

AMENDED IN ASSEMBLY APRIL 26, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 28**

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**Introduced by Assembly Member Huber**

December 6, 2010

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An act to amend Sections 4004, ~~8051, and 8052 of, to repeal Section 495 and 8052 of, to repeal Sections 495 and 8051 of, to repeal Chapter 3 (commencing with Section 2600) of Division 2 of, and to repeal Article 3 (commencing with Section 8000) of Chapter 4 of Division 3 of, the Vehicle Code, relating to ~~state agencies~~ *vehicles*.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 28, as amended, Huber. Commercial vehicles: Reciprocity Commission.

Existing law establishes the Reciprocity Commission composed of the Lieutenant Governor, the Director of Motor Vehicles, the Director of Transportation, the Controller, and the Commissioner of the California Highway Patrol for the purpose of, among other things, entering into agreements with foreign jurisdictions that provide for the exemption of fees for commercial vehicles if the foreign jurisdictions provide equivalent exemptions to vehicles registered in California.

Existing law authorizes the Reciprocity Commission to enter into agreements on behalf of the State of California with the duly authorized representatives of any foreign jurisdiction providing for the registration of vehicles on an apportionment or allocation basis and to enter into, and become, a member of the International Registration Plan Agreement

developed by the American Association of Motor Vehicle Administrators.

*The bill would delete those provisions authorizing the Reciprocity Commission to enter into agreements on behalf of the state with the duly authorized representatives of any foreign jurisdiction.*

*Under existing law, a commercial motor vehicle registered in a foreign jurisdiction, subject to registration in this state, may, as an alternative to registration in this state secure a temporary registration to operate in this state for a period of not to exceed 90 days, or a trip permit to operate in this state for a period of four consecutive days. This privilege does not extend to a vehicle registered in any jurisdiction with which the state of California does not have vehicle licensing reciprocity, unless the commission extends the privilege, by rule, after hearing.*

*This bill would delete this prohibition against extending this privilege.*

Existing law authorizes the state, in administering the International Registration Plan, to collect all appropriate registration and license fees due other jurisdictions. Existing law provides that foreign jurisdictions that are members of the agreement are authorized to collect all appropriate registration and license fees due to the State of California, and remit those fees to this state pursuant to the terms of the agreement.

Existing law requires the Director of Motor Vehicles to provide such assistance to the commission as it may require.

This bill would delete all references to the “Reciprocity Commission” and instead substitute the Director of Motor Vehicles, *or his or her designee*, who would administer the terms and conditions of the International Registration Plan and collect all appropriate registration and license fees due other jurisdictions.

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 495 of the Vehicle Code is repealed.
- 2 SEC. 2. Chapter 3 (commencing with Section 2600) of Division
- 3 2 of the Vehicle Code is repealed.
- 4 SEC. 3. Section 4004 of the Vehicle Code is amended to read:
- 5 4004. (a) (1) Commercial motor vehicles meeting the
- 6 registration requirements of a foreign jurisdiction, and subject to
- 7 registration but not entitled to exemption from registration or

1 licensing under any of the provisions of this code or any  
2 agreements, arrangements, or declarations made under Article 3  
3 (commencing with Section 8000) of Chapter 4, may, as an alternate  
4 to registration, secure a temporary registration to operate in this  
5 state for a period of not to exceed 90 days, or a trip permit to  
6 operate in this state for a period of four consecutive days.

7 (2) Each trip permit shall authorize the operation of a single  
8 commercial motor vehicle for a period of not more than four  
9 consecutive days, commencing with the day of first use and three  
10 consecutive days thereafter. Every permit shall identify, as the  
11 department may require, the commercial motor vehicle for which  
12 it is issued. Each trip permit shall be completed prior to operation  
13 of the commercial motor vehicle on any highway in this state and  
14 shall be carried in the commercial motor vehicle to which it applies  
15 and shall be readily available for inspection by a peace officer.  
16 Each permit shall be valid at the time of inspection by a peace  
17 officer only if it has been completed as required by the department  
18 and has been placed in the appropriate receptacle as required by  
19 this section. It is unlawful for any person to fail to comply with  
20 the provisions of this section.

21 (b) The privilege of securing and using a trip permit or a  
22 temporary registration not to exceed 90 days shall not extend to  
23 ~~the following:~~

24 ~~(1) Any vehicle which is based within this state and which is~~  
25 ~~any vehicle that is based within this state and is~~ operated by a  
26 person having an established place of business within this state.  
27 For purposes of this paragraph, a commercial motor vehicle shall  
28 be considered to be based in this state if it is primarily operated or  
29 dispatched from or principally garaged or serviced or maintained  
30 at a site with an address within this state.

31 ~~(2) Vehicles registered in any jurisdiction with which the State~~  
32 ~~of California does not have vehicle licensing reciprocity, unless~~  
33 ~~the director extends the privilege, by rule, after hearing.~~

34 (c) Any trailer or semitrailer identified in paragraph (1) of  
35 subdivision (a) of Section 5014.1 that enters the state without a  
36 currently valid license plate issued by California or another  
37 jurisdiction shall be immediately subject to full identification fees  
38 as specified in subdivision (e) of Section 5014.1.

39 SEC. 4. Article 3 (commencing with Section 8000) of Chapter  
40 4 of Division 3 of the Vehicle Code is repealed.

1     ~~SEC. 5.— Section 8051 of the Vehicle Code is amended to read:~~  
2     ~~8051. The director may enter into agreements on behalf of this~~  
3 ~~state with the duly authorized representatives of any foreign~~  
4 ~~jurisdiction providing for the registration of vehicles on an~~  
5 ~~apportionment or allocation basis.~~

6     ~~SEC. 5. Section 8051 of the Vehicle Code is repealed.~~

7     ~~8051. The Reciprocity Commission may enter into agreement~~  
8 ~~on behalf of this state with the duly authorized representatives of~~  
9 ~~any foreign jurisdiction providing for the registration of vehicles~~  
10 ~~on an apportionment or allocation basis.~~

11     SEC. 6. Section 8052 of the Vehicle Code is amended to read:

12     8052. (a) The director, *or his or her designee*, may, on behalf  
13 of the state, enter into, and become, a member of the International  
14 Registration Plan Agreement developed by the American  
15 Association of Motor Vehicle Administrators. The director, *or his*  
16 *or her designee*, may adopt rules and regulations necessary to carry  
17 out the provisions of the International Registration Plan or other  
18 apportioned registration agreements entered into under the authority  
19 of this article.

20     (b) In administering the International Registration Plan, the state  
21 may collect all appropriate registration and license fees due other  
22 jurisdictions. Foreign jurisdictions that are members of the  
23 agreement shall be authorized to collect all appropriate registration  
24 and license fees due to the State of California, and remit the fees  
25 to this state pursuant to the terms of the agreement.