

AMENDED IN SENATE AUGUST 12, 2010

AMENDED IN SENATE JULY 15, 2010

AMENDED IN SENATE JUNE 17, 2010

AMENDED IN SENATE MAY 17, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2777**

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**Introduced by Committee on Transportation (Eng (Chair),  
Jeffries (Vice Chair), Bill Berryhill, Blumenfield, Buchanan,  
Furutani, Galgiani, Bonnie Lowenthal, Miller, Niello, Norby,  
Solario, and Torlakson)**

**(Coauthor: Assembly Member John A. Pérez)**

March 1, 2010

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An act to amend Sections 64103 and 14529.01 of, and to repeal Sections 8588.4 and 14053 of, the Government Code, to amend Section 99170 of the Public Utilities Code, and to amend Sections 1808.1, 5007, 5023, 5024, 8202, and 22511.5 of the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2777, as amended, Committee on Transportation. Transportation: omnibus bill.

(1) Existing law establishes the California Transportation Financing Authority, which consists of 7 members, with all powers reasonably necessary to carry out the powers and responsibilities expressly granted or imposed under the California Transportation Financing Authority Act. The act requires that 4 members of the authority constitute a quorum and that the affirmative vote of a quorum of the members

present at a duly constituted meeting of the authority is necessary for any action taken by the authority.

This bill would instead require that an affirmative vote of a majority of the members present at a duly constituted meeting of the authority is necessary for any action to be taken by the authority.

(2) Existing law authorizes specified persons to apply for a set of commemorative Olympic reflectorized license plates and the Department of Motor Vehicles is required to issue those special license plates in lieu of regular license plates. Existing law requires that the commemorative Olympic reflectorized license plates be of a distinctive design and available in a special series of letters or numbers, or both, as determined by the department after consultation with the United States Olympic Committee.

Existing law authorizes specified persons to apply for a set of commemorative collegiate reflectorized license plates, and the department is required to issue those special license plates in lieu of the regular license plates. Existing law requires that the collegiate reflectorized license plates be of a distinctive design, and available in a special series of letters or numbers, or both, as determined by the department.

This bill would authorize the department to also issue those commemorative reflectorized license plates as environmental license plates in a combination of numbers or letters, or both, as requested by the owner or lessee of the vehicle.

(3) Existing law allows any registrant issued apportioned fleet registration, 20 days to file a written request for a hearing following a determination by the Department of Motor Vehicles that fees are due, including penalties and service fees, for the operation of a fleet of apportionately registered vehicles and requires that a lien be placed upon all vehicles operated as part of the fleet and on any other fleet vehicles operated by the registrant.

This bill would extend the time to file a written request for a hearing to 30 days in order to conform to federal law.

(4) This bill would also delete obsolete provisions, correct an erroneous cross-reference, and make other technical, nonsubstantive changes to related transportation provisions.

(5) This bill would incorporate additional changes in Section 1808.1 of the Vehicle Code proposed by AB 1648 to be operative only if AB 1648 and this bill are both chaptered and become effective on or before January 1, 2011, and this bill is chaptered last.

This bill would also incorporate additional changes in Section 5007 of the Vehicle Code proposed by AB 1944 to be operative only if AB 1944 and this bill are both chaptered and become effective on or before January 1, 2011, and this bill is chaptered last.

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 8588.4 of the Government Code is  
2 repealed.
- 3 SEC. 2. Section 14053 of the Government Code is repealed.
- 4 SEC. 3. Section 14529.01 of the Government Code is amended  
5 to read:
- 6 14529.01. (a) It is the intent of the Legislature to facilitate  
7 project development work on needed transportation projects to  
8 produce a steady flow of construction projects by adding an  
9 advance project development element to the state transportation  
10 improvement program, beginning with the 2000 State  
11 Transportation Improvement Program.
- 12 (b) The advance project development element shall include only  
13 project development activities for projects that are eligible for  
14 inclusion in a state transportation improvement program.
- 15 (c) The fund estimate for each state transportation improvement  
16 program shall designate an amount to be available for the advance  
17 project development element, which shall be not more than 25  
18 percent of the programmable resources estimated to be available  
19 for the first and second years following the period of the state  
20 transportation improvement program, subject to the formulas in  
21 Sections 164, 188, and 188.8 of the Streets and Highways Code.
- 22 (d) The department, transportation planning agencies, and county  
23 transportation commissions may nominate projects to the  
24 commission for inclusion in the advance project development  
25 element through submission of the regional transportation  
26 improvement program and the interregional transportation  
27 improvement program.
- 28 (e) The funds programmed in the advance project development  
29 element may be allocated within the period of the state  
30 transportation improvement program without regard to fiscal year.

1 (f) The commission may develop guidelines to implement this  
2 section.  
3 SEC. 4. Section 64103 of the Government Code is amended  
4 to read:  
5 64103. (a) The authority shall consist of seven members, as  
6 follows:  
7 (1) The Treasurer, who shall serve as the chair of the authority.  
8 (2) The Director of Finance.  
9 (3) The Controller.  
10 (4) The Director of Transportation.  
11 (5) The executive director of the commission.  
12 (6) A local agency representative appointed by the Senate  
13 Committee on Rules.  
14 (7) A local agency representative appointed by the Speaker of  
15 the Assembly.  
16 (b) Members of the authority shall serve without compensation,  
17 but the authority may reimburse its members for necessary  
18 expenses incurred in the discharge of their duties.  
19 (c) The Director of Finance may designate an employee of the  
20 Department of Finance to act for him or her at all meetings of the  
21 authority.  
22 (d) The director of the department may designate an employee  
23 of the department to act for him or her at all meetings of the  
24 authority.  
25 (e) The executive director of the commission may designate an  
26 employee of the commission to act for him or her at all meetings  
27 of the authority.  
28 (f) The chair of the authority shall appoint an executive director.  
29 The offices of the authority shall be located in the office of the  
30 Treasurer. The authority may, by resolution, delegate to one or  
31 more of its members or its executive director or any employee of  
32 the authority such powers and duties that it may deem proper,  
33 including, but not limited to, the power to enter into contracts on  
34 behalf of the authority.  
35 (g) Four members of the authority shall constitute a quorum.  
36 The affirmative vote of a majority of the members present at a  
37 duly constituted meeting of the authority shall be necessary for  
38 any action taken by the authority. Additionally, the authority may  
39 not take any action unless a quorum is present at the time of the  
40 vote.

1 SEC. 5. Section 99170 of the Public Utilities Code is amended  
2 to read:

3 99170. (a) A person shall not do any of the following with  
4 respect to the property, facilities, or vehicles of a transit district:

5 (1) Operate, interfere with, enter into, or climb on or in, the  
6 property, facilities, or vehicles owned or operated by the transit  
7 district without the permission or approval of the transit district.

8 (2) Interfere with the operator or operation of a transit vehicle,  
9 or impede the safe boarding or alighting of passengers.

10 (3) Extend any portion of the body through a window opening  
11 of a transit vehicle in a manner that may cause harm or injury.

12 (4) Throw an object from a transit vehicle.

13 (5) Commit an act or engage in a behavior that may, with  
14 reasonable foreseeability, cause harm or injury to any person or  
15 property.

16 (6) Violate a notice, prohibition, instruction, or direction on a  
17 sign that is intended to provide for the safety and security of transit  
18 passengers, or the safe and secure operation of the transit system.

19 (b) For purposes of this section, “transit district” means an entity  
20 that qualifies as a claimant, as defined in Section 99203, eligible  
21 to receive allocations under Chapter 4 (commencing with Section  
22 99200).

23 (c) A violation of this section is an infraction under Section 19.8  
24 of the Penal Code punishable by a fine not exceeding seventy-five  
25 dollars (\$75), and a violation by a person after a second conviction  
26 is punishable by a fine not exceeding two hundred fifty dollars  
27 (\$250) or by community service that does not conflict with the  
28 violator’s hours of school attendance or employment for a total  
29 time not to exceed 48 hours over a period not to exceed 60 days.

30 (d) A transit district shall provide reasonable notification to the  
31 public of the activities prohibited by this section and the penalties  
32 for violations of those prohibitions.

33 (e) This section does not prohibit ~~any~~ a person from engaging  
34 in activities that are protected under the laws of the United States  
35 or of this state, including, but not limited to, picketing,  
36 demonstrating, or distributing handbills.

37 (f) Transit districts shall maintain records of violations and the  
38 number of citations issued with respect to the actions prohibited  
39 under this section until January 1, 2005. The transit districts shall  
40 prepare a summary report of these actions and related findings

1 with respect to the implementation and operation of this section  
2 and shall submit the report to the Legislature on or before January  
3 1, 2006.

4 (g) Revenue from fines imposed pursuant to subdivision (c)  
5 shall not be distributed or allocated to the transit agency issuing  
6 citations under this section. Fine revenue instead shall be allocated  
7 to the other entities eligible to receive those funds under existing  
8 law.

9 SEC. 6. Section 1808.1 of the Vehicle Code is amended to  
10 read:

11 1808.1. (a) The prospective employer of a driver who drives  
12 a vehicle specified in subdivision (k) shall obtain a report showing  
13 the driver's current public record as recorded by the department.  
14 For purposes of this subdivision, a report is current if it was issued  
15 less than 30 days prior to the date the employer employs the driver.  
16 The report shall be reviewed, signed, and dated by the employer  
17 and maintained at the employer's place of business until receipt  
18 of the pull-notice system report pursuant to subdivisions (b) and  
19 (c). These reports shall be presented upon request to an authorized  
20 representative of the Department of the California Highway Patrol  
21 during regular business hours.

22 (b) The employer of a driver who drives a vehicle specified in  
23 subdivision (k) shall participate in a pull-notice system, which is  
24 a process for the purpose of providing the employer with a report  
25 showing the driver's current public record as recorded by the  
26 department, and any subsequent convictions, failures to appear,  
27 accidents, driver's license suspensions, driver's license revocations,  
28 or any other actions taken against the driving privilege or  
29 certificate, added to the driver's record while the employer's  
30 notification request remains valid and uncancelled. As used in this  
31 section, participation in the pull-notice system means obtaining a  
32 requester code and enrolling all employed drivers who drive a  
33 vehicle specified in subdivision (k) under that requester code.

34 (c) The employer of a driver of a vehicle specified in subdivision  
35 (k) shall, additionally, obtain a periodic report from the department  
36 at least every 12 months. The employer shall verify that each  
37 employee's driver's license has not been suspended or revoked,  
38 the employee's traffic violation point count, and whether the  
39 employee has been convicted of a violation of Section 23152 or  
40 23153. The report shall be signed and dated by the employer and

1 maintained at the employer's principal place of business. The  
2 report shall be presented upon demand to an authorized  
3 representative of the Department of the California Highway Patrol  
4 during regular business hours.

5 (d) Upon the termination of a driver's employment, the employer  
6 shall notify the department to discontinue the driver's enrollment  
7 in the pull-notice system.

8 (e) For the purposes of the pull-notice system and periodic report  
9 process required by subdivisions (b) and (c), an owner, other than  
10 an owner-operator as defined in Section 34624, and an employer  
11 who drives a vehicle described in subdivision (k) shall be enrolled  
12 as if he or she were an employee. A family member and a volunteer  
13 driver who drives a vehicle described in subdivision (k) shall also  
14 be enrolled as if he or she were an employee.

15 (f) An employer who, after receiving a driving record pursuant  
16 to this section, employs or continues to employ as a driver a person  
17 against whom a disqualifying action has been taken regarding his  
18 or her driving privilege or required driver's certificate, is guilty of  
19 a public offense, and upon conviction thereof, shall be punished  
20 by confinement in a county jail for not more than six months, by  
21 a fine of not more than one thousand dollars (\$1,000), or by both  
22 that confinement and fine.

23 (g) As part of its inspection of bus maintenance facilities and  
24 terminals required at least once every 13 months pursuant to  
25 subdivision (c) of Section 34501, the Department of the California  
26 Highway Patrol shall determine whether each transit operator, as  
27 defined in Section 99210 of the Public Utilities Code, is then in  
28 compliance with this section and Section 12804.6, and shall certify  
29 each operator found to be in compliance. Funds shall not be  
30 allocated pursuant to Chapter 4 (commencing with Section 99200)  
31 of Part 11 of Division 10 of the Public Utilities Code to a transit  
32 operator that the Department of the California Highway Patrol has  
33 not certified pursuant to this section.

34 (h) A request to participate in the pull-notice system established  
35 by this section shall be accompanied by a fee determined by the  
36 department to be sufficient to defray the entire actual cost to the  
37 department for the notification service. For the receipt of  
38 subsequent reports, the employer shall also be charged a fee  
39 established by the department pursuant to Section 1811. An  
40 employer who qualifies pursuant to Section 1812 shall be exempt

1 from any fee required pursuant to this section. Failure to pay the  
2 fee shall result in automatic cancellation of the employer's  
3 participation in the notification services.

4 (i) The department, as soon as feasible, may establish an  
5 automatic procedure to provide the periodic reports to an employer  
6 by mail or via an electronic delivery method, as required by  
7 subdivision (c), on a regular basis without the need for individual  
8 requests.

9 (j) (1) The employer of a driver who is employed as a casual  
10 driver is not required to enter that driver's name in the pull-notice  
11 system, as otherwise required by subdivision (a). However, the  
12 employer of a casual driver shall be in possession of a report of  
13 the driver's current public record as recorded by the department,  
14 prior to allowing a casual driver to drive a vehicle specified in  
15 subdivision (k). A report is current if it was issued less than six  
16 months prior to the date the employer employs the driver.

17 (2) For the purposes of this subdivision, a driver is employed  
18 as a casual driver when the employer has employed the driver less  
19 than 30 days during the preceding six months. "Casual driver"  
20 does not include a driver who operates a vehicle that requires a  
21 passenger transportation endorsement.

22 (k) This section applies to a vehicle for the operation of which  
23 the driver is required to have a class A or class B driver's license,  
24 a class C license with a hazardous materials endorsement, a class  
25 C license issued pursuant to Section 12814.7, or a certificate issued  
26 pursuant to Section 12517, 12519, 12520, 12523, 12523.5, or  
27 12527 or a passenger vehicle having a seating capacity of not more  
28 than 10 persons, including the driver, operated for compensation  
29 by a charter-party carrier of passengers or passenger stage  
30 corporation pursuant to a certificate of public convenience and  
31 necessity or a permit issued by the Public Utilities Commission.

32 (l) This section shall not be construed to change the definition  
33 of "employer," "employee," or "independent contractor" for any  
34 purpose.

35 (m) A motor carrier who contracts with a person to drive a  
36 vehicle described in subdivision (k) that is owned by, or leased to,  
37 that motor carrier, shall be subject to subdivisions (a), (b), (c), (d),  
38 (f), (j), (k), and (l) and the employer obligations in those  
39 subdivisions.



1 SEC. 6.5. Section 1808.1 of the Vehicle Code is amended to  
2 read:

3 1808.1. (a) The prospective employer of a driver who drives  
4 a vehicle specified in subdivision (k) shall obtain a report showing  
5 the driver's current public record as recorded by the department.  
6 For purposes of this subdivision, a report is current if it was issued  
7 less than 30 days prior to the date the employer employs the driver.  
8 The report shall be reviewed, signed, and dated by the employer  
9 and maintained at the employer's place of business until receipt  
10 of the pull-notice system report pursuant to subdivisions (b) and  
11 (c). These reports shall be presented upon request to an authorized  
12 representative of the Department of the California Highway Patrol  
13 during regular business hours.

14 (b) The employer of a driver who drives a vehicle specified in  
15 subdivision (k) shall participate in a pull-notice system, which is  
16 a process for the purpose of providing the employer with a report  
17 showing the driver's current public record as recorded by the  
18 department, and any subsequent convictions, failures to appear,  
19 accidents, driver's license suspensions, driver's license revocations,  
20 or any other actions taken against the driving privilege or  
21 certificate, added to the driver's record while the employer's  
22 notification request remains valid and uncanceled. As used in this  
23 section, participation in the pull-notice system means obtaining a  
24 requester code and enrolling all employed drivers who drive a  
25 vehicle specified in subdivision (k) under that requester code.

26 (c) The employer of a driver of a vehicle specified in subdivision  
27 (k) shall, additionally, obtain a periodic report from the department  
28 at least every 12 months. The employer shall verify that each  
29 employee's driver's license has not been suspended or revoked,  
30 the employee's traffic violation point count, and whether the  
31 employee has been convicted of a violation of Section 23152 or  
32 23153. The report shall be signed and dated by the employer and  
33 maintained at the employer's principal place of business. The  
34 report shall be presented upon demand to an authorized  
35 representative of the Department of the California Highway Patrol  
36 during regular business hours.

37 (d) Upon the termination of a driver's employment, the employer  
38 shall notify the department to discontinue the driver's enrollment  
39 in the pull-notice system.

1 (e) For the purposes of the pull-notice system and periodic report  
2 process required by subdivisions (b) and (c), an owner, other than  
3 an owner-operator as defined in Section 34624, and an employer  
4 who drives a vehicle described in subdivision (k) shall be enrolled  
5 as if he or she were an employee. A family member and a volunteer  
6 driver who drives a vehicle described in subdivision (k) shall also  
7 be enrolled as if he or she were an employee.

8 (f) An employer who, after receiving a driving record pursuant  
9 to this section, employs or continues to employ as a driver a person  
10 against whom a disqualifying action has been taken regarding his  
11 or her driving privilege or required driver's certificate, is guilty of  
12 a public offense, and upon conviction thereof, shall be punished  
13 by confinement in a county jail for not more than six months, by  
14 a fine of not more than one thousand dollars (\$1,000), or by both  
15 that confinement and fine.

16 (g) As part of its inspection of bus maintenance facilities and  
17 terminals required at least once every 13 months pursuant to  
18 subdivision (c) of Section 34501, the Department of the California  
19 Highway Patrol shall determine whether each transit operator, as  
20 defined in Section 99210 of the Public Utilities Code, is then in  
21 compliance with this section and Section 12804.6, and shall certify  
22 each operator found to be in compliance. Funds shall not be  
23 allocated pursuant to Chapter 4 (commencing with Section 99200)  
24 of Part 11 of Division 10 of the Public Utilities Code to a transit  
25 operator that the Department of the California Highway Patrol has  
26 not certified pursuant to this section.

27 (h) (1) A request to participate in the pull-notice system  
28 established by this section shall be accompanied by a fee  
29 determined by the department to be sufficient to defray the entire  
30 actual cost to the department for the notification service. For the  
31 receipt of subsequent reports, the employer shall also be charged  
32 a fee established by the department pursuant to Section 1811. An  
33 employer who qualifies pursuant to Section 1812 shall be exempt  
34 from any fee required pursuant to this section. Failure to pay the  
35 fee shall result in automatic cancellation of the employer's  
36 participation in the notification services.

37 (2) A regularly organized fire department, having official  
38 recognition of the city, county, city and county, or district in which  
39 the department is located, shall participate in the pull-notice

1 program and shall not be subject to the fee established pursuant  
2 to this subdivision.

3 (i) The department, as soon as feasible, may establish an  
4 automatic procedure to provide the periodic reports to an employer  
5 by mail or via an electronic delivery method, as required by  
6 subdivision (c), on a regular basis without the need for individual  
7 requests.

8 (j) (1) The employer of a driver who is employed as a casual  
9 driver is not required to enter that driver's name in the pull-notice  
10 system, as otherwise required by subdivision (a). However, the  
11 employer of a casual driver shall be in possession of a report of  
12 the driver's current public record as recorded by the department,  
13 prior to allowing a casual driver to drive a vehicle specified in  
14 subdivision (k). A report is current if it was issued less than six  
15 months prior to the date the employer employs the driver.

16 (2) For the purposes of this subdivision, a driver is employed  
17 as a casual driver when the employer has employed the driver less  
18 than 30 days during the preceding six months. "Casual driver"  
19 does not include a driver who operates a vehicle that requires a  
20 passenger transportation endorsement.

21 (k) This section applies to a vehicle for the operation of which  
22 the driver is required to have a class A or class B driver's license,  
23 a class C license with a hazardous materials endorsement, a class  
24 C license issued pursuant to Section 12814.7, or a certificate issued  
25 pursuant to Section 12517, 12519, 12520, 12523, 12523.5, or  
26 12527, or a passenger vehicle having a seating capacity of not  
27 more than 10 persons, including the driver, operated for  
28 compensation by a charter-party carrier of passengers or passenger  
29 stage corporation pursuant to a certificate of public convenience  
30 and necessity or a permit issued by the Public Utilities  
31 Commission.

32 (l) This section shall not be construed to change the definition  
33 of "employer," "employee," or "independent contractor" for any  
34 purpose.

35 (m) A motor carrier who contracts with a person to drive a  
36 vehicle described in subdivision (k) that is owned by, or leased to,  
37 that motor carrier, shall be subject to subdivisions (a), (b), (c), (d),  
38 (f), (j), (k), and (l) and the employer obligations in those  
39 subdivisions.

40 SEC. 7. Section 5007 of the Vehicle Code is amended to read:

1 5007. (a) The department shall, upon application and without  
2 additional fees, issue a special license plate or plates pursuant to  
3 procedures adopted by the department to the following:

4 (1) A disabled person.

5 (2) A disabled veteran.

6 (3) An organization or agency involved in the transportation of  
7 disabled persons or disabled veterans if the motor vehicle that will  
8 have the special license plate is used solely for the purpose of  
9 transporting those persons.

10 (b) The special license plates issued under subdivision (a) shall  
11 run in a regular numerical series that shall include one or more  
12 unique two-letter codes reserved for disabled person license plates  
13 or disabled veteran license plates. The International Symbol of  
14 Access adopted pursuant to Section 3 of Public Law 100-641,  
15 commonly known as the “wheelchair symbol” shall be depicted  
16 on each plate.

17 (c) (1) Prior to issuing a special license plate to a disabled  
18 person or disabled veteran, the department shall require the  
19 submission of a certificate, in accordance with paragraph (2),  
20 signed by the physician and surgeon, or to the extent that it does  
21 not cause a reduction in the receipt of federal aid highway funds,  
22 by a nurse practitioner, certified nurse midwife, or physician  
23 assistant, substantiating the disability, unless the applicant’s  
24 disability is readily observable and uncontested. The disability of  
25 a person who has lost, or has lost use of, one or more lower  
26 extremities or one hand, for a disabled veteran, or both hands for  
27 a disabled person, or who has significant limitation in the use of  
28 lower extremities, may also be certified by a licensed chiropractor.  
29 The blindness of an applicant shall be certified by a licensed  
30 physician and surgeon who specializes in diseases of the eye or a  
31 licensed optometrist. The physician and surgeon, nurse practitioner,  
32 certified nurse midwife, physician assistant, chiropractor, or  
33 optometrist certifying the qualifying disability shall provide a full  
34 description of the illness or disability on the form submitted to the  
35 department.

36 (2) The physician and surgeon, nurse practitioner, certified nurse  
37 midwife, physician assistant, chiropractor, or optometrist who  
38 signs a certificate submitted under this subdivision shall retain  
39 information sufficient to substantiate that certificate and, upon  
40 request of the department, shall make that information available

1 for inspection by the Medical Board of California or the appropriate  
2 regulatory board.

3 (d) A disabled person or disabled veteran issued a license plate  
4 or plates under this section shall, upon request, present to a peace  
5 officer, or person authorized to enforce parking laws, ordinances,  
6 or regulations, a certification form that substantiates the eligibility  
7 of the disabled person or veteran to possess the plate or plates. The  
8 certification shall be on a form prescribed by the department and  
9 contain the name of the disabled person or disabled veteran to  
10 whom the plate or plates were issued, and the name, address, and  
11 telephone number of the medical professional described in  
12 subdivision (c) who certified the eligibility of the person or veteran  
13 for the plate or plates.

14 (e) The certification requirements of subdivisions (c) and (d)  
15 do not apply to an organization or agency that is issued a special  
16 license plate or plates under paragraph (3) of subdivision (a).

17 (f) The special license plate shall, upon the death of the disabled  
18 person or disabled veteran, be returned to the department within  
19 60 days or upon the expiration of the vehicle registration,  
20 whichever occurs first.

21 (g) When a motor vehicle subject to paragraph (3) of subdivision  
22 (a) is sold or transferred, the special license plate or plates issued  
23 to an organization or agency under paragraph (3) of subdivision  
24 (a) for that motor vehicle shall be immediately returned to the  
25 department.

26 SEC. 7.5. Section 5007 of the Vehicle Code is amended to  
27 read:

28 5007. (a) The department shall, upon application and without  
29 additional fees, issue a special license plate or plates pursuant to  
30 procedures adopted by the department to the following:

31 (1) A disabled person.

32 (2) A disabled veteran.

33 (3) An organization or agency involved in the transportation of  
34 disabled persons or disabled veterans if the motor vehicle that will  
35 have the special license plate is used solely for the purpose of  
36 transporting those persons.

37 (b) The special license plates issued under subdivision (a) shall  
38 run in a regular numerical series that shall include one or more  
39 unique two-letter codes reserved for disabled person license plates  
40 or disabled veteran license plates. The International Symbol of

1 Access adopted pursuant to Section 3 of Public Law 100-641,  
2 commonly known as the “wheelchair symbol” shall be depicted  
3 on each plate.

4 (c) (1) Except as provided in paragraph (3), prior to issuing a  
5 special license plate to a disabled person or disabled veteran, the  
6 department shall require the submission of a certificate, in  
7 accordance with paragraph (2), signed by the physician and  
8 surgeon, or to the extent that it does not cause a reduction in the  
9 receipt of federal aid highway funds, by a nurse practitioner,  
10 certified nurse midwife, or physician assistant, substantiating the  
11 disability, unless the applicant’s disability is readily observable  
12 and uncontested. The disability of a person who has lost, or has  
13 lost use of, one or more lower extremities or one hand, for a  
14 disabled veteran, or both hands for a disabled person, or who has  
15 significant limitation in the use of lower extremities, may also be  
16 certified by a licensed chiropractor. The blindness of an applicant  
17 shall be certified by a licensed physician and surgeon who  
18 specializes in diseases of the eye or a licensed optometrist. The  
19 physician and surgeon, nurse practitioner, certified nurse midwife,  
20 physician assistant, chiropractor, or optometrist certifying the  
21 qualifying disability shall provide a full description of the illness  
22 or disability on the form submitted to the department.

23 (2) The physician and surgeon, nurse practitioner, certified nurse  
24 midwife, physician assistant, chiropractor, or optometrist who  
25 signs a certificate submitted under this subdivision shall retain  
26 information sufficient to substantiate that certificate and, upon  
27 request of the department, shall make that information available  
28 for inspection by the Medical Board of California or the appropriate  
29 regulatory board.

30 (3) For a disabled veteran, the department shall accept, in lieu  
31 of the certificate described in paragraph (1), a certificate from the  
32 United States Department of Veterans Affairs that certifies that  
33 the applicant is a disabled veteran as described in Section 295.7.

34 (d) A disabled person or disabled veteran issued a license plate  
35 or plates under this section shall, upon request, present to a peace  
36 officer, or person authorized to enforce parking laws, ordinances,  
37 or regulations, a certification form that substantiates the eligibility  
38 of the disabled person or veteran to possess the plate or plates. The  
39 certification shall be on a form prescribed by the department and  
40 contain the name of the disabled person or disabled veteran to

1 whom the plate or plates were issued, and the name, address, and  
2 telephone number of the medical professional described in  
3 subdivision (c) who certified the eligibility of the person or veteran  
4 for the plate or plates.

5 (e) The certification requirements of subdivisions (c) and (d)  
6 do not apply to an organization or agency that is issued a special  
7 license plate or plates under paragraph (3) of subdivision (a).

8 (f) The special license plate shall, upon the death of the disabled  
9 person or disabled veteran, be returned to the department within  
10 60 days or upon the expiration of the vehicle registration,  
11 whichever occurs first.

12 (g) When a motor vehicle subject to paragraph (3) of subdivision  
13 (a) is sold or transferred, the special license plate or plates issued  
14 to an organization or agency under paragraph (3) of subdivision  
15 (a) for that motor vehicle shall be immediately returned to the  
16 department.

17 SEC. 8. Section 5023 of the Vehicle Code is amended to read:

18 5023. (a) A person described in Section 5101 may also apply  
19 for a set of commemorative Olympic reflectorized license plates  
20 and the department shall issue those special license plates in lieu  
21 of regular license plates. The commemorative Olympic  
22 reflectorized license plates shall be of a distinctive design and shall  
23 be available in a special series of letters or numbers, or both, as  
24 determined by the department after consultation with the United  
25 States Olympic Committee. The department may issue the  
26 commemorative Olympic reflectorized license plates as  
27 environmental license plates, as defined in Section 5103, in a  
28 combination of numbers or letters, or both, as requested by the  
29 owner or lessee of the vehicle.

30 (b) In addition to the regular fees for an original registration or  
31 renewal of registration, the following special fees shall be paid:

32 (1) Fifty dollars (\$50), inclusive of any administrative fees, for  
33 the initial issuance of the special plates.

34 (2) Fifteen dollars (\$15) for the transfer of the special plates to  
35 another vehicle.

36 (3) Thirty-five dollars (\$35) for duplicate, replacement  
37 commemorative Olympic reflectorized license plates of the same  
38 number in the series.

39 (4) Thirty dollars (\$30) for the annual renewal of the special  
40 plates.

1 (c) When payment of renewal fees is not required as specified  
2 in Section 4000, or when the person determines to retain the plates  
3 upon sale, trade, or other release of the vehicle upon which the  
4 special plates have been displayed, the person shall notify the  
5 department and the person may retain the special plates.

6 (d) All revenue derived from the additional special fees provided  
7 in this section, less costs incurred by the department pursuant to  
8 this section, shall be deposited in the California Olympic Training  
9 Account in the General Fund established pursuant to Section 7592  
10 of the Government Code.

11 SEC. 9. Section 5024 of the Vehicle Code is amended to read:

12 5024. (a) A person described in Section 5101 may also apply  
13 for a set of commemorative collegiate reflectorized license plates,  
14 and the department shall issue those special license plates in lieu  
15 of the regular license plates. The collegiate reflectorized plates  
16 shall be of a distinctive design, and shall be available in a special  
17 series of letters or numbers, or both, as determined by the  
18 department. The collegiate reflectorized plates shall also contain  
19 the name of the participating institution as well as the reflectorized  
20 logotype, motto, symbol, or other distinctive design, as approved  
21 by the department, representing the participating university or  
22 college selected by the applicant. The department may issue the  
23 commemorative collegiate reflectorized license plates as  
24 environmental license plates, as defined in Section 5103, in a  
25 combination of numbers or letters, or both, as requested by the  
26 owner or lessee of the vehicle.

27 (b) Any public or private postsecondary educational institution  
28 in the state, which is accredited or has been accepted as a  
29 recognized candidate for accreditation by the Western Association  
30 of Schools and Colleges, may indicate to the department its  
31 decision to be included in the commemorative collegiate license  
32 plate program and submit its distinctive design for the logotype,  
33 motto, symbol, or other design. However, no public or private  
34 postsecondary educational institution may be included in the  
35 program until not less than 5,000 applications are received for  
36 license plates containing that institution's logotype, motto, symbol,  
37 or other design. Each participating institution shall collect and hold  
38 applications for collegiate license plates until it has received at  
39 least 5,000 applications. Once the institution has received at least  
40 5,000 applications, it shall submit the applications, along with the



1 necessary fees, to the department. Upon receiving the first  
2 application, the institution shall have one calendar year to receive  
3 the remaining required applications. If, after that one calendar  
4 year, 5,000 applications have not been received, the institution  
5 shall refund to all applicants any fees or deposits which have been  
6 collected.

7 (c) In addition to the regular fees for an original registration, a  
8 renewal of registration, or a transfer of registration, the following  
9 commemorative collegiate license plate fees shall be paid:

10 (1) Fifty dollars (\$50) for the initial issuance of the plates. These  
11 plates shall be permanent and shall not be required to be replaced.

12 (2) Forty dollars (\$40) for each renewal of registration which  
13 includes the continued display of the plates.

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

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

18 (d) When payment of renewal fees is not required as specified  
19 in Section 4000, or when the person determines to retain the  
20 commemorative collegiate license plates upon sale, trade, or other  
21 release of the vehicle upon which the plates have been displayed,  
22 the person shall notify the department and the person may retain  
23 the plates.

24 (e) Of the revenue derived from the additional special fees  
25 provided in this section, less costs incurred by the department  
26 pursuant to this section, one-half shall be deposited in the  
27 California Collegiate License Plate Fund, which is hereby created,  
28 and one-half shall be deposited in the Resources License Plate  
29 Fund, which is hereby created.

30 (f) The money in the California Collegiate License Plate Fund  
31 is, notwithstanding Section 13340 of the Government Code,  
32 continuously appropriated to the Controller for allocation as  
33 follows:

34 (1) To the governing body of participating public institutions  
35 in the proportion that funds are collected on behalf of each, to be  
36 used for need-based scholarships, distributed according to federal  
37 student aid guidelines.

38 (2) With respect to funds collected on behalf of accredited  
39 nonprofit, private, and independent colleges and universities in  
40 the state, to the California Student Aid Commission for grants to

1 students at those institutions, in the proportion that funds are  
2 collected on behalf of each institution, who demonstrate eligibility  
3 and need in accordance with the Cal Grant Program pursuant to  
4 Article 3 (commencing with Section 69530) of Chapter 2 of Part  
5 42 of the Education Code, but who did not receive an award based  
6 on a listing prepared by the California Student Aid Commission.

7 (g) The scholarships and grants shall be awarded without regard  
8 to race, religion, creed, sex, or age.

9 (h) The money in the Resources License Plate Fund is available,  
10 upon appropriation, for the purposes of natural resources  
11 preservation, enhancement, and restoration.

12 (i) All revenues deposited in, and expenditures from, the  
13 California Collegiate License Plate Fund shall be audited by the  
14 Auditor General on December 1, 1993, and December 1, 1995.

15 SEC. 10. Section 8202 of the Vehicle Code is amended to read:

16 8202. (a) Within 30 days of the date the notice is mailed  
17 pursuant to Section 8201, the registrant may submit documentation  
18 not previously available or may request a hearing to contest the  
19 existence or the amount of the lien. If no additional documentation  
20 is submitted, or if no hearing is requested, the operating privileges  
21 of the fleet may be suspended or canceled and a sufficient number  
22 of vehicles may be seized and sold to satisfy the lien.

23 (b) If additional documentation is submitted, the department  
24 shall review the documentation and issue its findings to the  
25 registrant. Within 30 days of the date the findings are mailed, the  
26 registrant may request a hearing.

27 (c) If a hearing is requested, 10 days' notice shall be given of  
28 the time and place of the hearing, which shall be held within the  
29 county of residence of the person requesting the hearing or within  
30 the county of the established place of business of the registrant.  
31 The hearing shall be conducted by a referee who shall submit  
32 findings and recommendations to the director or his or her  
33 authorized representative, who shall decide the matter. The decision  
34 shall be effective on notice thereof to the interested parties.  
35 However, the director, or his or her authorized representative, may  
36 rescind the decision and reconsider the matter for good cause  
37 shown at any time within three years after the date the disputed  
38 fee or penalty first became due, or one year from the hearing  
39 whichever is later.

1 (d) Upon final completion of all administrative appeals, the  
2 department shall give written notice to the registrant of the right  
3 to a review of the decision by a court of competent jurisdiction.  
4 Any action brought in court shall be commenced within 90 days  
5 from the date notice of the decision is mailed.

6 SEC. 11. Section 22511.5 of the Vehicle Code is amended to  
7 read:

8 22511.5. (a) (1) A disabled person or disabled veteran  
9 displaying special license plates issued under Section 5007 or a  
10 distinguishing placard issued under Section 22511.55 or 22511.59  
11 is allowed to park for unlimited periods in any of the following  
12 zones:

13 (A) In any restricted zone described in paragraph (5) of  
14 subdivision (a) of Section 21458 or on streets upon which  
15 preferential parking privileges and height limits have been given  
16 pursuant to Section 22507.

17 (B) In any parking zone that is restricted as to the length of time  
18 parking is permitted as indicated by a sign erected pursuant to a  
19 local ordinance.

20 (2) A disabled person or disabled veteran is allowed to park in  
21 any metered parking space without being required to pay parking  
22 meter fees.

23 (3) This subdivision does not apply to a zone for which state  
24 law or ordinance absolutely prohibits stopping, parking, or standing  
25 of all vehicles, or which the law or ordinance reserves for special  
26 types of vehicles, or to the parking of a vehicle that is involved in  
27 the operation of a street vending business.

28 (b) A disabled person or disabled veteran is allowed to park a  
29 motor vehicle displaying a special disabled person license plate  
30 or placard issued by a foreign jurisdiction with the same parking  
31 privileges authorized in this code for any motor vehicle displaying  
32 a special license plate or a distinguishing placard issued by the  
33 Department of Motor Vehicles.

34 SEC. 12. Section 6.5 of this bill incorporates amendments to  
35 Section 1808.1 of the Vehicle Code proposed by both this bill and  
36 AB 1648. It shall only become operative if (1) both bills are  
37 enacted and become effective on or before January 1, 2011, (2)  
38 each bill amends Section 1808.1 of the Vehicle Code, and (3) this  
39 bill is enacted after AB 1648, in which case Section 6 of this bill  
40 shall not become operative.

1     SEC. 13. Section 7.5 of this bill incorporates amendments to  
2 Section 5007 of the Vehicle Code proposed by both this bill and  
3 AB 1944. It shall only become operative if (1) both bills are  
4 enacted and become effective on or before January 1, 2011, (2)  
5 each bill amends Section 5007 of the Vehicle Code, and (3) this  
6 bill is enacted after AB 1944, in which case Section 7 of this bill  
7 shall not become operative.

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