

**ASSEMBLY BILL**

**No. 318**

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**Introduced by Assembly Member Emmerson**

February 18, 2009

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An act to amend Section 4750.1 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 318, as introduced, Emmerson. Bureau of Automotive Repair: inspection fees.

Existing law requires the Department of Motor Vehicles to develop and administer a vehicle registration amnesty program, which to be in effect from January 1, 2010, until December 31, 2010, for vehicles that were previously registered or classified incorrectly and that, pursuant to the program, become correctly registered. Existing law requires the department to grant amnesty to a vehicle owner if specified conditions are met by December 31, 2010.

This bill would authorize the Bureau of Automotive Repair to charge a vehicle owner who participates in this amnesty program a fee for each referee station inspection conducted pursuant to these provisions. The bill would require that the fee be sufficient to cover the actual costs of performing the inspection.

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

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

- 1 SECTION 1. Section 4750.1 of the Vehicle Code is amended
- 2 to read:

1 4750.1. (a) If the department receives an application for  
2 registration of a specially constructed passenger vehicle or pickup  
3 truck after it has registered 500 specially constructed vehicles  
4 during that calendar year pursuant to Section 44017.4 of the Health  
5 and Safety Code, and the vehicle has not been previously  
6 registered, the vehicle shall be assigned the same model-year as  
7 the calendar year in which the application is submitted, for  
8 purposes of determining emissions inspection requirements for  
9 the vehicle.

10 (b) (1) If the department receives an application for registration  
11 of a specially constructed passenger vehicle or pickup truck that  
12 has been previously registered after it has registered 500 specially  
13 constructed vehicles during that calendar year pursuant to Section  
14 44017.4 of the Health and Safety Code, and the application requests  
15 a model-year determination different from the model-year assigned  
16 in the previous registration, the application for registration shall  
17 be denied and the vehicle owner is subject to the emission control  
18 and inspection requirements applicable to the model-year assigned  
19 in the previous registration. For

20 (c) (1) ~~For a vehicle that participated~~ *participating* in the  
21 amnesty program *in effect from January 1, 2010, until December*  
22 *31, 2010*, pursuant to Section 9565, the model-year of the previous  
23 registration shall be the calendar year of the year in which the  
24 vehicle owner applied for amnesty. However, a denial of an  
25 application for registration issued pursuant to this subdivision does  
26 not preclude the vehicle owner from applying for a different  
27 model-year determination and application for registration under  
28 Section 44017.4 of the Health and Safety Code in a subsequent  
29 calendar year.

30 (2) *The Bureau of Automotive Repair may charge the vehicle*  
31 *owner who applies to participate in the amnesty program a fee for*  
32 *each referee station inspection conducted pursuant to Section*  
33 *9565. The fee shall be sufficient to cover the actual costs of*  
34 *performing the inspection.*