

AMENDED IN ASSEMBLY APRIL 22, 2003

AMENDED IN ASSEMBLY APRIL 10, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 586**

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**Introduced by Assembly Member Koretz**

February 18, 2003

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An act to add Chapter 5.3 (commencing with Section 42250) and Chapter 20 (commencing with Section 42970) to Part 3 of Division 7 30 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 586, as amended, Koretz. Litter and marine debris: tobacco-related waste.

(1) The California Integrated Waste Management Act of 1989 establishes an integrated waste management program and establishes requirements for the recycling and reuse of various products, including metallic discards, compost, plastic packaging containers, and newsprint. Existing law requires every manufacturer that manufactures specified plastic trash bags to ensure that at least 10% of the weight of the regulated bags, or that at least 30% of the weight of the material used, in all of its plastic products intended for sale in this state is recycled plastic postconsumer material.

This bill would enact the Litter and Marine Debris Reduction and Recycling Act, and would define terms, including defining the term "litter and marine debris" as meaning disposable cups and disposable bags, or parts thereof, that are improperly discarded by an individual or carried by the wind or water into the environment.

The bill would require every retail seller who sells or provides a disposable bag or disposable cup in this state to pay a litter reduction and recycling fee to the State Board of Equalization for each disposable bag or disposable cup sold or provided to a retail consumer, except as specified. The bill would set the amount of the fee as \$0.02 for every disposable bag or disposable cup that contains less than 40% postconsumer recycled content.

The bill would require the fees imposed by the bill to be paid to the State Board of Equalization and deposited in the Litter and Marine Debris Reduction and Recycling Fund, which the bill would create in the State Treasury. The bill would require the waste board to administer the fund and would prohibit the revenues deposited in the fund that derive from the fees from being expended for an activity that is unrelated to the mitigation of, or the prevention of, litter and marine debris. The bill would authorize the moneys in the fund to be expended, upon appropriation by the Legislature, in a specified manner for activities and grants regarding the diversion, collection, recycling, or proper disposal of litter and marine debris litter and marine debris, of which the waste board would be authorized to expend ~~40%~~ 50% of the revenues annually deposited in the fund. *The bill would require 10% of these revenues to be deposited in the Highway Litter Cleanup Fund, which this bill would create in the State Treasury, for expenditure by the Department of Transportation would be authorized to expend 10% of those revenues, upon appropriation by the Legislature, and would require 10% of these revenues to be deposited in the Coastal and Ocean Trash Abatement Fund, which this would create in the State Treasury, for expenditure by the California Coastal Commission would be authorized to expend 25% of those revenues, upon appropriation by the Legislature. The bill would require 10% of the revenues to be deposited in the State Parks and Recreation Fund, for expenditure by the Department of Parks and Recreation, upon appropriation by the Legislature.* The bill would also require ~~10%~~ 15% of the revenues to be expended to fund a cooperative agreement entered into between ~~“Keep California Beautiful”~~ the Department of Conservation and the Department of Parks and Recreation, the Department of Transportation, and the California Coastal Commission. ~~The bill would also authorize the waste board to expend the amount of funds necessary to conduct and publish, not later than January 1 of every other year, a semiannual litter and marine debris study.~~ The bill would authorize the waste board, the State Board of Equalization, and the Treasurer to expend the revenues



in the fund to pay for the administrative costs of implementing the act, but not to exceed 5% of the total of revenues annually deposited in the fund.

The bill would require an entity that receives money from the fund to provide specified information annually to the board regarding the amount and types of litter and marine debris removed.

(2) Existing law prohibits the smoking of tobacco in various public places.

This bill would prohibit any person, firm, or corporation from displaying or making available ashtrays or other receptacles designed for tobacco-related waste for use on the premises where smoking is prohibited by law, except under specified circumstances. It would also require any person, firm, or corporation that maintains an area where smoking is permitted by law to provide one or more receptacles for tobacco-related waste for use on the premises.

The bill would provide that a violation of these provisions would constitute an infraction punishable by specified fines. The creation of new crimes would impose a state-mandated local program.

(3) 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. Chapter 5.3 (commencing with Section 42250)  
2 is added to Part 3 of Division 7 30 of the Public Resources Code,  
3 to read:

4  
5 CHAPTER 5.3. LITTER AND MARINE DEBRIS REDUCTION AND  
6 RECYCLING ACT

7  
8 Article 1. General Provisions and Definitions

9  
10 42250. (a) The Legislature finds and declares all of the  
11 following:



1 (1) Each year thousands of Californians volunteer countless  
2 hours to cleanup disposable bag and disposable cup litter from  
3 public roadways, beaches, parks, and other areas of the state.

4 (2) Disposable bag and disposable cup litter and the resulting  
5 marine debris present more than an aesthetic problem, as this litter  
6 and debris poses a danger to marine organisms through ingestion  
7 and entanglement. This litter and marine debris present a serious  
8 and growing threat to water quality, the beneficial uses of the  
9 waters of the state, and recreational human use, as well as  
10 threatening the ability of California's waters and the Pacific Ocean  
11 to sustain aquatic life. The United States Environmental  
12 Protection Agency estimates that upwards of 80 percent of marine  
13 debris originates from land-based human activities including  
14 littering and waste disposal practices.

15 (3) Stormwater runoff represents the primary means for  
16 transporting disposable bag and disposable cup litter and this  
17 resulting debris into California's aquatic and marine  
18 environments. Under a consent decree, a Total Maximum Daily  
19 Load (TMDL) for trash is required to be developed for all impaired  
20 waters within the state within the next 12 years. The TMDL for the  
21 Los Angeles River and Ballona Creek Watershed require that the  
22 amount of trash be drastically reduced to protect beneficial uses.  
23 The costs to state agencies and local governments to comply with  
24 existing TMDL requirements, pending TMDL requirements, or  
25 the TMDL requirements yet to be developed, will run into the  
26 billions of dollars.

27 (4) Data collected during California's annual Coastal Cleanup  
28 and the 1999 Pilot Litter Study by the Department of Conservation  
29 indicates that disposable bags and disposable cups represent some  
30 of the most commonly littered items. Disposable cups are used "on  
31 the go" when access to trash and recycling receptacles is most  
32 limited. Disposable bags are commonly littered and, even if  
33 properly discarded, can and are carried by wind from uncovered  
34 trash cans and dumpsters, vehicles, and solid waste facilities,  
35 including landfills.

36 (5) Over 520,000 tons of disposable bags and disposable cups  
37 were used in California in 2000 and less than 50 tons were  
38 recovered for recycling, according to data from the United States  
39 Environmental Protection Agency. Disposal costs for disposable  
40 bags and disposable cups to the state exceed ~~fifty-one million~~



1 ~~dollars (\$51,000,000)~~ *seventy-two million dollars (\$72,000,000)*  
2 annually.

3 (6) The benefits of diverting, reducing, and cleaning up  
4 disposable bag and disposable cup litter have a direct impact on the  
5 California economy. A 1993 study by the California Research  
6 Bureau concluded that ocean-dependent industries add seventeen  
7 billion three hundred thousand dollars (\$17,000,300,000) and  
8 370,000 jobs to California's economy, almost ten billion dollars  
9 (\$10,000,000,000) of which is nonresident coastal-based tourism.

10 (7) All funds collected pursuant to this chapter will be used for  
11 the purposes of reducing, cleaning up, and recycling disposable  
12 bag and disposable cup litter and the resulting marine debris.

13 (b) The Legislature finds and declares that the imposition of the  
14 fee on plastic bags and cups pursuant to Section 42252 would not  
15 result in the imposition of a tax within the meaning of Article XIII  
16 A of the California Constitution, because the amount and nature  
17 of the fee has a fair and reasonable relationship to the adverse  
18 environmental burdens imposed by the disposal and littering of  
19 disposable bags and disposable cups, and there is a sufficient nexus  
20 between the fees imposed and the use of those fees to support  
21 programs that divert, recycle, and reduce the litter and marine  
22 debris stemming from the use of these products.

23 (c) This chapter shall be known as, and may be cited as, the  
24 "Litter and Marine Debris Reduction and Recycling Act."

25 42251. For purposes of this chapter the following definitions  
26 apply:

27 (a) (1) "Disposable bag" means a bag intended for use by the  
28 public to carry away or protect goods, including, but not limited  
29 to, grocery sacks, dry cleaning bags, take out food bags, retail  
30 bags, membership or wholesaler bags, and service station bags.

31 (2) Notwithstanding paragraph (1), "disposable bag" does not  
32 include an exempt bag.

33 (3) "Exempt bag" means a bag that would otherwise be subject  
34 to this chapter, but meets one of the following criteria:

35 (A) The bag is solely used to contain a product with no other  
36 packaging, including, but not limited to, bulk grains, fruit, nuts,  
37 vegetables, or other food products.

38 (B) The bag is used to contain ice, if no other product is  
39 otherwise contained in the packaging.



1 (C) The bag is ~~specifically designed for~~ *made of cloth, fabric,*  
2 *canvas, woven polymer or other durable material and is*  
3 *specifically designed for, and commonly used for,* at least 1,000  
4 reuses.

5 (b) (1) “Disposable cup” means a plastic, paper, or  
6 poly-coated paper cup intended for use by the public to carry away  
7 or protect drinks ~~or foods,~~ *foods, or other products,* including, but  
8 not limited to, coffee cups, take out drink cups, to go cups, fountain  
9 cups, frozen yogurt cups, ice cream cups, soup cups, and side dish  
10 cups.

11 (2) Notwithstanding paragraph (1), “disposable cup” does not  
12 include an exempt cup.

13 (3) “Exempt cup” means a cup that would otherwise be subject  
14 to this chapter, but meets one of the following criteria:

15 (A) The cup is solely used to contain water, is offered free to  
16 customers, and holds no more than four ounces.

17 (B) The cup is *made of ceramic, glass, or other durable*  
18 *material, and is specifically designed for* at least 1,000 reuses, if  
19 the retail seller provides a discount or incentive to support each  
20 reuse.

21 (c) “Fund” means the Litter and Marine Debris Reduction and  
22 Recycling Fund established pursuant to Section 42253.

23 (d) “Litter and marine debris” means disposable cups and  
24 disposable bags, or parts thereof, that are improperly discarded by  
25 an individual or carried by the wind or water into the environment.

26 (e) “Litter reduction and recycling fee” means the fee imposed  
27 pursuant to Section 42252.

28 (f) “*Nonprofit organization*” means a California corporation  
29 organized under Section 501(c)(3) of the Internal Revenue Code.

30 (g) “Postconsumer recycling content” means the amount of  
31 postconsumer material, as defined in subdivision (c) of Section  
32 42290, of a disposable bag or disposable cup.

33 ~~(g)~~

34 (h) “Retail seller” means a person who sells, or offers for sale,  
35 in a retail sale, as defined in Section 6007 of the Revenue and  
36 Taxation Code, a product in a disposable bag or disposable cup.

37 “Retail seller” includes, but is not limited to, a retail food facility,  
38 as defined in Section 113785 of the Health and Safety Code, a  
39 service station, as defined in Section 13650 of the Business and  
40 Professions Code, a convenience or department store, or any other



1 location that provides or offers the goods in the manner specified  
2 in paragraph (1) of subdivision (a) or paragraph (1) of subdivision  
3 (b).

4  
5 Article 2. Fee  
6

7 42252. (a) On and after January 1, 2004, except as provided in  
8 subdivision (c) a retail seller who sells or provides a disposable bag  
9 or disposable cup in this state shall pay a litter reduction and  
10 recycling fee to the State Board of Equalization for all disposable  
11 bags and disposable cups sold or provided to retail consumers.

12 (b) The amount of the litter reduction and recycling fee paid by  
13 a retail seller shall be two cents (\$0.02) for a disposable bag and  
14 two cents (\$0.02) for a disposable cup that contains less than 40  
15 percent postconsumer recycled content.

16 (c) A retail seller is not required to pay a litter reduction and  
17 recycling fee for any of the following:

18 (1) A disposable bag or a disposable cup that contains more  
19 than 40 percent postconsumer recycled content.

20 (2) A disposable cup that is an exempt cup, as defined in  
21 paragraph (3) of subdivision (b) of Section 42251.

22 (3) A disposable bag that is an exempt bag, as defined in  
23 paragraph (3) of subdivision (a) of Section 42251.

24 42253. (a) A retail seller may charge a retail consumer the  
25 amount of the litter reduction and recycling fee as a charge that is  
26 separate from, and not included in, any other fee, charge, or other  
27 amount paid by the retail purchaser.

28 (b) A retail seller shall pay all amounts required to be paid to  
29 the state under this article to the State Board of Equalization in the  
30 form of a remittance that is payable to that board and is separate  
31 from the remittance of any other fee. The State Board of  
32 Equalization shall transmit the payments to the Treasurer, for  
33 deposit in the Litter and Marine Debris Reduction and Recycling  
34 Fund, which is hereby created in the State Treasury.

35 (c) The ~~board~~ *California Integrated Waste Management Board*  
36 shall administer the fund, which shall be expended in accordance  
37 with Section 42254. The revenues deposited in the fund that derive  
38 from the fee imposed pursuant to this article may not be expended  
39 for an activity that is unrelated to the mitigation of, or the  
40 prevention of, litter and marine debris.

1 (d) A retail seller shall keep a record of the number of  
 2 disposable bags, exempt bags, disposable cups, and exempt cups  
 3 the retail seller has purchased, been provided with, or otherwise  
 4 acquired, and a record of the amount of fee paid on disposable bags  
 5 and cups subject to the litter reduction and recycling fee that are  
 6 provided to, or sold to, retail consumers on a quarterly basis. The  
 7 retail seller shall keep these records in the same manner as, and for  
 8 a similar time, as any other record required by the State Board of  
 9 Equalization with regard to the payment of sales taxes.

10

Article 3. Fund

11

12 42254. The moneys in the fund may be expended, upon  
 13 appropriation by the Legislature, in the following manner for the  
 14 following purposes:

15

16 (a) (1) The board may expend ~~40~~ 50 percent of the revenues  
 17 annually deposited in the fund to provide block grants to local  
 18 governments to establish and maintain local programs that provide  
 19 for the reduction, diversion, cleanup, and recycling of litter and  
 20 marine debris, including for devices to prevent litter and marine

21

22 debris from entering storm drain systems.  
 23 (2) The board shall administer the block grants authorized by  
 24 this subdivision. The board may provide the block grants in an  
 25 amount of five thousand dollars (\$5,000) to cities and ten thousand  
 26 dollars (\$10,000) for payments to counties, or the board may  
 27 determine the amount of the block grants by calculating the  
 28 amount on a per capita basis of a city or county, and may pay  
 29 whichever amount is greater, for the programs specified in  
 30 paragraph (1).

31

32 ~~(b) The Department of Transportation may expend 10 percent~~  
 33 ~~of the revenues annually deposited in the fund for all of the~~

34

35 (3) *To receive a block grant pursuant to this subdivision, a city,*  
 36 *county, or city and county shall fill out and return a funding request*  
 37 *to the board. The form shall specify the eligible litter or marine*  
 38 *debris clean-up activities for which the funds will be used.*

39

40 (4) *The board shall annually prepare and distribute a funding*  
 41 *request to each city, county, or city and county. The form shall*  
 42 *specify the amount of funds for which the jurisdiction is eligible.*  
 43 *The form shall not exceed one double-sided page in length, and*  
 44 *may be submitted electronically.*



1 (b) Ten percent of annual revenues deposited in the fund shall  
2 be deposited in the Highway Litter Clean-up Fund, which is hereby  
3 created in the State Treasury, and which may be expended by the  
4 Department of Transportation upon appropriation by the  
5 Legislature for all of the following programs, with regard to the  
6 diversion, collection, recycling, or proper disposal of litter and  
7 marine debris:

8 (1) To support the Adopt-A-Highway program.

9 (2) To conduct other activities to divert, collect, recycle, or  
10 properly dispose of litter and marine debris including, but not  
11 limited to, offsetting a portion of the projected three hundred  
12 million dollars (\$300,000,000) cost of programs and projects  
13 needed for the Department of Transportation to meet Total  
14 Maximum Daily Load Requirements for reducing trash in  
15 stormwater runoff.

16 (3) To provide ~~grants to nonprofit agencies~~ competitive grants  
17 to nonprofit organizations that collect or coordinate the collection  
18 of litter and marine debris.

19 ~~(e) The California Coastal Commission may expend 25 percent~~  
20 ~~of the revenues annually deposited in the fund for all of the~~  
21 ~~following programs, with regard to the diversion, collection,~~  
22 ~~recycling, or proper disposal of litter and marine debris:~~

23 ~~(1) The California Coastal Commission Adopt A Beach~~  
24 ~~program.~~

25 ~~(2) The California State Park Adopt A Park program.~~

26 ~~(3) The community conservation corps.~~

27 ~~(4) Keep California Beautiful.~~

28 ~~(5) To provide grants to nonprofit agencies that collect or~~  
29 ~~coordinate the collection of disposable bag and disposable cup~~  
30 ~~litter and resulting marine debris.~~

31 ~~(d) Ten~~

32 (4) Litter and marine debris cleanup along state highway  
33 segments adjoining streams, rivers, beaches, the ocean, and other  
34 environmentally sensitive areas, which the Department of  
35 Transportation shall assign a high priority with regard to the  
36 expenditure of funds appropriated from the Highway Litter  
37 Clean-up Fund.

38 (c) Ten percent of the annual revenues deposited in the fund  
39 shall be deposited into the Coastal and Ocean Trash Abatement  
40 Fund which is hereby created in the State Treasury, which shall be



1 available for expenditure by the California Coastal Commission,  
2 upon appropriation by the Legislature, for litter and marine debris  
3 reduction and clean-up programs, including, but not limited to, all  
4 of the following:

5 (1) The California Coastal Commission Adopt-A-Beach and  
6 Coastal Clean-up programs.

7 (2) Grants to public entities and nonprofit organizations for  
8 programs that promote public involvement in and the  
9 implementation of the abatement, cleanup, and recycling of litter  
10 and marine debris in coastal land and water areas, and in the  
11 ocean.

12 (d) Ten percent of the annual revenues deposited in the fund  
13 shall be deposited into the State Parks and Recreation Fund  
14 created pursuant to Section 5010 and shall be available to the  
15 Department of Parks and Recreation, upon appropriation by the  
16 Legislature, for litter and marine debris reduction and clean-up  
17 programs in and around state parks, historical sites, and other  
18 lands maintained by the Department of Parks and Recreation,  
19 including, but not limited to, the following:

20 (1) The California State Park Adopt-a-Park program.

21 (2) Grants to public entities and nonprofit organizations for  
22 programs that promote public involvement in and the  
23 implementation of the abatement, cleanup, and recycling of litter  
24 and marine debris in and around state parks, historical sites, and  
25 other lands maintained by the Department of State Parks and  
26 Recreation.

27 (e) Fifteen percent of the revenues annually deposited in the  
28 fund shall be expended to fund a cooperative agreement with  
29 ~~“Keep California Beautiful Department of Conservation”~~ and the  
30 Department of Parks and Recreation, the Department of  
31 Transportation, and the California Coastal Commission, in  
32 conjunction with local governments, to establish and conduct an  
33 ongoing statewide public information program to educate the  
34 public on the hazards and composition of litter and marine debris  
35 and on the need to increase the recycling of disposable bags and  
36 disposable cups.

37 ~~(e) The board may expend the amount of revenue in the fund~~  
38 ~~that is necessary to conduct and publish, not later than January 1~~  
39 ~~of every other year, a semiannual litter and marine debris study,~~  
40 ~~with specific attention paid to the contribution to all litter and~~



1 ~~marine debris by disposable bags and disposable cups. The report~~  
2 ~~shall identify litter and marine debris by the types of materials by~~  
3 ~~composition and the types of items by use, and shall quantify both~~  
4 ~~of these by their location on land, on and along roads and~~  
5 ~~highways, along and in streams or rivers, along and in lakes, along~~  
6 ~~beaches, along or in harbors and estuaries, and in the Pacific~~  
7 ~~Ocean. The report shall include data from grantees and all agencies~~  
8 ~~receiving funds under this chapter regarding local and agency~~  
9 ~~specific litter and marine debris cleanup and removal efforts.~~

10 (f) The board, the State Board of Equalization, and the  
11 Treasurer may expend the revenues in the fund to pay for the  
12 administrative costs of implementing this chapter. The total  
13 amount authorized for expenditure pursuant to this subdivision  
14 shall not exceed 5 percent of the total amount of revenues annually  
15 deposited in the fund.

16 42255. An entity that receives money from the fund pursuant  
17 to this article shall provide information to the board that quantifies  
18 the amount and types of litter and marine debris removed, the  
19 amount of labor used, including both volunteer and paid, and the  
20 locations or geographic area from which the litter or marine debris  
21 is recovered. The information shall be provided on or before the  
22 November 15 of the 12-month period ending September 31 for the  
23 revenues deposited in the fund annually, or on the date otherwise  
24 specified by the board.

25 42256. (a) This chapter does not create a guarantee of a  
26 continuing level of support, or other obligation on the part of the  
27 state, the board, or an agency of the state, to pay a specified amount  
28 to any ~~local~~ nonprofit organization, community conservation  
29 corps, or ~~statewide nonprofit agency~~ *other entity*.

30 (b) This chapter does not require or create an obligation that  
31 payments made pursuant to this chapter to a ~~local~~ nonprofit  
32 organization, community conservation corps, or ~~statewide~~  
33 ~~nonprofit agency~~ *other entity* in any given fiscal year at the same  
34 or greater level.

35 SEC. 2. Chapter 20 (commencing with Section 42970) is  
36 added to Part 3 of Division 7 of the Public Resources Code, to read:  
37



1 CHAPTER 20. TOBACCO RELATED WASTE RECEPTACLES

2  
3 Article 1. Findings

4  
5 42970. The Legislature finds and declares all of the  
6 following:

7 (a) In the annual coastal cleanup days held every September in  
8 California, cigarette butts are always the most common item  
9 collected. In 2000, volunteers collected 229,928 cigarette butts  
10 from California beaches in a three-hour period. Laws established  
11 to protect Californians from the deadly effects of second-hand  
12 smoke have increased the number of cigarettes consumed outside.  
13 Mostly under the impression that cigarette butts are harmless,  
14 smokers typically discard their plastic cigarette butts by littering,  
15 exacerbating the problem of cigarette waste in marine debris.

16 (b) Cigarette butts are made of a plastic called cellulose acetate.  
17 More than just unsightly contaminants, plastics in our oceans kill  
18 countless thousands of marine animals. Degradation of cigarette  
19 butts can take decades. Worldwide, several trillion cigarette butts  
20 are littered every year. Cigarette filters can be found in the  
21 stomachs of fish, birds, whales, and other marine creatures. Every  
22 year thousands of animals die because they repeatedly mistake  
23 cigarette butts and other plastics for food, permanently filling their  
24 stomachs and causing death by starvation. Toxic chemicals  
25 trapped in cigarette filters are transferred into the bodies of the  
26 marine animals, thus entering the food chain.

27 (c) The Legislature intends to curb the quantity of cigarette  
28 butts that are littered and that become marine debris.

29  
30 Article 2. Tobacco Waste Receptacles

31  
32 42971. (a) Except as provided in subdivisions (b), ~~(c), and~~  
33 ~~(d)~~ and (c), no person, firm, or corporation may display or make  
34 available ashtrays or other receptacles designed for  
35 tobacco-related waste for use on the premises where smoking is  
36 prohibited by law.

37 ~~(b) A receptacle for tobacco-related waste may be placed~~  
38 ~~within five feet of a boundary or public entry into an area where~~  
39 ~~smoking is not permitted.~~

40 ~~(e)~~



1 (b) A person, firm, or corporation that maintains an area where  
2 smoking is permitted by law shall provide one or more receptacles  
3 for tobacco-related waste for use on the premises.

4 ~~(d)~~

5 (c) Ashtrays may be sold or distributed to the public on  
6 premises where smoking is prohibited, but only for use in areas  
7 where smoking is not prohibited.

8 42972. ~~(a)~~—A person, firm, or corporation that violates this  
9 chapter is guilty of an infraction, and upon conviction is subject to  
10 punishment by a fine of two hundred fifty dollars (\$250) for a first  
11 conviction, five hundred dollars (\$500) for a second conviction in  
12 connection with a violation at the same location within a five-year  
13 period, and one thousand dollars (\$1,000) for a third or subsequent  
14 conviction in connection with a violation at the same location  
15 within a five-year period.

16 SEC. 3. No reimbursement is required by this act pursuant to  
17 Section 6 of Article XIII B of the California Constitution because  
18 the only costs that may be incurred by a local agency or school  
19 district will be incurred because 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.

