

AMENDED IN ASSEMBLY APRIL 17, 2006

AMENDED IN ASSEMBLY APRIL 6, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2520**

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**Introduced by ~~Assembly Member Oropesa~~ *Committee on Transportation (Oropesa (chair), Chan, Shirley Horton, Huff, Karnette, Liu, Mountjoy, Niello, Ridley-Thomas, Salinas, Torrico)***

February 23, 2006

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An act to amend Sections 4604, 4604.2, 5051, and 12804.6 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2520, as amended, ~~Oropesa~~ *Committee on Transportation*.  
Vehicles.

(1) Existing law provides for a certificate of nonoperation for a vehicle and provides for a collector, as defined, of certain vehicles to maintain those vehicles, whether licensed or unlicensed or operable or inoperable, in outdoor storage on private property under specified conditions.

This bill would delete an obsolete cross-reference from these provisions.

(2) Existing law prohibits a person from operating a transit bus transporting passengers unless that person is properly certified.

This bill would correct a cross-reference in that provision.

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

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

1 SECTION 1. Section 4604 of the Vehicle Code is amended to  
2 read:

3 4604. (a) Except as otherwise provided in subdivision (d),  
4 prior to the expiration of the registration of a vehicle, if that  
5 registration is not to be renewed prior to its expiration, the owner  
6 of the vehicle shall file, under penalty of perjury, a certification  
7 that the vehicle will not be operated, moved, or left standing  
8 upon a highway without first making an application for  
9 registration of the vehicle, including full payment of all fees. The  
10 certification is valid until the vehicle's registration is renewed  
11 pursuant to subdivision (c).

12 (b) Each certification filed pursuant to subdivision (a) shall be  
13 accompanied by a filing fee of fifteen dollars (\$15).

14 (c) (1) An application for renewal of registration, except when  
15 accompanied by an application for transfer of title to, or an  
16 interest in, the vehicle, shall be submitted to the department with  
17 payment of the required fees for the current registration year and  
18 without penalty for delinquent payment of fees imposed under  
19 this code or under Part 5 (commencing with Section 10701) of  
20 Division 2 of the Revenue and Taxation Code if the department  
21 receives the application prior to or on the date the vehicle is first  
22 operated, moved, or left standing upon a highway during the  
23 current registration year and the certification required pursuant to  
24 subdivision (a) was timely filed with the department.

25 (2) If an application for renewal of registration is accompanied  
26 by an application for transfer of title, that application may be  
27 made without incurring a penalty for delinquent payment of fees  
28 not later than 20 days after the date the vehicle is first operated,  
29 moved, or left standing on a highway if a certification pursuant to  
30 subdivision (a) was timely filed with the department.

31 (d) A certification is not required to be filed pursuant to  
32 subdivision (a) for one or more of the following:

33 (1) A vehicle on which the registration expires while being  
34 held as inventory by a dealer or lessor-retailer or while being  
35 held pending a lien sale by the keeper of a garage or operator of a  
36 towing service.

37 (2) A vehicle registered pursuant to Article 4 (commencing  
38 with Section 8050) of Chapter 4 of Division 3.

1 (3) A vehicle described in Section 5004, 5004.5, or 5051, as  
2 provided in Section 4604.2. However, the registered owner may  
3 file a certificate of nonoperation in lieu of the certification  
4 specified in subdivision (a).

5 (4) A vehicle registered pursuant to Article 5 (commencing  
6 with Section 9700) of Chapter 6 if the registered owner has  
7 complied with subdivision (c) of Section 9706.

8 (e) Notwithstanding Section 670, for purposes of this section,  
9 a “vehicle” is a device by which a person or property may be  
10 propelled, moved, or driven upon a highway having intact and  
11 assembled its major component parts including, but not limited  
12 to, the frame or chassis, cowl, and floor pan or, in the case of a  
13 trailer, the frame and wheels or, in the case of a motorcycle, the  
14 frame, front fork, and engine. For purposes of this section,  
15 “vehicle” does not include a device moved exclusively by human  
16 power, a device used exclusively upon stationary rails or tracks,  
17 or a motorized wheelchair.

18 SEC. 2. Section 4604.2 of the Vehicle Code is amended to  
19 read:

20 4604.2. (a) When the registration of a vehicle registered on a  
21 partial year basis has expired and the vehicle is not thereafter  
22 operated, moved, or left standing upon a highway, and the  
23 vehicle is in compliance with subdivision (b) of Section 9706  
24 applying to vehicles registered on a partial year basis, an  
25 application for renewal made subsequent to that expiration shall  
26 be accompanied by a certificate of nonoperation.

27 (b) An application for registration or renewal of registration of  
28 a vehicle described in Section 5004 or 5004.5 that has not been  
29 operated, moved, or left standing upon a highway shall be  
30 accompanied by a certificate of nonoperation for the period  
31 during which the vehicle was not registered.

32 (c) A certificate of nonoperation may be accepted for a vehicle  
33 registered pursuant to Article 4 (commencing with Section 8050)  
34 of Chapter 4 solely for the purpose of waiver of penalties.

35 (d) The application for registration or renewal of registration  
36 of vehicles specified in subdivisions (a) and (b), whether or not  
37 accompanied by an application for transfer of title, shall be  
38 accepted by the department upon payment of the proper fees for  
39 the current registration year without the payment of delinquent  
40 fees imposed under this code or Part 5 (commencing with

1 Section 10701) of Division 2 of the Revenue and Taxation Code  
2 if the department receives the application and certificate of  
3 nonoperation prior to the date the vehicle is first operated,  
4 moved, or left standing upon a highway during the current  
5 registration year.

6 SEC. 3. Section 5051 of the Vehicle Code is amended to  
7 read:

8 5051. As used in this article, unless the context otherwise  
9 requires:

10 (a) “Collector” is the owner of one or more vehicles described  
11 in Section 5004 or of one or more special interest vehicles, as  
12 defined in this article, who collects, purchases, acquires, trades,  
13 or disposes of the vehicle, or parts thereof, for his or her own use,  
14 in order to preserve, restore, and maintain the vehicle for hobby  
15 or historical purposes.

16 (b) “Special interest vehicle” is a vehicle of an age that is  
17 unaltered from the manufacturer’s original specifications and,  
18 because of its significance, including, but not limited to, an  
19 out-of-production vehicle or a model of less than 2,000 sold in  
20 California in a model year, is collected, preserved, restored, or  
21 maintained by a hobbyist as a leisure pursuit.

22 (c) “Parts car” is a motor vehicle that is owned by a collector  
23 to furnish parts for restoration or maintenance of a special  
24 interest vehicle or a vehicle described in Section 5004, thus  
25 enabling a collector to preserve, restore, and maintain a special  
26 interest vehicle or a vehicle described in Section 5004.

27 (d) “Street rod vehicle” is a motor vehicle, other than a  
28 motorcycle, manufactured in, or prior to, 1948 that is  
29 individually modified in its body style or design, including  
30 through the use of nonoriginal or reproduction components, and  
31 may include additional modifications to other components,  
32 including, but not limited to, the engine, drive train, suspension,  
33 and brakes in a manner that does not adversely affect its safe  
34 performance as a motor vehicle or render it unlawful for highway  
35 use.

36 SEC. 4. Section 12804.6 of the Vehicle Code is amended to  
37 read:

38 12804.6. (a) A person shall not operate a transit bus  
39 transporting passengers unless that person has received from the  
40 department a certificate to operate a transit bus or is certified to

1 drive a schoolbus or school pupil activity bus pursuant to Section  
2 12517.

3 (b) All transit busdrivers shall comply with standards  
4 established in Section 40083 of the Education Code. The  
5 Department of Motor Vehicles shall establish an implementation  
6 program for transit busdrivers to meet these requirements. A  
7 transit busdriver who was employed as a busdriver on or before  
8 July 1, 1990, shall comply with Section 40085.5 of the Education  
9 Code instead of Section 40083 of that code in order to receive his  
10 or her original certificate.

11 (c) Implementation procedures for the issuance of transit  
12 busdrivers' certificates may be established by the Department of  
13 Motor Vehicles as necessary to implement an orderly transit  
14 busdriver training program.

15 (d) The department shall issue a transit busdriver certificate to  
16 a person who provides either of the following:

17 (1) Proof that he or she has complied with Section 40083 of  
18 the Education Code.

19 (2) Proof that he or she has complied with Section 40085.5 of  
20 the Education Code.

21 (e) The department may charge a fee of ten dollars (\$10) to an  
22 applicant for an original or a duplicate or renewal certificate  
23 under this section.

24 (f) The department shall issue a certificate to the applicant.  
25 The status of the certificate shall also become part of the pull  
26 notice and periodic reports issued pursuant to Section 1808.1.  
27 The certificate or the pull notice or periodic reports shall become  
28 part of, the person's employee records for the purpose of  
29 inspection pursuant to Sections 1808.1 and 34501. It shall be  
30 unlawful for the employer to permit a person to drive a transit  
31 bus who does not have a valid certificate.

32 (g) The term of a certificate shall be a period not to exceed  
33 five years, and shall expire with the driver's license.

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