at the moment the accident occurs.

26 SEC. 2. No reimbursement is required by this act pursuant to
27 Section 6 of Article XIII B of the California Constitution because
28 the only costs that may be incurred by a local agency or school
29 district will be incurred because this act creates a new crime or



1 infraction, eliminates a crime or infraction, or changes the penalty
2 for a crime or infraction, within the meaning of Section 17556 of
3 the Government Code, or changes the definition of a crime within
4 the meaning of Section 6 of Article XIII B of the California
5 Constitution.

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