

AMENDED IN ASSEMBLY SEPTEMBER 2, 2003

AMENDED IN ASSEMBLY JULY 9, 2003

AMENDED IN ASSEMBLY JUNE 27, 2003

AMENDED IN ASSEMBLY JUNE 4, 2003

AMENDED IN SENATE MARCH 26, 2003

SENATE BILL

No. 315

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

February 19, 2003

An act to amend Section 5463 of the Business and Professions Code, to amend Section 20351 of the Public Contract Code, to amend Sections ~~99315.8~~, 120050.2, 120051, 120051.6, and 120054 of, to add Section 120051.1 to, and to add Chapter 6 (commencing with Section 125700) to Division 11.5 of, the Public Utilities Code, to amend Sections 10753 and 10753.7 of the Revenue and Taxation Code, to amend Sections 188.8 and 302 of the Streets and Highways Code, and to amend Sections *1651*, 1800, 1810, 1810.7, 4456, 4466, 5068, *5101.2*, *5200*, 5201, 6700, 9101, 9107, 11204, 12814, 13370, *15210*, 15250.7, 16000, 16021, 16370.5, 16431, 24609, and 27400 of, ~~and~~ to add Section 11519 to, *and to repeal Sections 5004.6, 5070, 5071, 5071.1, 5073, and 5080 of*, the Vehicle Code, relating to transportation, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 315, as amended, Committee on Transportation. Transportation.

(1) Existing law requires the North San Diego County Transit Development Board to award contracts for construction in excess of \$50,000 to the lowest responsible bidder after competitive bidding, except in an emergency.

This bill would make that requirement applicable to contracts in excess of \$10,000.

(2) Existing law creates the San Diego Metropolitan Transit Development Board and the North San Diego County Transit Development Board with various responsibilities to operate and construct transit systems in their service areas. Existing law authorizes the San Diego Metropolitan Transit Development Board to engage in various financial transactions, including the issuance of revenue bonds and the purchase of transit equipment with equipment trust certificates and other financing mechanisms.

This bill would enact similar provisions applicable to the North San Diego County Transit Development Board.

(3) Existing law provides for an appointed 15 member governing body for the San Diego Metropolitan Transit Development Board in San Diego County, one of whom shall be appointed by the San Diego County Board of Supervisors to represent one of the 2 supervisorial districts that has the greatest percentage of its area within the jurisdiction of the transit development board. Existing law provides that the board is reduced to 14 members if the person elected chairperson is also a board member.

This bill would instead provide that if the chairperson is elected from the membership of the board, the County of San Diego shall have an additional member appointed by the San Diego County Board of Supervisors and the board membership shall remain at 15 members. The bill would require that one of the 2 supervisorial district representatives come from a district that has the greatest percentage of its area within the incorporated area of San Diego County and the other come from a district that has the greatest percentage of its area within the unincorporated area of San Diego County under the jurisdiction of the transit development board.

(4) Existing law describes the area of the board by using city names and specified census tracts contained in the 1980 decennial census maps that are on file with the United States Department of Commerce.



This bill would delete the references to the census tracts and would instead include all of the unincorporated area of San Diego County except for that area included within the North San Diego County Transit Development Board.

~~(5) Existing law creates the North Coast Railroad Authority (NCRA) and provides that transportation funds previously allocated by the California Transportation Commission to the NCRA for certain projects under specified allocation resolutions may be used by NCRA for various related transportation projects.~~

~~This bill would also authorize these funds to be used for maintenance of the capital investments made on rail right-of-way owned by NCRA or rail line easements controlled by NCRA, subject to approval of the commission. The bill would authorize the commission to extend otherwise applicable deadlines relating to use of these funds by not more than 20 months under certain conditions. The bill would require NCRA to report to the Department of Transportation on the use of these funds, thereby imposing a state-mandated local program.~~

~~(6) The Vehicle License Fee (VLF) Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle subject to registration in this state in the amount of 2% of the market value of that vehicle, as specified. The VLF Law requires the Department of Motor Vehicles to determine the market value of a vehicle, as specified, upon the first sale of a new vehicle to a consumer and upon each sale of a used vehicle to a consumer for the purpose of computing the vehicle license fee. The VLF Law also provides that if a commercial vehicle, as defined, is modified or additions are made, as specified, at a cost of \$2,000 or more, the owner of that vehicle is required to report that modification or addition to the department for the purposes of making the specified computation.~~

~~This bill would delete obsolete cross-references contained in these provisions.~~

~~(7)~~

~~(6) Existing law requires the California Transportation Commission to program interregional and regional transportation capital improvement projects through the State Transportation Improvement Program process, consistent with estimated available funding. Existing law requires regional improvement projects nominated by regional agencies to be programmed by the commission pursuant to certain formulas, known as the north-south split and county shares. Existing law authorizes the commission, with the consent of the Department of~~



Transportation, to program projects in a region with a population of not more than 1,000,000 at a level higher or lower than a county share, in order to either build up a reserve for a larger project or advance a future share to the present, with the amount of the reserve or advance credited to or deducted from future programming, as the case may be.

This bill would extend the county share reservation or advance process to any county with a population of not more than 1,000,000.

~~(8)~~

(7) Existing law authorizes the California Transportation 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.

This bill would authorize the commission to relinquish to the City of Beverly Hills a specified portion of State Highway Route 2, upon those terms and conditions, and would require the City of Beverly Hills to maintain within its jurisdiction certain directional signs. 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.

~~(9)~~

(8) Existing law imposes weight fees on commercial vehicles, subject to certain exceptions, with those fees to be deposited in the State Highway Account and the Motor Vehicle Account.

This bill would make nonsubstantive changes in an existing exemption from weight fees for certain special transportation vehicles.

~~(10)~~

(9) Existing law requires an applicant for renewal of a traffic violator school operator's license to pass an examination on traffic laws, safe driving practices, operation of motor vehicles, teaching methods and techniques, traffic violator school statutes and regulations, and office procedures and recordkeeping.

This bill would authorize the Department of Motor Vehicles to accept evidence of continuing professional education, as defined, in lieu of the examination.

~~(11)~~

(10) Existing law prescribes certain restrictions on the issuance by the Department of Motor Vehicles of a copy, duplicate, or substitution



of a certificate of title or license plate and requires the registered owner to apply in person and present certain documents.

This bill would modify those restrictions by, among other things, revising the documentation requirements and exempting certain vehicles from those restrictions.

The bill would allow the department to issue one or more license plates to the registered owner or lessee and issue a certificate of title only to the legal owner, or if none, the registered owner.

(11) Existing law authorizes a person who is a firefighter or a retired firefighter to apply for special license plates for the person's vehicle. The special license plates, which contain the words "California Firefighter" and run in a regular numerical series, are issued upon application to the Department of Motor Vehicles, presentation of proof of certain facts, and payment of certain fees. Except for fees charged for issuing the plates as environmental license plates, all the revenues derived from the fees charged for the plates, less costs incurred by the department in issuing the plates, are required to be deposited in the California Firefighters' Memorial Fund, prior to January 1, 2006, and in the California Fire and Arson Training Fund, on and after January 1, 2006.

This bill, instead, would require the specified fees to be deposited exclusively in the California Firefighters' Memorial Fund.

(12) Existing law requires the rear license plate on a vehicle to be mounted not less than 12 inches nor more than 60 inches from the ground, and the front license plate to be mounted not more than 60 inches from the ground, except as specified.

This bill would authorize the rear license plate on a two-axle livestock trailer to be mounted 12 inches or more, but not more than 90 inches, from the ground.

(13) Under existing law, when an application is made to the Department of Motor Vehicles to register a vehicle reported as a total loss salvage vehicle or for dismantling, the department is required to inspect the vehicle, as specified, or to request that the Department of the California Highway Patrol inspect the vehicle, as specified. Existing law also requires a person submitting those vehicles for registration to have specified documents available.

This bill would prohibit a vehicle that has been reported as a total loss salvage vehicle or dismantled vehicle from being subsequently registered until the prescribed bill of sale, an appropriate application, official lamp and brake adjustment certificates, as specified, other

required documents and fees, and specified pollution control information is submitted to the Department of Motor Vehicles. The bill would prohibit the Department of Motor Vehicles from registering a vehicle that has been reported as a total loss salvage vehicle or dismantled vehicle if the vehicle has been referred to the Department of the California Highway Patrol, or selected for inspection by that department, as specified, until the applicant for registration submits to the Department of Motor Vehicles a certification of that inspection.

Because a violation of this provision would be a crime under other provisions of existing law, the bill would impose a state-mandated local program by expanding the scope of that crime.

(14) Existing law specifies certain grounds for the Department of Motor Vehicles to deny or revoke a certificate required to operate a schoolbus, a school pupil activity bus, or various other specialty vehicles. Existing law allows a person to reapply for a certificate no sooner than one year after a denial or revocation.

This bill would allow a person to reapply for a certificate no sooner than 45 days after denial or revocation in the case of failure to meet prescribed testing requirements.

(15) Existing law requires all drivers to have evidence of financial responsibility with them at all times, and defines “evidence of financial responsibility” for these purposes.

This bill would make ~~technical~~, nonsubstantive changes to provisions defining financial responsibility.

(16) Existing law authorizes a vehicle to be equipped with white or amber reflectors upon the front of the vehicle that are mounted not lower than 15 inches nor higher than 60 inches.

This bill would authorize a schoolbus to be equipped with a set of 2 devices, with each device in the set consisting of an amber reflector integrated into the lens of an amber light that is otherwise permitted under the Vehicle Code, if the set is mounted with one device on the left side and one on the right side of the vehicle, and with each device at the same level.

(17) Existing law prohibits a person operating a motor vehicle or bicycle from wearing a headset or earplugs in both ears except under specified circumstances, including the wearing of personal hearing protectors in the form of custom earplugs or molds designed to attenuate injurious noise levels.

This bill would revise these provisions.



(18) This bill would make various other nonsubstantive changes in existing law relating to vehicles.

~~(19) 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.~~

(19) *This bill would extend, to June 30, 2006, the completion dates for the Bass Lake Trail Environmental Enhancement and Mitigation Project in the County of Madera and the Junior Seau Complex Mitigation Project in the County of San Diego. The bill would reappropriate moneys to the Department of Transportation for these projects.*

(20) *This bill would incorporate additional changes to Section 5201 of the Vehicle Code proposed by AB 1303, to become operative only if AB 1303 and this bill are both chaptered and become effective on or before January 1, 2004, and this bill is chaptered last.*

(21) *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~~—yes. Fiscal committee: yes. State-mandated local program: yes.

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

- 1 SECTION 1. Section 5463 of the Business and Professions
- 2 Code is amended to read:
- 3 5463. The director may revoke any license or permit for the
- 4 failure to comply with this chapter and may remove and destroy



1 any advertising display placed or maintained in violation of this
2 ~~chapter after 30 days' written notice posted on the structure or sign~~
3 ~~and a copy forwarded by mail to the display owner or permitholder~~
4 ~~at his or her last known address. If there is no permit issued, a copy~~
5 ~~of the notice shall be forwarded to the display owner. If the display~~
6 ~~owner cannot be ascertained, the notice shall be mailed to any~~
7 ~~business advertised on the sign or structure and the property owner~~
8 ~~as indicated on the official county records. chapter after 30 days'~~
9 ~~written notice is forwarded by mail to the permitholder at his or her~~
10 ~~last known address. If no permit has been issued, a copy of the~~
11 ~~notice shall be forwarded by mail to the display owner, property~~
12 ~~owner, or advertiser at his or her last known address.~~

13 Notwithstanding any other provision of this chapter, the director
14 or any authorized employee may summarily and without notice
15 remove and destroy any advertising display placed in violation of
16 this chapter which is temporary in nature because of the materials
17 of which it is constructed or because of the nature of the copy
18 thereon.

19 For the purpose of removing or destroying any advertising
20 display placed in violation of this chapter, the director or the
21 director's authorized agent may enter upon private property.

22 SEC. 2. Section 20351 of the Public Contract Code is
23 amended to read:

24 20351. Contracts for the construction in excess of ten
25 thousand dollars (\$10,000) shall be awarded to the lowest
26 responsible bidder after competitive bidding, except in an
27 emergency declared by the vote of two-thirds of the membership
28 of the board.

29 ~~SEC. 3. Section 99315.8 of the Public Utilities Code is~~
30 ~~amended to read:~~

31 ~~99315.8. All funds from the Public Transportation Account~~
32 ~~and the State Highway Account, in the State Transportation Fund,~~
33 ~~previously allocated by the commission for specific track repair~~
34 ~~and rolling stock acquisitions through resolutions number~~
35 ~~MFP-95-05, MFP-95-10, MPFP-95-01, MFA-96-01, and~~
36 ~~MBFA-98-01 shall also be available for expenditure on any form~~
37 ~~of track improvement project or track rehabilitation project, or for~~
38 ~~maintenance of the capital investments made on rail right-of-way~~
39 ~~owned by the North Coast Railroad Authority (NCRA), or on rail~~
40 ~~line easements controlled by NCRA, or for rolling stock~~

~~acquisition projects nominated by NCRA, as approved by the commission. Projects nominated by NCRA, for which funds in the State Highway Account in the State Transportation Fund are to be used, are also required to be eligible under Article XIX of the California Constitution. The encumbering and expending of funds for a project is not subject to an additional allocation action or approval action, or both actions, by the commission. NCRA shall report to the department on the full and timely use of the funds once a project is approved by the commission. Time extension requests by NCRA, if needed, shall be considered by the commission for allocation extensions, for project award extensions, and expenditure extensions. If NCRA, as the responsible agency, finds that an unforeseen and extraordinary circumstance beyond its control has occurred that justifies an extension, the commission may extend the deadline as specified in subdivision (a) of Section 14529.8 of the Government Code. The deadline extension may not exceed the period of delay directly attributed to the unforeseen and extraordinary circumstance and may not be more than 20 months. The commission may not grant more than one extension to a project for each type of extension request.~~

~~SEC. 4.~~

SEC. 3. Section 120050.2 of the Public Utilities Code is amended to read:

120050.2. The board consists of 15 members selected as follows:

(a) One member of the County of San Diego Board of Supervisors, appointed by the board of supervisors.

(b) Four members of the City Council of the City of San Diego, one of whom may be the mayor, appointed by the city council.

(c) One member of each city council appointed individually by the City Councils of the Cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, and Santee.

(d) One person, a resident of San Diego County, elected by a two-thirds vote of the board, a quorum being present, who shall serve as chairperson of the board. The chairperson shall serve for a term of four years, except that he or she is subject to removal at any time by a two-thirds vote of the board, a quorum being present. If the person elected chairperson is also a member of the board, the appointing power may not fill the vacancy created by

1 the election of that member as chairperson as long as that member
2 remains chairperson and, if removed as chairperson, that person
3 shall resume the position on the board he or she vacated upon
4 election as chairperson. Section 120102.5 does not apply to any
5 vote taken under this subdivision. Further, in the event that the
6 chairperson is elected from the membership of the board, the
7 County of San Diego shall then have two members appointed by
8 the board of supervisors and the board membership shall remain
9 at 15. In the event the subsequently elected chairperson is not a
10 member, the membership on the board of the second appointee of
11 the County of San Diego shall be suspended and the board
12 membership shall remain at 15.

13 ~~SEC. 5.~~

14 SEC. 4. Section 120051 of the Public Utilities Code is
15 amended to read:

16 120051. The member of the board of supervisors appointed
17 pursuant to subdivision (a) of Section 120050.2 shall represent one
18 of the two supervisorial districts with the greatest percentage of its
19 area within the incorporated area of the County of San Diego
20 within the area under the jurisdiction of the transit development
21 board as defined in Section 120054.

22 ~~SEC. 6.~~

23 SEC. 5. Section 120051.1 is added to the Public Utilities
24 Code, to read:

25 120051.1. The member of the board of supervisors appointed
26 pursuant to subdivision (d) of Section 120050.2 shall represent the
27 supervisorial district with the greatest percentage of its area within
28 the unincorporated area of the County of San Diego under the
29 jurisdiction of the transit development board as defined in Section
30 120054.

31 ~~SEC. 7.~~

32 SEC. 6. Section 120051.6 of the Public Utilities Code is
33 amended to read:

34 120051.6. The alternate members of the board shall be
35 appointed as follows:

36 (a) The County of San Diego Board of Supervisors shall
37 appoint any other county supervisor who qualifies for appointment
38 pursuant to Section 120051 to serve as an alternate member of the
39 transit development board.



(b) The City Council of the City of San Diego shall appoint a member of the city council not already appointed pursuant to subdivision (b) of Section 120050.2 to serve as an alternate member of the transit development board for each of the members appointed by the city council to the transit development board.

(c) The city councils specified in subdivision (c) of Section 120050.2 shall each individually appoint a member of their respective city councils not already appointed pursuant to that subdivision to serve as an alternate member of the transit development board.

(d) If the board elects a person other than a member of the board to serve as chairperson, the board may, upon a two-thirds vote, a quorum being present, appoint a San Diego County resident as an alternate member of the board for that person elected chairperson. If the board elects a person who is a member of the board to serve as chairperson, the County of San Diego shall appoint an alternate supervisor for the supervisor appointed pursuant to subdivision (d) of Section 120050.2.

~~SEC. 8.~~

SEC. 7. Section 120054 of the Public Utilities Code is amended to read:

120054. The area of the board shall consist of all of the following:

(a) The Cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, and Santee.

(b) All of the unincorporated area of the County of San Diego, except as otherwise included within the North San Diego County Transit Development Board in Section 125052.

(c) All the unincorporated area of the County of San Diego surrounded by the cities specified in subdivisions (a) and (b).

~~SEC. 9.~~

SEC. 8. Chapter 6 (commencing with Section 125700) is added to Division 11.5 of the Public Utilities Code, to read:

CHAPTER 6. BONDS AND OTHER EVIDENCES OF INDEBTEDNESS

125700. The board may issue bonds, payable from revenue of any facility or enterprise to be acquired or constructed by the board, in the manner provided by the Revenue Bond Law of 1941

(Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code), and all of the provisions of that law are applicable to the board.

125701. The board is a local agency within the meaning of the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code). The term “enterprise,” as used in the Revenue Bond Law of 1941, for all purposes of this chapter, includes the transit system or any or all transit facilities and all additions, extensions, and improvements thereto authorized to be acquired, constructed, or completed by the board.

The board may issue revenue bonds under the Revenue Bond Law of 1941 for any one or more transit facilities authorized to be acquired, constructed, or completed by the board or for transit equipment described in Section 125702 authorized to be acquired by the board or, in the alternative, the board may issue revenue bonds under the Revenue Bond Law of 1941 for the acquisition, construction, and completion of any one of those transit facilities or for transit equipment described in Section 125702 authorized to be acquired by the board.

Nothing in this chapter prohibits the board from availing itself of, or making use of, any procedure provided in this chapter for the issuance of bonds of any type or character for any of the transit facilities authorized hereunder, and all proceedings may be carried on simultaneously or, in the alternative, as the board may determine.

125702. The board may purchase transit equipment such as cars, trolley buses, motorbuses, light rail vehicles, or rolling equipment, and may execute agreements, leases, and equipment trust certificates in the forms customarily used by private corporations engaged in the transit business appropriate to effect the purchase and leasing of transit equipment, and may dispose of the equipment trust certificates upon the terms and conditions that the board may deem appropriate.

Payment for transit equipment, or rentals therefor, may be made in installments, and the deferred installments may be evidenced by equipment trust certificates that are or will be legally available to the board. Title to the equipment may not vest in the board until the equipment trust certificates are paid.

1 125703. The agreement to purchase or lease transit equipment
2 may direct the vendor or lessor to sell and assign or lease the transit
3 equipment to a bank or trust company duly authorized to transact
4 business in the state as trustee for the benefit and security of the
5 equipment trust certificates, and may direct the trustee to deliver
6 the transit equipment to one or more designated officers of the
7 board and may authorize the board to simultaneously therewith
8 execute and deliver an installment purchase agreement or a lease
9 of that equipment to the board.

10 125704. The agreements and leases shall be duly
11 acknowledged before a person authorized by law to take
12 acknowledgments of deeds and in the form required for
13 acknowledgment of deeds.

14 The agreements, leases, and equipment trust certificates shall be
15 authorized by resolution of the board and shall contain covenants,
16 conditions, and provisions that may be deemed necessary or
17 appropriate to insure the payment of the equipment trust
18 certificates from any legally available source or sources of funds
19 as may be specified in the certificates.

20 125705. The covenants, conditions, and provisions of the
21 agreements, leases, and equipment trust certificates may not
22 conflict with any trust agreement or similar document securing the
23 payment of bonds, notes, or certificates of the board.

24 125706. An executed copy of each agreement and lease shall
25 be filed in the office of the Secretary of State, for a fee of one dollar
26 (\$1) for each copy filed.

27 The filing constitutes notice to any subsequent judgment
28 creditor or any subsequent purchaser.

29 125707. The Improvement Act of 1911 (Division 7
30 (commencing with Section 5000) of the Streets and Highways
31 Code), the Improvement Bond Act of 1915 (Division 10
32 (commencing with Section 8500) of the Streets and Highways
33 Code), and the Municipal Improvement Act of 1913 (Division 12
34 (commencing with Section 10000) of the Streets and Highways
35 Code), are applicable to the board.

36 125708. Chapter 1 (commencing with Section 99000) of Part
37 11 of Division 10 is applicable to the board.

38 125709. The board shall be considered a “local agency,” as
39 defined in subdivision (h) of Section 53317 of the Government
40 Code, and the provisions of Chapter 2.5 (commencing with

1 Section 53311) of Part 1 of Division 2 of Title 5 of the Government
2 Code are applicable to the board.

3 125710. The board shall be considered to be a “local agency”
4 as defined in subdivision (f) of Section 6585 of the Government
5 Code, and Article 4 (commencing with Section 6584) of Chapter
6 5 of Division 7 of Title 1 of the Government Code is applicable to
7 the board.

8 125711. The board may borrow money in accordance with
9 Article 7 (commencing with Section 53820), Article 7.6
10 (commencing with Section 53580), or Article 7.7 (commencing
11 with Section 53859) of Chapter 4 of Part 1 of Division 2 of Title
12 5 of the Government Code.

13 125712. The board may borrow money in anticipation of the
14 sale of bonds that have been authorized to be issued, but that have
15 not been sold and delivered, and may issue negotiable bond
16 anticipation notes therefor, and may renew the bond anticipation
17 notes from time to time, but the maximum maturity of any bond
18 application notes, including the renewals thereof, may not exceed
19 five years from the date of delivery of the original bond
20 anticipation notes.

21 The bond anticipation notes may be paid from any money of the
22 board available therefor and not otherwise pledged. If not
23 previously otherwise paid, the bond anticipation notes shall be
24 paid from the proceeds of the next sale of the bonds of the board
25 in anticipation of which they were issued. The bond anticipation
26 notes may not be issued in any amount in excess of the aggregate
27 amount of bonds that the board has not been authorized to issue,
28 less the amount of any bonds of the authorized issue previously
29 sold, and also less the amount of other bond anticipation notes
30 therefor issued and then outstanding.

31 The bond anticipation notes shall be issued and sold in the same
32 manner as the bonds. The bond anticipation notes and the
33 resolution or resolutions authorizing them may contain any
34 provisions, conditions, or limitations that a resolution of the board
35 authorizing the issuance of bonds may contain.

36 125713. The board may issue negotiable promissory notes
37 pursuant to this section to acquire funds for any board purposes.
38 The maturity of the promissory notes may not be later than five
39 years from the date thereof. Those notes shall bear interest at a rate

not to exceed 12 percent per year. Those notes shall be payable from any source of revenue available to the board.

125714. The board may bring an action to determine the validity of any of its bonds, equipment trust certificates, warrants, notes, or other evidences of indebtedness pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

125715. All bonds and other evidences of indebtedness issued by the board under this chapter, and the interest thereon, are free and exempt from all taxation within the state, except for transfer, franchise, inheritance, and estate taxes.

125716. Notwithstanding any other provisions of this division or of any other law, the provisions of all ordinances, resolutions, and other proceedings in the issuance by the board of any bonds, bonds with a pledge of revenues, bonds for any and all evidences of indebtedness or liability constitute a contract between the board and the holders of the bonds, equipment trust certificates, notes, or evidences of indebtedness or liability, and the provisions thereof are enforceable against the board or any or all of its successors or assigns, by mandamus or any other appropriate suit, action, or proceeding in law or in equity in any court of competent jurisdiction.

Nothing in this division or in any other law relieves the board or the territory included within it from any bonded or other debt or liability contracted by the board. Upon dissolution of the board or upon withdrawal of territory therefrom, that territory formerly included within the board, or withdrawn therefrom, shall continue to be liable for the payment of all bonded and other indebtedness or liabilities outstanding at the time of the dissolution or withdrawal as if the board had not been so dissolved or the territory withdrawn therefrom, and it shall be the duty of the successors or assigns to provide for the payment of the bonded and other indebtedness and liabilities.

Except as may be otherwise provided in the proceedings for the authorization, issuance, and sale of any revenue bonds, bonds secured by a pledge of revenues, or bonds for improvement districts secured by a pledge of revenues, revenues of any kind or nature derived from any revenue-producing improvements, works, facilities, or property owned, operated, or controlled by the board shall be pledged, charged, assigned, and have a lien thereon

1 for the payment of the bonds as long as they are outstanding,
2 regardless of any change in ownership, operation, or control of the
3 revenue-producing improvements, works, facilities, or property
4 and it shall, in any later event or events, be the duty of the
5 successors or assigns to continue to maintain and operate the
6 revenue-producing improvements, works, facilities, or property as
7 long as bonds are outstanding.

8 ~~SEC. 10.~~

9 SEC. 9. Section 10753 of the Revenue and Taxation Code is
10 amended to read:

11 10753. (a) Upon the first sale of a new vehicle to a consumer
12 and upon each sale of a used vehicle to a consumer, the department
13 shall determine the market value of the vehicle on the basis of the
14 cost price to the purchaser as evidenced by a certificate of cost, but
15 not including California sales or use tax or any local sales,
16 transactions, use, or other local tax. "Cost price" includes the
17 value of any modifications made by the seller.

18 (b) Notwithstanding subdivision (a), the department shall not
19 redetermine the market value of used vehicles, or modify the
20 vehicle license fee classification of used vehicles determined
21 pursuant to Section 10753.2, when the seller is the parent,
22 grandparent, child, grandchild, or spouse of the purchaser, and the
23 seller is not engaged in the business of selling vehicles subject to
24 registration under the Vehicle Code, or when a lessor, as defined
25 in Section 372 of the Vehicle Code, transfers title and registration
26 of a vehicle to the lessee at the expiration or termination of a lease.

27 (c) (1) In the event that any commercial vehicle is modified or
28 additions are made to the chassis or body at a cost of two thousand
29 dollars (\$2,000) or more, but not including any change of engine
30 of the same type or any cost of repairs to a commercial vehicle, the
31 owner of the commercial vehicle shall report any modification or
32 addition to the department and the department shall classify or
33 reclassify the commercial vehicle in its proper class as provided in
34 Section 10753.2, taking into consideration the increase in the
35 market value of the commercial vehicle due to those modifications
36 or additions, and any reclassification resulting in an increase in
37 market value shall be based on the cost to the consumer of those
38 modifications or additions. In the event any vehicle is modified or
39 altered resulting in a decrease in the market value thereof of two
40 hundred dollars (\$200) or more as reported to and determined by

1 the department, the department shall classify or reclassify the
2 vehicle in its proper class as provided in Section 10753.2.

3 (2) Paragraph (1) does not apply under any of the following
4 conditions:

5 (A) When the cost of any modification or addition to the chassis
6 or body of a commercial vehicle is less than two thousand dollars
7 (\$2,000).

8 (B) When the cost is for modifications or additions necessary
9 to incorporate a system approved by the State Air Resources Board
10 as meeting the emission standards set forth in subdivisions (a) and
11 (b) of former Section 39102 and former Section 39102.5 of the
12 Health and Safety Code as they read on December 31, 1975.

13 (C) When the cost is for modifications that are necessary to
14 enable a disabled person to use or operate the vehicle.

15 (3) For purposes of this subdivision, “commercial vehicle”
16 means a “commercial vehicle,” as defined in Section 260 of the
17 Vehicle Code, that is regulated by the Department of the California
18 Highway Patrol pursuant to Sections 2813 and 34500 of the
19 Vehicle Code.

20 (d) This section also applies to a system as specified in
21 subdivision (c) that is approved by the State Air Resources Board
22 as meeting the emission standards specified in subdivisions (a) and
23 (b) of former Section 39102 and former Section 39102.5 of the
24 Health and Safety Code as they read on December 31, 1975, for
25 vehicles 6,001 pounds or less, manufacturer’s gross vehicle
26 weight, controlled to meet exhaust emission standards when sold
27 new, when that system is used in any vehicle over 6,001 pounds or
28 any vehicle 6,001 pounds or less not controlled to meet exhaust
29 emission standards.

30 (e) The temporary attachment of any camper, as defined in
31 Section 243 of the Vehicle Code, to a vehicle is not a modification
32 or addition for the purposes of subdivision (c).

33 (f) The attachment to a vehicle of radiotelephone equipment
34 furnished by a telephone corporation, as defined in Section 234 of
35 the Public Utilities Code, is not a modification or addition for the
36 purpose of subdivision (c), when that equipment is not owned by
37 the owner of the vehicle.

38 (g) For purposes of this section, “vehicle” does not include
39 trailers or semitrailers.

40 ~~SEC. 11.~~

1 *SEC. 10.* Section 10753.7 of the Revenue and Taxation Code
2 is amended to read:

3 10753.7. (a) Upon the sale or transfer of ownership of a used
4 vehicle currently registered in this state, if any license fee due
5 thereon has already been paid, no adjustment of the current year
6 license fee shall be made.

7 (b) Any adjustment of vehicle license fees, based upon a
8 redetermination of market value pursuant to subdivision (a) of
9 Section 10753 and modification of vehicle license fee
10 classification pursuant to Section 10753.2, shall occur upon the
11 expiration of current registration and shall be reflected in the fees
12 due for the first renewal of registration following the sale or
13 transfer of ownership of that used vehicle.

14 ~~SEC. 12.~~

15 *SEC. 11.* Section 188.8 of the Streets and Highways Code is
16 amended to read:

17 188.8. (a) From the funds programmed pursuant to Section
18 188 for regional improvement projects, the commission shall
19 approve programs and program amendments, so that funding is
20 distributed to each county of County Group No. 1 and in each
21 county of County Group No. 2 during the county share periods
22 commencing July 1, 1997, and ending June 30, 2004, and each
23 period of four years thereafter. The amount shall be computed as
24 follows:

25 (1) The commission shall compute, for the county share
26 periods all of the money to be expended for regional improvement
27 projects in County Groups Nos. 1 and 2, respectively, as provided
28 in Section 188.

29 (2) From the amount computed for County Group No. 1 in
30 paragraph (1) for the county share periods the commission shall
31 determine the amount of programming for each county in the
32 group based on a formula that is based 75 percent on the population
33 of the county to the total population of County Group No. 1 and
34 25 percent on state highway miles in the county to the total state
35 highway miles in County Group No. 1.

36 (3) From the amount computed for County Group No. 2 in
37 paragraph (1) for the county share periods the commission shall
38 determine the amount of programming for each county in the
39 group based on a formula that is based 75 percent on the population
40 of the county to the total population of County Group No. 2 and

1 25 percent on state highway miles in the county to the total state
2 highway miles in County Group No. 2.

3 (b) Notwithstanding subdivision (a), that portion of the county
4 population and state highway mileage in El Dorado and Placer
5 Counties that is included within the jurisdiction of the Tahoe
6 Regional Planning Agency shall be counted separately toward the
7 area under the jurisdiction of the Tahoe Regional Transportation
8 Agency and may not be included in El Dorado and Placer
9 Counties. The commission shall approve programs, program
10 amendments, and fund reservations for the area under the
11 jurisdiction of the Tahoe Regional Transportation Agency that
12 shall be calculated using the formula described in paragraph (2) of
13 subdivision (a).

14 (c) A transportation planning agency designated pursuant to
15 Section 29532 of the Government Code, or a county transportation
16 commission created by Division 12 (commencing with Section
17 130000) of the Public Utilities Code, may adopt a resolution to
18 pool its county share programming with any county or counties
19 adopting similar resolutions to consolidate its county shares for
20 two consecutive county share periods into a single share covering
21 both periods. A multicounty transportation planning agency with
22 a population of less than three million may also adopt a resolution
23 to pool the share of any county or counties within its region. The
24 resolution shall provide for pooling the county share programming
25 in any of the pooling counties for the new single share period and
26 shall be submitted to the commission not later than May 1
27 immediately preceding the commencement of the county share
28 period.

29 (d) For the purposes of this section, funds programmed shall
30 include the following costs pursuant to subdivision (b) of Section
31 14529 of the Government Code:

32 (1) The amounts programmed or budgeted for both
33 components of project development in the original programmed
34 year.

35 (2) The amount programmed for right-of-way in the year
36 programmed in the most recent state transportation improvement
37 program. If the final estimate is greater than 120 percent or less
38 than 80 percent of the amount originally programmed, the amount
39 shall be adjusted for final expenditure estimates at the time of
40 right-of-way certification.

(3) The engineer's final estimate of project costs, including construction engineering, presented to the commission for approval pursuant to Section 14533 of the Government Code in the year programmed in the most recent state transportation improvement program. If the construction contract award amount is less than 80 percent of the engineer's final estimate, excluding construction engineering, the department shall notify the commission and the commission may adjust its project allocation accordingly.

(4) Project costs shown in the program, as amended, where project allocations have not yet been approved by the commission, escalated to the date of scheduled project delivery.

(e) Project costs may not be changed to reflect any of the following:

(1) Differences that are within 20 percent of the amount programmed for actual project development cost.

(2) Actual right-of-way purchase costs.

(3) Construction contract award amounts, except when those amounts are less than 80 percent of the engineer's final estimate, excluding construction engineering, and the commission has adjusted the project construction allocation.

(4) Changes in construction expenditures, except for supplemental project allocations made by the commission.

(f) For the purposes of this section, the population in each county is that determined by the last preceding federal census, or a subsequent census validated by the Population Research Unit of the Department of Finance, at the beginning of each county share period.

(g) For the purposes of this section, "state highway miles" means the miles of state highways open to vehicular traffic at the beginning of each county share period.

(h) It is the intent of the Legislature that there is to be flexibility in programming under this section and Section 188 so that, while ensuring that each county will receive an equitable share of state transportation improvement program funding, the types of projects selected and the programs from which they are funded may vary from county to county.

(i) Commencing with the four-year period commencing on July 1, 2004, individual county share shortfalls and surpluses at the

1 end of each four-year period, if any, shall be carried forward and
2 credited or debited to the following four years.

3 (j) The commission, with the consent of the department, may
4 consider programming projects in the state transportation
5 improvement program in a county with a population of not more
6 than 1,000,000 at a level higher or lower than the county share,
7 when the regional agency either asks to reserve part or all of the
8 county's share until a future programming year, to build up a larger
9 share for a higher cost project, or asks to advance an amount of the
10 share, in an amount not to exceed 200 percent of the county's
11 current share, for a larger project, to be deducted from shares for
12 future programming years. After consulting with the department,
13 the commission may adjust the level of programming in the
14 regional program in the affected region against the level of
15 interregional programming in the improvement program to
16 accomplish the reservation or advancement, for the current state
17 transportation improvement program. The commission shall keep
18 track of any resulting shortfalls or surpluses in county shares.

19 (k) Notwithstanding subdivision (a), in a region defined by
20 Section 66502 of the Government Code, the transportation
21 planning agency may adopt a resolution to pool the county share
22 of any county or counties within the region, if each county receives
23 no less than 85 percent and not more than 115 percent of its county
24 share for a single county share period and 100 percent of its county
25 share over two consecutive county share periods. The resolution
26 shall be submitted to the commission not later than May 1,
27 immediately preceding the commencement of the county share
28 period.

29 (l) Federal funds used for federal demonstration projects that
30 use federal obligational authority otherwise available for other
31 projects shall be subtracted from the county share of the county
32 where the project is located.

33 ~~SEC. 13.~~

34 *SEC. 12.* 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 Santa Monica at Centinela Avenue to Route 101 in Los
39 Angeles, except the relinquished portions described in subdivision
40 (b).

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

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

5 (b) Notwithstanding subdivision (a), the relinquished former
6 portions of Route 2 within the city limits of West Hollywood and
7 Santa Monica, and between Route 405 and Moreno Drive in Los
8 Angeles, are not a state highway and are not eligible for adoption
9 under Section 81. Those cities shall maintain signs within their
10 respective jurisdictions directing motorists to the continuation of
11 Route 2.

12 (c) (1) Notwithstanding subdivision (a), the commission may
13 relinquish to the City of Beverly Hills the portion of Route 2 that
14 is located between the city's west city limit at Moreno Drive and
15 the city's east city limit at Doheny Drive, upon terms and
16 conditions the commission finds to be in the best interests of the
17 state.

18 (2) A relinquishment under this subdivision shall become
19 effective immediately following the county recorder's recordation
20 of the relinquishment resolution containing the commission's
21 approval of the terms and conditions of the relinquishment.

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

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

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

28 (4) For the portions of Route 2 that are relinquished, the City
29 of Beverly Hills shall maintain within its jurisdiction signs
30 directing motorists to the continuation of Route 2.

31 *SEC. 13. Section 1651 of the Vehicle Code is amended to read:*

32 1651. (a) The director may adopt and enforce rules and
33 regulations as may be necessary to carry out the provisions of this
34 code relating to the department.

35 ~~Rules~~

36 (b) *Rules* and regulations shall be adopted, amended, or
37 repealed in accordance with the Administrative Procedure Act;
38 ~~commencing with Section 11370 of the Government Code~~
39 *(Chapter 3.5 (commencing with Section 11340) of Part 1 of*
40 *Division 3 of Title 2 of the Government Code).*

SEC. 14. Section 1800 of the Vehicle Code is amended to read:

1800. (a) The department shall file each application received for the registration of a vehicle and shall keep a record of each as follows:

(1) Under a distinctive registration number assigned to the vehicle.

(2) Alphabetically, under the name of the owner.

(3) Under the motor or a permanent identifying number of the vehicle as may be determined by the department.

(4) In the discretion of the department, in any other manner it may deem desirable.

(b) The department shall file every application for a license to operate a motor vehicle received by it and maintain all of the following:

(1) A suitable index containing, in alphabetical order, all applications denied. On the applications shall be noted the reasons for the denial.

(2) A suitable index containing, in alphabetical order, all applications granted.

(3) A suitable index containing, in alphabetical order, the name of every licensee whose license has been suspended or revoked by the department or by a court and after each name notes the reasons for the action and the period of revocation or suspension.

SEC. 15. Section 1810 of the Vehicle Code is amended to read:

1810. (a) Except as provided in Sections 1806.5, 1808.2, 1808.4, 1808.5, 1808.6, 1808.7, 1808.8, and paragraph (2) of subdivision (a) of Section 12800.5, the department may permit inspection of, or sell, or both, information from its records concerning the registration of any vehicle or information from the files of drivers' licenses at a charge sufficient to pay at least the actual cost to the department for providing the inspection or sale of the information, including, but not limited to, costs incurred by the department in carrying out subdivision (b), with the charge for the information to be determined by the director. This section does not apply to statistical information of the type previously compiled and distributed by the department.

(b) (1) With respect to the inspection or sale of information concerning the registration of any vehicle or of information from

1 the files of drivers' licenses, the department shall establish, by
2 regulation, administrative procedures under which any person
3 making a request for that information shall be required to identify
4 himself or herself and state the reason for making the request. The
5 procedures shall provide for the verification of the name and
6 address of the person making a request for the information, and the
7 department may require the person to produce that information as
8 it determines is necessary to ensure that the name and address of
9 the person is the true name and address. The procedures may
10 provide for a 10-day delay in the release of the requested
11 information. The procedures shall also provide for notification to
12 the person to whom the information primarily relates, as to what
13 information was provided and to whom it was provided. The
14 department shall establish, by regulation, a reasonable period of
15 time for which a record of all the foregoing shall be maintained.

16 (2) The procedures required by this subdivision do not apply to
17 any governmental entity, any person who has applied for and has
18 been issued a requester code by the department, or any court of
19 competent jurisdiction.

20 (c) With respect to the inspection or sale of information from
21 the files of drivers' licenses, the department may require both the
22 full name of the driver and either the driver's license number or
23 date of birth as identifying points of the record, except that the
24 department may disclose a record without two identifying points
25 if the department determines that the public interest in disclosure
26 outweighs the public interest in personal privacy.

27 (d) With respect to the inspection or sale of information from
28 the files of drivers' licenses, certificates of ownership, and
29 registration cards, the department may not allow, for a fee or
30 otherwise, copying by the public.

31 SEC. 16. Section 1810.7 of the Vehicle Code is amended to
32 read:

33 1810.7. (a) Except as provided in Sections 1806.5, 1808.2,
34 1808.4, 1808.5, 1808.6, 1808.7, and 1808.21, the department may
35 authorize, by special permit, any person to access the department's
36 electronic database, as provided for in this section, for the purpose
37 of obtaining information for commercial use.

38 (b) The department may limit the number of permits issued
39 under this section, and may restrict, or establish priority for, access
40 to its files as the department deems necessary to avoid disruption

1 of its normal operations, or as the department deems is in the best
2 interest of the public.

3 (c) The department may establish minimum volume levels,
4 audit and security standards, and technological requirements, or
5 any terms and conditions it deems necessary for the permits.

6 (d) As a condition of issuing a permit under this section, the
7 department shall require each direct-access permittee to file a
8 performance bond or other financial security acceptable to the
9 department, in an amount the department deems appropriate.

10 (e) The department shall charge fees for direct-access service
11 permits, and shall charge fees pursuant to Section 1810 for any
12 information copied from the files.

13 (f) The department shall ensure that information provided
14 under this section includes only the public portions of records.

15 (g) On and after January 1, 1992, the director shall report every
16 three years to the Legislature on the implementation of this
17 section. The report shall include the number and location of
18 direct-access permittees, the volume and nature of direct-access
19 inquiries, procedures the department has taken to ensure the
20 security of its files, and the costs and revenues associated with the
21 project.

22 (h) The department shall establish procedures to ensure
23 confidentiality of any records of residence addresses and mailing
24 addresses as required by Sections 1808.21, 1808.22, 1808.45,
25 1808.46, and 1810.2.

26 SEC. 17. Section 4456 of the Vehicle Code is amended to
27 read:

28 4456. (a) When selling a vehicle, dealers and lessor-retailers
29 shall use numbered report-of-sale forms issued by the department.
30 The forms shall be used in accordance with the following terms
31 and conditions:

32 (1) The dealer or lessor-retailer shall attach for display a copy
33 of the report of sale on the vehicle before the vehicle is delivered
34 to the purchaser.

35 (2) The dealer or lessor-retailer shall submit to the department
36 an application accompanied by all fees and penalties due for
37 registration or transfer of registration of the vehicle within 30 days
38 from the date of sale, as provided in subdivision (c) of Section
39 9553, if the vehicle is a used vehicle, and 20 days if the vehicle is
40 a new vehicle. Penalties due for noncompliance with this

1 paragraph shall be paid by the dealer or lessor-retailer. The dealer
2 or lessor-retailer may not charge the purchaser for the penalties.

3 (3) As part of an application to transfer registration of a used
4 vehicle, the dealer or lessor-retailer shall include all of the
5 following information on the certificate of title, application for a
6 duplicate certificate of title, or form prescribed by the department:

7 (A) Date of sale and report of sale number.

8 (B) Purchaser's name and address.

9 (C) Dealer's name, address, number, and signature or signature
10 of authorized agent.

11 (D) Salesperson number.

12 (4) If the department returns an application and the application
13 was first received by the department within 30 days of the date of
14 sale of the vehicle if the vehicle is a used vehicle, and 20 days if
15 the vehicle is a new vehicle, the dealer or lessor-retailer shall
16 submit a corrected application to the department within 50 days
17 from the date of sale of the vehicle if the vehicle is a used vehicle,
18 and 40 days if the vehicle is a new vehicle, or within 30 days from
19 the date that the application is first returned by the department if
20 the vehicle is a used vehicle, and 20 days if the vehicle is a new
21 vehicle, whichever is later.

22 (5) If the department returns an application and the application
23 was first received by the department more than 30 days from the
24 date of sale of the vehicle if the vehicle is a used vehicle, and 20
25 days if the vehicle is a new vehicle, the dealer or lessor-retailer
26 shall submit a corrected application to the department within 50
27 days from the date of sale of the vehicle if the vehicle is a used
28 vehicle, and 40 days if the vehicle is a new vehicle.

29 (6) An application first received by the department more than
30 50 days from the date of sale of the vehicle if the vehicle is a used
31 vehicle, and 40 days if the vehicle is a new vehicle, is subject to
32 the penalties specified in subdivisions (a) and (b) of Section
33 4456.1.

34 (7) The dealer or lessor-retailer shall report the sale under
35 Section 5901.

36 (b) (1) A transfer that takes place through a dealer conducting
37 a wholesale vehicle auction shall be reported to the department by
38 that dealer on a single form approved by the department. The
39 completed form shall contain, at a minimum, all of the following
40 information:

1 (A) The name and address of the seller.

2 (B) The seller's dealer number, if applicable.

3 (C) The date of delivery to the dealer conducting the auction.

4 (D) The actual mileage of the vehicle as indicated by the
5 vehicle's odometer at the time of delivery to the dealer conducting
6 the auction.

7 (E) The name, address, and occupational license number of the
8 dealer conducting the auction.

9 (F) The name, address, and occupational license number of the
10 buyer.

11 (G) The signature of the dealer conducting the auction.

12 (2) Submission of the completed form specified in paragraph
13 (1) to the department shall fully satisfy the requirements of
14 subdivision (a) and subdivision (a) of Section 5901 with respect
15 to the dealer selling at auction and the dealer conducting the
16 auction.

17 (3) The single form required by this subdivision does not
18 relieve a dealer of any obligation or responsibility that is required
19 by any other provision of law.

20 (c) A vehicle displaying a copy of the report of sale may be
21 operated without license plates or registration card until either of
22 the following, whichever occurs first:

23 (1) The license plates and registration card are received by the
24 purchaser.

25 (2) A six-month period, commencing with the date of sale of
26 the vehicle, has expired.

27 SEC. 18. Section 4466 of the Vehicle Code is amended to
28 read:

29 4466. (a) The department may not issue a duplicate or
30 substitute certificate of title or license plate if, after a search of the
31 records of the department, the registered owner's address, as
32 submitted on the application, is different from that which appears
33 in the records of the department, unless the registered owner
34 applies in person and presents all of the following:

35 (1) Proof of ownership of the vehicle that is acceptable to the
36 department. Proof of ownership may be the certificate of title,
37 registration certificate, or registration renewal notice, or a
38 facsimile of any of those documents, if the facsimile matches the
39 vehicle record of the department.

(2) A driver's license or identification card containing a picture of the licensee or cardholder issued to the registered owner by the department pursuant to Chapter 1 (commencing with Section 12500) of Division 6. The department shall conduct a search of its records to verify the authenticity of any document submitted under this paragraph.

(A) If the registered owner is a resident of another state or country, the registered owner shall present a driver's license or identification card issued by that state or country. In addition, the registered owner shall provide photo documentation in the form of a valid passport, military identification card, identification card issued by a state or United States government agency, student identification card issued by a college or university, or identification card issued by a California-based employer. If a resident of another state is unable to present the required photo identification, the department shall verify the authenticity of the driver's license or identification card by contacting the state that issued the driver's license or identification card.

(B) If the registered owner is not an individual, the person submitting the application shall submit the photo identification required under this paragraph, as well as documentation acceptable to the department that demonstrates that the person is employed by an officer of the registered owner.

(3) If the application is for the purpose of replacing a license plate that was stolen, a copy of a police report identifying the plate as stolen.

(4) If the application is for the purpose of replacing a certificate of title or license plate that was mutilated or destroyed, the remnants of the mutilated or destroyed document or plate.

(5) If the department has a record of a prior issuance of a duplicate or substitute certificate of title or license plate for the vehicle within the past 90 days, a copy of a report from the Department of the California Highway Patrol verifying the vehicle identification number of the vehicle.

(b) Subdivision (a) does not apply if any of the following apply:

(1) The registered owner's name, address, and driver's license or identification card number submitted on the application match the name, address, and driver's license or identification card number contained in the department's records.

(2) An application for a duplicate or substitute certificate of title or license plate is submitted by or through a legal owner, if the legal owner is not the same as the registered owner or as the lessee under Section 4453.5, a dealer, a dismantler, an insurer, an agent of the insurer, or a salvage pool.

(3) The vehicle is registered under the International Registration Plan pursuant to Section 8052 or under the Permanent Fleet Registration program pursuant to Article 9.5 (commencing with Section 5301) of Chapter 1.

(4) The vehicle is an implement of husbandry, as defined in Section 36000, or a tow dolly, or has been issued an identification plate under Section 5014 or 5014.1.

(c) The department shall issue one or more license plates only to the registered owner or lessee. The department shall issue the certificate of title only to the legal owner, or if none, then to the registered owner, as shown on the department's records.

SEC. 19. *Section 5004.6 of the Vehicle Code is repealed.*

~~5004.6. (a) Notwithstanding any other provision of this code, any owner of any motor vehicle eligible for registration as a street rod vehicle, as defined in subdivision (d) of Section 5051, which is operated or moved over the highways primarily for the purpose of exhibition or similar purpose pursuant to Section 5051, after compliance with the requirements for the registration of the vehicle, may, upon application in the manner and at the time prescribed by the department, be issued special identification plates for the vehicle.~~

~~(b) The special identification plates issued to a street rod vehicle shall contain the words "Street Rod" and shall run in a regular numerical series. An adhesive sticker indicating that the plates are for a street rod vehicle shall be affixed in a recess provided for it on the plates. The department shall approve the design of, and shall issue, the stickers.~~

~~(c) (1) A fee of thirty-five dollars (\$35) shall be charged for the initial issuance of the special plates. These plates shall be permanent and shall not be required to be replaced.~~

~~(2) If the plates become damaged or unserviceable, replacement of the plates may be obtained from the department upon proper application and payment of a fee of thirty-five dollars (\$35).~~

~~(3) Street rod vehicles are subject to the same annual registration fees as are other vehicles.~~

~~(4) The fee for the replacement of an adhesive sticker which has become damaged or unserviceable is seven dollars (\$7).~~

~~(5) A fee of fifteen dollars (\$15) shall be charged for the transfer of the plates to another vehicle qualifying as a street rod vehicle.~~

~~(d) All funds received by the department in payment for the plates or their replacement, after deducting the costs of the program conducted under this section, shall be deposited in the California Environmental License Plate Fund.~~

~~(e) The department is not required to implement this section unless 500 or more applications for registration pursuant to this section have been received by the department on or before January 1, 1992.~~

~~(f) A street rod vehicle is not exempt from the equipment requirements of Sections 26709, 27150, and 27600.~~

SEC. 20. Section 5068 of the Vehicle Code is amended to read:

5068. (a) (1) Any veterans' organization may apply either individually or with other veterans' organizations to meet the application threshold set forth in Section 5060 for special interest plates. An organization that meets the minimum application requirement by applying with other organizations under this subdivision shall be issued a regular license plate bearing a distinctive design or decal approved under subdivision (a) of Section 5060.

(2) Special interest plates issued under this section may be issued in a combination of numbers or letters, or both, requested by the owner or lessee of the vehicle, to be displayed in addition to the design or decal authorized under paragraph (1), subject to Section 5105.

(b) In addition to the regular fees for an original registration, a renewal of registration, or a transfer of registration, the following fees shall be paid by individuals applying for a veterans' organization special interest license plate or decal:

(1) Thirty dollars (\$30) for the initial issuance of the plates and decals. The plates shall be permanent and may not be required to be replaced.

(2) Thirty dollars (\$30) for each renewal of registration that includes the continued display of the plates or decals.

(3) Fifteen dollars (\$15) for transfer of the plates to another vehicle.

(4) Thirty-five dollars (\$35) for replacement plates, if they become damaged or unserviceable.

(5) Ten dollars (\$10) for replacement decals, if they become damaged or unserviceable.

(6) Forty dollars (\$40) for the personalization of the plates, as authorized under paragraph (2) of subdivision (a).

(c) This section shall become operative on July 1, 2002.

~~SEC. 20.~~

~~SEC. 21. Section 5070 of the Vehicle Code is repealed.~~

~~5070.—(a) The department shall design and make available for issuance pursuant to this article special breast cancer treatment license plates as described in this section. The special breast cancer treatment license plate shall bear a graphic design depicting the same logo as the United States postal stamp with the words “Fund the Fight. Find a Cure” over the sketch of a woman and the breast cancer awareness pink ribbon symbol. Any person described in Section 5101 may, upon payment of the additional fees set forth in subdivision (b), apply for and be issued a set of special breast cancer treatment license plates. Notwithstanding subdivision (a) of Section 5060, the special breast cancer treatment license plates may be issued as breast cancer license plates, as defined in Section 5103.~~

~~(b) In addition to the regular fees for an original registration, renewal of registration, transfer, or substitution of the license plates, the following additional fees shall be paid for the issuance, renewal, retention, transfer, or replacement of the special interest license plates authorized pursuant to this section:~~

~~(1) For the original issuance of the plates, fifty dollars (\$50).~~

~~(2) For a renewal of registration of the plates, or the retention of the plates if renewal is not required, forty dollars (\$40).~~

~~(3) For transfer of the plates to another vehicle, fifteen dollars (\$15).~~

~~(4) For each substitute replacement plate, thirty-five dollars (\$35).~~

~~(5) In addition, for the issuance of an environmental license plate, as defined in Section 5103, the additional fees prescribed in~~

~~Sections 5106 and 5108, which shall be deposited in the Environmental License Plate Fund.~~

~~(c) Except as provided in paragraph (5) of subdivision (b), all fees collected under this section shall, after deduction of the department's costs in administering this section, be deposited in the Breast Cancer Treatment Account, which is hereby created in the Breast Cancer Fund, as that fund is established in Section 30461.6 of the Revenue and Taxation Code. The funds in the account shall be used by the State Department of Health Services, upon appropriation by the Legislature, to award grants to fund breast cancer treatment for uninsured or underinsured persons who are at, or below, the 200-percent federal poverty level, as that level is determined by the United States Department of Health and Human Services.~~

SEC. 22. Section 5071 of the Vehicle Code is repealed.

~~5071. (a) The department, in consultation with the University of California, shall design and make available for issuance pursuant to Section 5060 special interest license plates, depicting a red ribbon that recognizes the impact of acquired immune deficiency syndrome (AIDS) on society, that may be issued in a combination of numbers or letters, or both, as requested by the applicant for the plate. Any person described in Section 5101, upon payment of the additional fee set forth in subdivision (b), may apply for and be issued a set of special interest license plates.~~

~~(b) In addition to the regular fees for an original registration or renewal of registration, the following additional fees shall be paid for the issuance, renewal, retention, or transfer of the special interest license plates authorized pursuant to this section:~~

~~(1) For the original issuance of the plates, fifty dollars (\$50).~~

~~(2) For a renewal of registration of the plates, or the retention of the plates if renewal is not required, forty dollars (\$40).~~

~~(3) For transfer of the plates to another vehicle, fifteen dollars (\$15).~~

~~(4) For each substitute replacement plate, thirty five dollars (\$35).~~

~~(5) In addition, for the issuance of an environmental license plate, as defined in Section 5103, the additional fees prescribed in Sections 5106 and 5108, which shall be deposited in the Environmental License Plate Fund.~~

~~(c) Except as provided in paragraph (5) of subdivision (b), all fees collected under this section shall, after deduction of the department's costs in administering this section, be deposited in the AIDS Research Account, which is hereby created in the General Fund. The funds in the account shall be used, upon appropriation by the Legislature, to fund AIDS research grants awarded by the University of California.~~

~~(d) For the purposes of meeting the requirement of subdivision (b) of Section 5060, the University of California may solicit applications for special interest license plates authorized by this section by contracting with a private, nonprofit entity that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.~~

SEC. 23. Section 5071.1 of the Vehicle Code is repealed.

~~5071.1. (a) The department, in consultation with the Girl Scout Councils of California, shall design and make available for issuance special license plates, in accordance with Section 5060, bearing a design depicting the logo of the Girl Scouts of the United States of America. Any person described in Section 5101, upon payment of the additional fee set forth in subdivision (b), may apply for and be issued a set of special interest license plates described in this subdivision.~~

~~(b) In addition to the regular fees for an original registration, a renewal of registration, or a transfer or substitution of the license plates, the following additional fees shall be paid for the issuance, renewal, retention, transfer, or substitution of the special interest license plates authorized by this section:~~

~~(1) For the original issuance of the plates, fifty dollars (\$50).~~

~~(2) For a renewal of registration of the plates, or retention of the plates if renewal is not required, forty dollars (\$40).~~

~~(3) For transfer of the plates to another vehicle, fifteen dollars (\$15).~~

~~(4) For each substitute replacement plate, thirty-five dollars (\$35).~~

~~(c) After deducting administrative costs incurred by the department to implement this section, the department shall deposit the additional revenue derived from the issuance, renewal, retention, transfer, and substitution of the special interest license plates in the Girl Scouts License Plate Fund, which is hereby created in the General Fund.~~

~~(d) Upon appropriation by the Legislature, the money in the fund shall be allocated by the Controller to the Girl Scout Councils of California for the purpose of funding the promotion of Girl Scout membership including outreach efforts in underserved areas, camping, field trips, wider opportunities, mentoring programs, volunteer training, and other Girl Scout opportunities, and for the promotion of the Girl Scout License Plate Program.~~

~~(e) Any organization participating in the special interest license plate program pursuant to this section shall comply with all of the requirements imposed on participating organizations pursuant to Section 5060.~~

SEC. 24. Section 5073 of the Vehicle Code is repealed.

~~5073.—(a) The department, in consultation with the Ronald Reagan Presidential Foundation, shall design and make available for issuance pursuant to Section 5060 Ronald Reagan Presidential Library special interest license plates that may be issued in a combination of numbers or letters, or both, as requested by the applicant for the plate. Any person described in Section 5101, upon payment of the additional fee or fees set forth in subdivision (b), may apply for and be issued a set of these special interest license plates.~~

~~(b) In addition to the regular fees for an original registration, renewal of registration, or transfer or substitution of the license plates, the following additional fees shall be paid for the issuance, renewal, retention, or transfer of the special interest license plates authorized pursuant to this section:~~

~~(1) For the original issuance of the plates, fifty dollars (\$50).~~

~~(2) For a renewal of registration of the plates, or the retention of the plates if renewal is not required, forty dollars (\$40).~~

~~(3) For transfer of the plates to another vehicle, fifteen dollars (\$15).~~

~~(4) For each substitute replacement plate, thirty-five dollars (\$35).~~

~~(5) In addition, for the issuance of an environmental license plate, as defined in Section 5103, the additional fees prescribed in Sections 5106 and 5108, which shall be deposited in the Environmental License Plate Fund.~~

~~(c) Except as provided in paragraph (5) of subdivision (b), all fees collected under this section shall, after deduction of the department's costs in administering this section, be deposited into~~

1 the Ronald Reagan Presidential Library Account, which is hereby
2 created in the General Fund. The funds in the account shall be used
3 by the Ronald Reagan Presidential Foundation, upon
4 appropriation by the Legislature to the Controller for allocation to
5 the foundation, to fund the Ronald Reagan Presidential Library.

6 *SEC. 25. Section 5080 of the Vehicle Code is repealed.*

7 ~~5080. (a) The department, in consultation with the Rotary~~
8 ~~International Foundation, shall design and make available for~~
9 ~~issuance, pursuant to this article, special interest license plates.~~
10 ~~The special interest license plates issued under this section shall~~
11 ~~contain the words "Service Above Self" and the emblem of~~
12 ~~Rotary International. The plates may be issued in a combination~~
13 ~~of numbers or letters, or both, as requested by the applicant for the~~
14 ~~plates. Any person described in Section 5101, upon payment of the~~
15 ~~additional fees set forth in subdivision (b), may apply for and be~~
16 ~~issued a set of special interest license plates described in this~~
17 ~~subdivision.~~

18 ~~(b) In addition to the regular fees for an original registration, a~~
19 ~~renewal of registration, or a transfer or substitution of the license~~
20 ~~plates, the following additional fees shall be paid for the issuance,~~
21 ~~renewal, retention, transfer, or substitution of the special interest~~
22 ~~license plates authorized by this section:~~

23 ~~(1) For the original issuance of the plates, seventy-five dollars~~
24 ~~(\$75).~~

25 ~~(2) For a renewal of registration with the plates, forty dollars~~
26 ~~(\$40).~~

27 ~~(3) For transfer of the plates to another vehicle, fifteen dollars~~
28 ~~(\$15).~~

29 ~~(4) For each substitute replacement plate, thirty-five dollars~~
30 ~~(\$35).~~

31 ~~(5) For the conversion of an existing special license plate to the~~
32 ~~Rotary International special interest license plate authorized~~
33 ~~pursuant to this section, sixty-five dollars (\$65).~~

34 ~~(c) After deducting its administrative costs under this section,~~
35 ~~the department shall deposit the additional revenue derived from~~
36 ~~the issuance, renewal, transfer, and substitution of the Rotary~~
37 ~~International special interest license plates into the Rotary~~
38 ~~International Foundation Account, which is hereby created in the~~
39 ~~General Fund. The funds, when appropriated by the Legislature,~~
40 ~~shall be allocated by the Controller to the Rotary International~~

~~Foundation for educational, international outreach, community service, and humanitarian purposes.~~

~~(d) Any organization participating in the special interest license plate program pursuant to this section shall comply with all of the requirements imposed on participating organizations pursuant to Section 5060.~~

SEC. 26. *Section 5101.2 of the Vehicle Code is amended to read:*

5101.2. (a) ~~Any~~ A person otherwise eligible under this article who is a firefighter or a retired firefighter may apply for special license plates for a vehicle under this article. ~~Any license~~ License plates issued pursuant to this section shall be issued in accordance with Section 5060.

(b) The applicant, by satisfactory proof, shall show all of the following:

(1) The applicant is, or has retired, in good standing as an officer, an employee, or a member of a fire department or a fire service of the state, a county, a city, a district, or any other political subdivision of the state, whether in a volunteer, partly paid, or fully paid status.

(2) The applicant is, or was until retirement, regularly employed as a firefighter or regularly enrolled as a volunteer firefighter.

(3) The applicant's principal duties fall, or fell until retirement, within the scope of active firefighting and any of the following activities:

(A) Fire prevention service.

(B) Fire training.

(C) Hazardous materials abatement.

(D) Arson investigation.

(E) Emergency medical services.

(c) The special license plates issued under this section shall contain the words "California Firefighter" and shall run in a regular numerical series.

(d) In addition to the regular fees for an original registration, a renewal of registration, or a transfer of registration, the following special license plate fees shall be paid:

(1) A fee of thirty-five dollars (\$35) for the initial issuance of the special license plates. These special license plates shall be permanent and shall not be required to be replaced.

(2) A fee of twenty dollars (\$20) for each renewal of registration that includes the continued display of the special license plates.

(3) If the special license plates become damaged or unserviceable, a fee of thirty-five dollars (\$35) for the replacement of the special license plates, obtained from the department upon proper application therefor.

(4) A fee of fifteen dollars (\$15) for the transfer of the special license plates to another vehicle qualifying as a vehicle owned by a firefighter who has met the requirements set forth in subdivision (b).

(5) In addition, for the issuance of environmental license plates, as defined in Section 5103, with the special firefighter personal vehicle license plates and distinctive design or decal, the additional fees prescribed in Sections 5106 and 5108. The additional fees collected pursuant to this paragraph shall be deposited in the California Environmental License Plate Fund.

(e) Upon the death of a person issued special license plates pursuant to this section, the plates shall be transferred to the surviving spouse, if he or she requests, or shall be returned to the department within 60 days after the death of the plateholder or upon the expiration of the vehicle registration, whichever occurs first.

~~(f) Prior to January 1, 2006, except~~ Except as provided in paragraph (5) of subdivision (d), the revenues derived from the additional special fees provided in this section, less costs incurred by the department pursuant to this section, shall be deposited in the California Firefighters' Memorial Fund established by Section 18802 of the Revenue and Taxation Code.

~~(g) On and after January 1, 2006, except as provided in paragraph (5) of subdivision (d), the revenues derived from the additional special fees provided in this section, less costs incurred by the department under this section, shall be deposited in the California Fire and Arson Training Fund established under Section 13159.10 of the Health and Safety Code.~~

SEC. 27. Section 5200 of the Vehicle Code is amended to read:

5200. (a) When two license plates are issued by the department for use upon a vehicle, they shall be attached to the vehicle for which they were issued, one in the front and the other in the rear. ~~When~~

(b) When only one license plate is issued for use upon a vehicle, it shall be attached to the rear thereof, *unless the license plate is issued for use upon a truck tractor, in which case the license plate shall be displayed in accordance with Section 4850.5.*

SEC. 28. Section 5201 of the Vehicle Code is amended to read:

5201. License plates shall at all times be securely fastened to the vehicle for which they are issued so as to prevent the plates from swinging, and shall be mounted in a position so as to be clearly visible, and shall be maintained in a condition so as to be clearly legible. The rear license plate shall be mounted not less than 12 inches nor more than 60 inches from the ground, and the front license plate shall be mounted not more than 60 inches from the ground, except as follows:

(a) The rear license plate on a tow truck may be mounted on the left-hand side of the mast assembly at the rear of the cab of the vehicle, not less than 12 inches nor more than 90 inches from the ground.

(b) The rear license plate on a tank vehicle hauling hazardous waste, as defined in Section 25117 of the Health and Safety Code, or asphalt material may be mounted not less than 12 inches nor more than 90 inches from the ground.

(c) The rear license plate on a truck tractor may be mounted at the rear of the cab of the vehicle, not less than 12 inches nor more than 90 inches from the ground.

(d) The rear license plate of a vehicle designed by the manufacturer for the collection and transportation of garbage, rubbish, or refuse that is used regularly for the collection and transportation of that material by any person or governmental entity employed to collect, transport, and dispose of garbage, rubbish, or refuse may be mounted not less than 12 inches nor more than 90 inches from the ground.

(e) The rear license plate on a two-axle livestock trailer may be mounted 12 inches or more, but not more than 90 inches, from the ground.

(f) No covering may be used on license plates except as follows:

(1) The installation of a cover over a lawfully parked vehicle to protect it from the weather and the elements does not constitute a violation of this subdivision. Any peace officer or other regularly

1 salaried employee of a public agency designated to enforce laws,
2 including local ordinances, relating to the parking of vehicles may
3 temporarily remove so much of the cover as is necessary to inspect
4 any license plate, tab, or indicia of registration on a vehicle.

5 (2) The installation of a license plate security cover is not a
6 violation of this subdivision if the device does not obstruct or
7 impair the recognition of the license plate information, including,
8 but not limited to, the issuing state, license plate number, and
9 registration tabs, and the cover is limited to the area directly over
10 the top of the registration tabs. No portion of a license plate
11 security cover shall rest over the license plate number.

12 (g) No casing, shield, frame, border, or other device that
13 obstructs or impairs the reading or recognition of a license plate by
14 a remote emission sensing device, as specified in Sections 44081
15 and 44081.6 of the Health and Safety Code, shall be installed on,
16 or affixed to, a vehicle.

17 ~~SEC. 21.~~

18 *SEC. 29. Section 5201 of the Vehicle Code is amended to read:*

19 5201. License plates shall at all times be securely fastened to
20 the vehicle for which they are issued so as to prevent the plates
21 from swinging and, shall be mounted in a position so as to be
22 clearly visible, and shall be maintained in a condition so as to be
23 clearly legible. The rear license plate shall be mounted not less
24 than 12 inches nor more than 60 inches from the ground, and the
25 front license plate shall be mounted not more than 60 inches from
26 the ground, except as follows:

27 (a) The rear license plate on a tow truck may be mounted on the
28 left-hand side of the mast assembly at the rear of the cab of the
29 vehicle, not less than 12 inches nor more than 90 inches from the
30 ground.

31 (b) The rear license plate on a tank vehicle hauling hazardous
32 waste, as defined in Section 25117 of the Health and Safety Code,
33 or asphalt material may be mounted not less than 12 inches nor
34 more than 90 inches from the ground.

35 (c) The rear license plate on a truck tractor may be mounted at
36 the rear of the cab of the vehicle, not less than 12 inches nor more
37 than 90 inches from the ground.

38 (d) The rear license plate of a vehicle designed by the
39 manufacturer for the collection and transportation of garbage,
40 rubbish, or refuse and which that is used regularly for the

1 collection and transportation of that material by any person or
2 governmental entity employed to collect, transport, and dispose of
3 garbage, rubbish, or refuse may be mounted not less than 12 inches
4 nor more than 90 inches from the ground.

5 (e) *The rear license plate on a two-axle livestock trailer may be*
6 *mounted 12 inches or more, but not more than 90 inches, from the*
7 *ground.*

8 (f) No covering ~~shall~~ may be used on license plates except as
9 follows:

10 (1) The installation of a cover over a lawfully parked vehicle
11 to protect it from the weather and the elements does not constitute
12 a violation of this subdivision. Any peace officer or other regularly
13 salaried employee of a public agency designated to enforce laws,
14 including local ordinances, relating to the parking of vehicles may
15 temporarily remove so much of the cover as is necessary to inspect
16 any license plate, tab, or indicia of registration on a vehicle.

17 (2) The installation of a license plate security cover is not a
18 violation of this subdivision if the device does not obstruct or
19 impair the recognition of the license plate information, including,
20 but not limited to, the issuing state, license plate number, and
21 registration tabs, and the cover is limited to the area directly over
22 the top of the registration tabs. No portion of a license plate
23 security cover shall rest over the license plate number.

24 (f)

25 (g) No casing, shield, frame, border, or other device that
26 obstructs or impairs the reading or recognition of a license plate by
27 a remote emission sensing device, as specified in Sections 44081
28 and 44081.6 of the Health and Safety Code, shall be installed on,
29 or affixed to, a vehicle.

30 (h) (1) *It is the Legislature's intent that an accommodation be*
31 *made to persons with disabilities and to those persons who*
32 *regularly transport persons with disabilities, to allow the removal*
33 *and relocation of wheelchair lifts and wheelchair carriers without*
34 *the necessity of removing and reattaching the vehicle's rear license*
35 *plate. Therefore, it is not a violation of this section if the reading*
36 *or recognition of a rear license plate is obstructed or impaired by*
37 *a wheelchair lift or wheelchair carrier and all of the following*
38 *requirements are met:*

39 (A) *The owner of the vehicle has been issued a special*
40 *identification license plate pursuant to Section 5007 or the person*

1 *using the wheelchair that is carried on the vehicle has been issued*
 2 *a distinguishing placard under Section 22511.55.*

3 (B) (i) *The operator of the vehicle displays a decal, designed*
 4 *and issued by the department, that contains the license plate*
 5 *number assigned to the vehicle transporting the wheelchair.*

6 (ii) *The decal is displayed on the rear window of the vehicle, in*
 7 *a location determined by the department, in consultation with the*
 8 *Department of the California Highway Patrol, so as to be clearly*
 9 *visible to law enforcement.*

10 (2) *Notwithstanding any other provision of law, if a decal is*
 11 *displayed pursuant to this subdivision, the requirements of this*
 12 *code that require the illumination of the license plate and the*
 13 *license plate number do not apply.*

14 (3) *The department shall adopt regulations governing the*
 15 *procedures for accepting and approving applications for decals,*
 16 *and issuing decals, authorized by this subdivision.*

17 (4) *This subdivision does not apply to a front license plate.*

18 SEC. 30. Section 6700 of the Vehicle Code is amended to
 19 read:

20 6700. (a) Except as provided in Section 6700.2, the owner of
 21 any vehicle of a type otherwise subject to registration under this
 22 code, other than a commercial vehicle registered in a foreign
 23 jurisdiction, may operate the vehicle in this state until gainful
 24 employment is accepted in this state or until residency is
 25 established in this state, whichever occurs first, if the vehicle
 26 displays valid license plates and has a valid registration issued to
 27 the owner, and the owner was a resident of that state at the time of
 28 issuance. Application to register the vehicle shall be made within
 29 20 days after gainful employment is accepted in this state or
 30 residency is established in this state.

31 (b) A nonresident owner of a vehicle, otherwise exempt from
 32 registration pursuant to this section or Section 6700.2, may operate
 33 or permit operation of the vehicle in this state without registering
 34 the vehicle in this state if the vehicle is registered in the place of
 35 residence of the owner and displays upon it valid license plates
 36 issued by that place. This exemption does not apply if the
 37 nonresident owner rents, leases, lends, or otherwise furnishes the
 38 vehicle to a California resident for regular use on the highways of
 39 this state, as defined in subdivision (b) of Section 4000.4.

(c) Any resident who operates upon a highway of this state a vehicle owned by a nonresident who furnished the vehicle to the resident operator for his or her regular use within this state, as defined in subdivision (b) of Section 4000.4, shall cause the vehicle to be registered in California within 20 days after its first operation within this state by the resident.

~~SEC. 22.~~

SEC. 31. Section 9101 of the Vehicle Code is amended to read:

9101. No fees specified in this code, except fees not exempted under Section 9103, need be paid for any vehicle operated by the state, or by any county, city, district, or political subdivision of the state, or the United States, as lessee under a lease, lease-sale, or rental-purchase agreement that grants possession of the vehicle to the lessee for a period of 30 consecutive days or more.

~~SEC. 23.~~

SEC. 32. Section 9107 of the Vehicle Code is amended to read:

9107. The weight fees for commercial vehicles specified in Sections 9400 and 9400.1 do not apply to any of the following:

(a) A vehicle operated by a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, that is subject to the jurisdiction of the Public Utilities Commission, if all of the following conditions are met:

(1) The vehicle is operated exclusively on any line or lines having a one-way route mileage not exceeding 15 miles, and each of those lines is operated in either of the following areas:

(A) In urban or suburban areas or between cities in close proximity.

(B) Between nonadjacent urban or suburban areas or cities, the area between which is substantially residential, commercial, or industrial as distinguished from rural.

(2) The principal business of the passenger stage corporation is the operation of vehicles on a route or routes as defined in paragraph (1).

(b) A vehicle operated exclusively on any line or lines within the limits of a single city by a person engaged as a common carrier of passengers between fixed termini or over a regular route, 98 percent of whose operations, as measured by total route mileage operated, are exclusively within the limits of a single city, and who

by reason thereof is not a passenger stage corporation subject to the jurisdiction of the Public Utilities Commission.

(c) Vanpool vehicles.

(d) A vehicle purchased with federal funds under the authority of paragraph (2) of subsection (a) of Section 5310 of Title 49 of the United States Code or Chapter 35 (commencing with Section 3001) of Title 42 of the United States Code for the purpose of providing specialized transportation services to senior citizens and handicapped persons by public and private nonprofit operators of specialized transportation service agencies.

(e) A vehicle operated solely for the purpose of providing specialized transportation services to senior citizens and persons with disabilities, by a nonprofit, public benefit consolidated transportation service agency designated under Section 15975 of the Government Code.

~~SEC. 24.~~

SEC. 33. Section 11204 of the Vehicle Code is amended to read:

11204. (a) The department shall issue a license certificate to each traffic violator school owner and each traffic violator school operator licensed pursuant to this chapter. The term of the license shall be for a period of one year from the date of issue unless canceled, suspended, or revoked by the department. The license shall be renewed annually. The department shall require compliance with Section 11202 for renewal of the license of a traffic violator school owner. The department shall require compliance with Section 11202.5 for renewal of the license of a traffic violator school operator.

(b) (1) In lieu of the examination required by Section 11202.5 for renewal of the license of a traffic violator school operator, the department may accept submission of evidence by the licensee of continuing professional education.

(2) “Professional education,” as used in paragraph (1), means the satisfactory completion of courses acceptable to the department related to traffic safety, teaching techniques, or the teaching of driver instruction, or the participation in professional seminars approved by the department.

(c) Whenever in its judgment the public interest so requires, the department may issue a probationary license subject to special conditions to be observed by the licensee in the conduct of the

1 traffic violator school. The conditions to be attached to the license
2 shall be any that may, in the judgment of the department, be in the
3 public interest and suitable to the qualifications of the applicant as
4 disclosed by the application and investigation by the department
5 of the information contained therein. The conditions may not
6 appear on the license certificate.

7 (d) Upon notification of the death of a traffic violator school
8 licensee, the department may issue a temporary license to the
9 executor or administrator of the estate of a deceased holder of a
10 validly outstanding license to conduct a traffic violator school, or
11 if no executor or administrator has been appointed and until a
12 certified copy of an order making an appointment is filed with the
13 department, a temporary license may be issued to the surviving
14 spouse or other heir entitled to conduct the business of the
15 deceased. The temporary license shall permit the holder to conduct
16 the traffic violator school for a period of one year from and after
17 the date of the original licensee's death, and necessary one-year
18 extensions may be granted to permit disposal of the business and
19 qualification for a license of a purchaser of the business or the
20 surviving spouse or heir. The department may restrict or condition
21 a temporary license and attach to the exercise of the privilege
22 thereunder any terms and conditions that in the department's
23 judgment are required for the protection of the public.

24 ~~SEC. 25.~~

25 *SEC. 34.* Section 11519 is added to the Vehicle Code, to read:

26 11519. (a) A vehicle that has been reported as a total loss
27 salvage vehicle or dismantled vehicle may not be subsequently
28 registered until there is submitted to the department all of the
29 following:

30 (1) The prescribed bill of sale.

31 (2) An appropriate application.

32 (3) Official lamp and brake adjustment certificates issued by an
33 official lamp and brake adjusting station licensed by the Director
34 of Consumer Affairs, except that a fleet owner of motor trucks of
35 three or more axles that are more than 6,000 pounds unladen
36 weight, and a fleet owner of truck tractors, may instead submit an
37 official lamp and brake certification for his or her rebuilt vehicle
38 if the fleet owner operates an inspection and maintenance station
39 licensed by the commissioner under subdivision (b) of Section
40 2525.

(4) With respect to a motor vehicle subject to Part 5 (commencing with Section 43000) of Division 26 of the Health and Safety Code, a valid certificate of compliance from a licensed motor vehicle pollution control device installation and inspection station indicating that the vehicle is properly equipped with a motor vehicle pollution control device that is in proper operating condition and is in compliance with Part 5 (commencing with Section 43000) of Division 26 of the Health and Safety Code.

(5) Any other documents or fees required under law.

(b) The department may not register a vehicle that has been referred to the Department of the California Highway Patrol under subdivision (b) of Section 5505 or that has been selected for inspection by that department under subdivision (c) of that section, until the applicant for registration submits to the department a certification of inspection issued by the Department of the California Highway Patrol and all of the documents required under subdivision (a).

~~SEC. 26.~~

SEC. 35. Section 12814 of the Vehicle Code, as amended by Section 10 of Chapter 985 of the Statutes of 2000, is amended to read:

12814. (a) Application for renewal of a license shall be made at an office of the department by the person to whom the license was issued. The department, in its discretion, may require an examination of the applicant as upon an original application, or an examination deemed by the department to be appropriate considering the licensee's record of convictions and accidents, or an examination deemed by the department to be appropriate in relation to evidence of a condition that may affect the ability of the applicant to safely operate a motor vehicle. The age of a licensee, by itself, may not constitute evidence of a condition requiring an examination of the driving ability. If the department finds any evidence of a condition requiring an examination, the department shall disclose the evidence to the applicant or licensee. If the person is absent from the state at the time the license expires, the director may extend the license for a period of one year from the expiration date of the license.

(b) Renewal of a driver's license shall be under terms and conditions prescribed by the department.

1 (c) The department may adopt and administer regulations it
2 deems necessary for the public safety in the implementation of a
3 program of selective testing of applicants, and, with reference to
4 this section, the department may waive tests for purposes of
5 evaluation of selective testing procedures.

6 (d) This section shall remain in effect only until January 1,
7 2011, and as of that date is repealed, unless a later enacted statute,
8 that is enacted before January 1, 2011, deletes or extends that date.

9 ~~SEC. 27.~~

10 *SEC. 36.* Section 12814 of the Vehicle Code, as added by
11 Section 11 of Chapter 985 of the Statutes of 2000, is amended to
12 read:

13 12814. (a) Application for renewal of a license shall be made
14 at an office of the department by the person to whom the license
15 was issued. The department may in its discretion require an
16 examination of the applicant as upon an original application, or an
17 examination deemed by the department to be appropriate
18 considering the licensee's record of convictions and accidents, or
19 an examination deemed by the department to be appropriate in
20 relation to evidence of a condition which may affect the ability of
21 the applicant to safely operate a motor vehicle. The age of a
22 licensee, by itself, may not constitute evidence of a condition
23 requiring an examination of the driving ability. If the department
24 finds any evidence, the department shall disclose the evidence to
25 the applicant or licensee. If the person is absent from the state at
26 the time the license expires, the director may extend the license for
27 a period of one year from the expiration date of the license.

28 (b) Renewal of a driver's license shall be under terms and
29 conditions prescribed by the department.

30 (c) The department may adopt and administer those regulations
31 as shall be deemed necessary for the public safety in the
32 implementation of a program of selective testing of applicants,
33 and, with reference to this section, the department may waive tests
34 for purposes of evaluation of selective testing procedures.

35 (d) This section shall become operative on January 1, 2011.

36 ~~SEC. 28.~~

37 *SEC. 37.* Section 13370 of the Vehicle Code is amended to
38 read:

39 13370. (a) The department shall deny or revoke a schoolbus,
40 school pupil activity bus, general public paratransit vehicle, youth

1 bus driver certificate, or a certificate for a vehicle used for the
2 transportation of developmentally disabled persons if any of the
3 following causes apply to the applicant or certificate holder:

4 (1) Has been convicted of any sex offense as defined in Section
5 44010 of the Education Code.

6 (2) Has been convicted, within the two years preceding the
7 application date, of any offense specified in Section 11361.5 of the
8 Health and Safety Code.

9 (3) Has failed to meet prescribed training requirements for
10 certificate issuance.

11 (4) Has failed to meet prescribed testing requirements for
12 certificate issuance.

13 (b) The department may deny, suspend, or revoke a schoolbus,
14 school pupil activity bus, general public paratransit vehicle, or
15 youth bus driver certificate, or a certificate for a vehicle used for
16 the transportation of developmentally disabled persons if any of
17 the following causes apply to the applicant or certificate holder:

18 (1) Has been convicted of any crime specified in Section 44424
19 of the Education Code within the seven years preceding the
20 application date. This paragraph does not apply if denial is
21 mandatory.

22 (2) Has committed any act involving moral turpitude.

23 (3) Has been convicted of any offense, not specified in this
24 section and other than a sex offense, that is punishable as a felony,
25 within the seven years preceding the application date.

26 (4) Has been dismissed as a driver for a cause relating to pupil
27 transportation safety.

28 (5) Has been convicted, within the seven years preceding the
29 application date, of any offense relating to the use, sale,
30 possession, or transportation of narcotics, habit-forming drugs, or
31 dangerous drugs, except as provided in paragraph (3) of
32 subdivision (a).

33 (c) (1) Reapplication following denial or revocation under
34 paragraph (1), (2), or (3) of subdivision (a) or (b) may be made
35 after a period of not less than one year from the effective date of
36 denial or revocation.

37 (2) Reapplication following denial or revocation under
38 paragraph (4) of subdivision (a) may be made after a period of not
39 less than 45 days from the date of the applicant's third testing
40 failure.

(3) An applicant or holder of a certificate may reapply for a certificate whenever a felony or misdemeanor conviction is reversed or dismissed. A termination of probation and dismissal of charges pursuant to Section 1203.4 of the Penal Code or a dismissal of charges pursuant to Section 1203.4a of the Penal Code is not a dismissal for purposes of this section.

~~SEC. 29.~~

SEC. 38. Section 15210 of the Vehicle Code is amended to read:

15210. Notwithstanding any other provision of this code, as used in this chapter, *the following terms have the following meanings:*

(a) “Commercial driver’s license” means a driver’s license issued by a state or other jurisdiction, in accordance with the standards contained in Part 383 of Title 49 of the Code of Federal Regulations, which authorizes the licenseholder to operate a class or type of commercial motor vehicle.

(b) (1) “Commercial motor vehicle” means any vehicle or combination of vehicles which requires a class A or class B license, or a class C license with an endorsement issued pursuant to paragraph (4) of subdivision (a) of Section 15278.

(2) “Commercial motor vehicle” does not include any of the following:

(A) A recreational vehicle, as defined in Section ~~799.24~~ 18010 of the ~~Civil~~ Health and Safety Code.

(B) Military equipment operated by noncivilian personnel, which is owned or operated by the United States Department of Defense, including the National Guard, as provided in Parts 383 and 391 of Title 49 of the Code of Federal Regulations.

(C) An implement of husbandry operated by a person who is not required to obtain a driver’s license under this code.

(D) Vehicles operated by persons exempted pursuant to Section 25163 of the Health and Safety Code or a vehicle operated in an emergency situation at the direction of a peace officer pursuant to Section 2800.

(c) “Controlled substance” has the same meaning as defined by the federal Controlled Substances Act (21 U.S.C. Sec. 802).

(d) “Disqualification” means a prohibition against driving a commercial motor vehicle.

(e) “Employer” means any person, including the United States, a state, or political subdivision of a state, who owns or leases a commercial motor vehicle or assigns drivers to operate ~~such a vehicle~~ that vehicle. A person who employs himself or herself as a commercial vehicle driver is considered to be both an employer and a driver for purposes of this chapter.

(f) “Felony” means an offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year.

(g) “Gross combination weight rating” means the value specified by the manufacturer as the maximum loaded weight of a combination or articulated vehicle. In the absence of a value specified by the manufacturer, gross vehicle weight rating will be determined by adding the gross vehicle weight rating of the power unit and the total weight of the towed units and any load thereon.

(h) “Gross vehicle weight rating” means the value specified by the manufacturer as the maximum loaded weight of a single vehicle, as defined in Section 390.

(i) “Serious traffic violation” includes any of the following:

(1) Excessive speeding, as defined pursuant to the federal Commercial Motor Vehicle Safety Act (P.L. 99-570).

(2) Reckless driving, as defined pursuant to the federal Commercial Motor Vehicle Safety Act (P.L. 99-570).

(3) A violation of any state or local law involving the safe operation of a motor vehicle, arising in connection with a fatal traffic accident.

(4) Any other similar violation of a state or local law involving the safe operation of a motor vehicle, as defined pursuant to the Commercial Motor Vehicle Safety Act (Title XII of P.L. 99-570).

(5) Driving a commercial motor vehicle without a commercial driver’s license.

(6) Driving a commercial motor vehicle without the driver having in his or her possession a commercial driver’s license, unless the driver provides proof at the subsequent court appearance that he or she held a valid commercial driver’s license on the date of the violation.

(7) Driving a commercial motor vehicle when the driver has not met the minimum testing standards for that vehicle as to the class or type of cargo the vehicle is carrying.

1 In the absence of a federal definition, existing definitions under
2 this code shall apply.

3 (j) “State” means a state of the United States or the District of
4 Columbia.

5 (k) “Tank vehicle” means any commercial motor vehicle that
6 is designed to transport any liquid or gaseous material within a
7 tank that is permanently or temporarily attached to the vehicle or
8 the chassis, including, but not limited to, cargo tanks and portable
9 tanks, as defined in Part 171 of Title 49 of the Code of Federal
10 Regulations. This definition does not include portable tanks
11 having a rated capacity under 1,000 gallons.

12 *SEC. 39.* Section 15250.7 of the Vehicle Code is amended to
13 read:

14 15250.7. Upon application for issuance of a duplicate driver’s
15 license under subdivision (b) of Section 15250.6, there shall be
16 paid to the department a fee of twenty-seven dollars (\$27).

17 ~~*SEC. 30.*~~

18 *SEC. 40.* Section 16000 of the Vehicle Code is amended to
19 read:

20 16000. (a) The driver of a motor vehicle who is in any
21 manner involved in an accident originating from the operation of
22 the motor vehicle on a street or highway, or is involved in a
23 reportable off-highway accident, as defined in Section 16000.1,
24 that has resulted in damage to the property of any one person in
25 excess of seven hundred fifty dollars (\$750), or in bodily injury,
26 or in the death of any person shall report the accident, within 10
27 days after the accident, either personally or through an insurance
28 agent, broker, or legal representative, on a form approved by the
29 department, to the office of the department at Sacramento, subject
30 to this chapter. The driver shall identify on the form, by name and
31 current residence address, if available, any person involved in the
32 accident complaining of bodily injury.

33 (b) A report is not required under subdivision (a) if the motor
34 vehicle involved in the accident was owned or leased by, or under
35 the direction of, the United States, this state, another state, or a
36 local agency.

37 (c) If none of the parties involved in an accident has reported
38 the accident to the department under this section within one year
39 following the date of the accident, the department is not required

1 to file a report on the accident and the driver's license suspension
2 requirements of Section 16004 or 16070 do not apply.

3 ~~SEC. 31.~~

4 *SEC. 41.* Section 16021 of the Vehicle Code is amended to
5 read:

6 16021. Financial responsibility of the driver or owner is
7 established if the driver or owner of the vehicle involved in an
8 accident described in Section 16000 is:

9 (a) A self-insurer under the provisions of this division.

10 (b) An insured or obligee under a form of insurance or bond
11 that complies with the requirements of this division and that covers
12 the driver for the vehicle involved in the accident.

13 (c) The United States of America, this state, any municipality
14 or subdivision thereof, or the lawful agent thereof.

15 (d) A depositor in compliance with subdivision (a) of Section
16 16054.2.

17 (e) An obligee under a policy issued by a charitable risk pool
18 that complies with subdivision (b) of Section 16054.2.

19 (f) In compliance with the requirements authorized by the
20 department by any other manner which effectuates the purposes of
21 this chapter.

22 ~~SEC. 32.~~

23 *SEC. 42.* Section 16370.5 of the Vehicle Code is amended to
24 read:

25 16370.5. The department shall suspend the privilege of any
26 person to operate a motor vehicle as specified in Section 116.880
27 of the Code of Civil Procedure. Except as provided in this section,
28 an action brought under Section 116.880 of the Code of Civil
29 Procedure is not governed by Chapter 2 (commencing with
30 Section 16250) of Division 7.

31 ~~SEC. 33.~~

32 *SEC. 43.* Section 16431 of the Vehicle Code is amended to
33 read:

34 16431. (a) Proof of financial responsibility may be given by
35 the written certificate or certificates of any insurance carrier duly
36 authorized to do business within the state, that it has issued to or
37 for the benefit of the person named therein a motor vehicle liability
38 policy as defined in Section 16450, an automobile liability policy
39 as defined in Section 16054, or any other liability policy issued for
40 vehicles with less than four wheels that meets the requirements of

1 Section 16056, which, at the date of the certificate or certificates,
2 is in full force and effect. Except as provided in subdivision (b),
3 the certificate or certificates issued under any liability policy set
4 forth in this section shall be accepted by the department and satisfy
5 the requirements of proof of financial responsibility of this
6 chapter. Nothing in this chapter requires that an insurance carrier
7 certify that there is coverage broader than that provided by the
8 actual policy issued by the carrier.

9 (b) The department shall require that a person whose driver's
10 license has been revoked, suspended, or restricted under Section
11 13350, 13351, 13352, 13353, 13353.2, 13353.3, 13353.6,
12 13353.7, or 16370, provide, as proof of financial responsibility, a
13 certificate or certificates that covers all motor vehicles registered
14 to the person before reinstatement of his or her driver's license.

15 (c) Subdivision (b) does not apply to vehicles in storage if the
16 current license plates and registration cards are surrendered to the
17 department in Sacramento.

18 (d) (1) A resident of another state may provide proof of
19 financial responsibility when required to do so under this code
20 from a company authorized to do business in that person's state of
21 residence, if that proof is satisfactory to the department, covers the
22 operation of a vehicle in this state, and meets the minimum
23 coverage limit requirements specified in Section 16056.

24 (2) If the person specified in paragraph (1) becomes a resident
25 of this state during the period that the person is required to
26 maintain proof of financial responsibility with the department, the
27 department may not issue or return a driver's license to that person
28 until the person files a written certificate or certificates, as
29 authorized under subdivision (a), that meets the minimum
30 coverage limit requirements specified in Section 16056 and covers
31 the period during which the person is required to maintain proof
32 of financial responsibility.

33 ~~SEC. 34.~~

34 *SEC. 44.* Section 24609 of the Vehicle Code is amended to
35 read:

36 24609. (a) A vehicle may be equipped with white or amber
37 reflectors that are mounted on the front of the vehicle at a height
38 of 15 inches or more, but not more than 60 inches from the ground.

39 (b) A schoolbus may be equipped with a set of two devices,
40 with each device in the set consisting of an amber reflector

integrated into the lens of an amber light that is otherwise permitted under this code, if the set is mounted with one device on the left side and one on the right side of the vehicle, and with each device at the same level.

~~SEC. 35.~~

SEC. 45. Section 27400 of the Vehicle Code is amended to read:

27400. A person operating a motor vehicle or bicycle may not wear a headset covering, or earplugs in, both ears. This prohibition does not apply to any of the following:

(a) A person operating authorized emergency vehicles, as defined in Section 165.

(b) A person engaged in the operation of either special construction equipment or equipment for use in the maintenance of any highway.

(c) A person engaged in the operation of refuse collection equipment who is wearing a safety headset or safety earplugs.

(d) A person wearing personal hearing protectors in the form of earplugs or molds that are specifically designed to attenuate injurious noise levels. The plugs or molds shall be designed in a manner so as to not inhibit the wearer's ability to hear a siren or horn from an emergency vehicle or a horn from another motor vehicle.

(e) A person using a prosthetic device that aids the hard of hearing.

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

~~However, notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the~~

1 ~~claim for reimbursement does not exceed one million dollars~~
2 ~~(\$1,000,000), reimbursement shall be made from the State~~
3 ~~Mandates Claims Fund.~~

4 SEC. 46. The Department of Transportation shall extend the
5 completion date for the Bass Lake Trail Environmental
6 Enhancement and Mitigation (EEM) Project in the County of
7 Madera (projection no. EEM 2001 (092)) to June 30, 2006. The
8 sum of two hundred thirty thousand seven hundred twenty dollars
9 (\$230,720) is reappropriated from the Mitigation Demonstration
10 Program Fund to the Department of Transportation for
11 expenditure for the purposes of the project.

12 SEC. 47. The Department of Transportation shall extend the
13 completion date for the Junior Seau Sports Complex Mitigation
14 (EEM) Project in the County of San Diego (projection no. EEM
15 2001 (015)) to June 30, 2006. The sum of the balance of the project
16 amount is reappropriated from the Mitigation Demonstration
17 Program Fund to the Department of Transportation for
18 expenditure for the purposes of the project.

19 SEC. 48. Section 29 of this bill incorporates amendments to
20 Section 5201 of the Vehicle Code proposed by both this bill and AB
21 1303. It shall only become operative if (1) both bills are enacted
22 and become effective on or before January 1, 2004, (2) each bill
23 amends Section 5201 of the Vehicle Code, and (3) this bill is
24 enacted after AB 1303, in which case Section 28 of this bill shall
25 not become operative.

26 SEC. 49. No reimbursement is required by this act pursuant
27 to Section 6 of Article XIII B of the California Constitution
28 because the only costs that may be incurred by a local agency or
29 school district will be incurred because this act creates a new crime
30 or infraction, eliminates a crime or infraction, or changes the
31 penalty for a crime or infraction, within the meaning of Section
32 17556 of the Government Code, or changes the definition of a
33 crime within the meaning of Section 6 of Article XIII B of the
34 California Constitution.

