

**ASSEMBLY BILL**

**No. 2461**

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**Introduced by Assembly Member Emmerson**

February 19, 2010

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An act to amend Section 9565 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2461, as introduced, Emmerson. Vehicles: vehicle registration amnesty program.

Existing law requires the Department of Motor Vehicles to administer a vehicle registration amnesty program from January 1, 2010, to December 31, 2010, for vehicles that have been registered previously or classified incorrectly and that are correctly registered in accordance with the amnesty program's requirements.

This bill would make technical, nonsubstantive changes to those provisions.

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 9565 of the Vehicle Code is amended to  
2 read:  
3 9565. (a) (1) The department shall develop and administer a  
4 vehicle registration amnesty program, which shall be in effect from  
5 January 1, 2010, until December 31, 2010, for vehicles that have  
6 been ~~previously~~ registered *previously* or classified incorrectly and  
7 that are correctly registered in accordance with this section.

1 (2) Except as provided in subdivision (b), a criminal action for  
2 false statements relating to the value, make, model, or a failure to  
3 register the vehicle shall not be brought against a current vehicle  
4 owner who has been granted amnesty under this section.

5 (b) This section does not apply to violations of this code for  
6 which, as of January 1, 2010, either of the following applies:

7 (1) The current vehicle owner is on notice of a criminal  
8 investigation by a complaint having been filed against him or her,  
9 or by written notice having been mailed to him or her, that he or  
10 she is under criminal investigation.

11 (2) A criminal court proceeding involving the vehicle has  
12 ~~already~~ been initiated *already* against the current vehicle owner.

13 (c) The department shall grant amnesty to a vehicle owner if all  
14 of the following conditions have been met by December 31, 2010:

15 (1) The vehicle owner has filed a completed amnesty application  
16 with the department attesting, under penalty of perjury, to the  
17 owner’s eligibility to participate in the vehicle registration amnesty  
18 program.

19 (2) Specially constructed vehicles participating in the amnesty  
20 program shall be assigned the model year of the calendar year in  
21 which the vehicle owner applied for amnesty under this section.

22 (3) The vehicle owner has correctly registered the vehicle or  
23 has been issued a certificate of ownership without registration,  
24 pursuant to Section 4452.

25 (d) Vehicle license fee revenue derived from the vehicle  
26 registration amnesty program shall be allocated in the same manner  
27 as required by Section 11001.5 of the Revenue and Taxation Code.

28 (e) Specially constructed vehicles that apply for amnesty under  
29 this section shall not be exempted from the requirement to obtain  
30 a certificate of compliance as provided in subparagraph (B) of  
31 paragraph (4) of subdivision (a) of Section 44011 of the Health  
32 and Safety Code.

33 ~~(f) (1) This section shall not become operative until July 1,~~  
34 ~~2009.~~

35 ~~(2)~~

36 (f) This section shall remain in effect only until January 1, 2011,  
37 and as of that date is repealed, unless a later enacted statute, that  
38 is enacted before January 1, 2011, deletes or extends that date.

39 (g) For the purposes of this section, “correctly registered” means  
40 that all of the following have been completed:

1 (1) The vehicle owner has disclosed to the department the make,  
2 model, and ~~the~~ true cost of the vehicle including parts and labor.

3 (2) The vehicle owner has paid to the department all fees and  
4 penalties owed for the underreporting of the vehicle's value and  
5 the nonpayment of taxes or fees previously determined or proposed  
6 to be determined.

7 (3) The vehicle has been issued a certificate of compliance in  
8 accordance with Section 44015 of the Health and Safety Code, as  
9 appropriate.

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