

AMENDED IN ASSEMBLY APRIL 4, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 885**

---

---

**Introduced by Assembly Member Cook**  
(Principal coauthor: Senator Berryhill)

February 17, 2011

---

---

An act to add Section 12804.13 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 885, as amended, Cook. Vehicles: driver's licenses and identification cards: issuance and renewal: registered sex offenders.

(1) Existing law requires the Department of Motor Vehicles, upon proper application, to issue driver's licenses and identification cards. A violation of the provisions of the Vehicle Code is a crime.

Existing law requires a person convicted of certain sex offenses to register with the chief of police or sheriff of the city or county in which the person is residing or located, and with the chief of police of a campus of the University of California, the California State University, or community college if he or she is residing or located upon the campus or in any of its facilities, within 5 working days of coming into a city or county, or changing his or her residence or location. This requirement applies for the rest of the person's life while residing or present in this state.

This bill would require the Department of Motor Vehicles to comply with certain requirements when issuing an original driver's license or identification card, or a renewal of that driver's license or identification card, to a person required to be registered as a sex offender, if the person was adjudicated to be a sexually violent predator or was convicted of

a sex offense against a minor. The bill would require the metallic strip of the license or identification card to contain that information. In addition to any other requirement, the bill would require the applicant to provide a current photograph and address verification to the department for the original license, identification card, and ~~for~~ each renewal.

The bill would require a person who is issued such a driver’s license or identification card, or a renewal, to *pay an additional fee to cover the actual costs of ensuring that the metallic strip of the license or identification card contains the above-specified information and to carry the license or card at all times when outside his or her residence*, thereby imposing a state-mandated local program by creating a new crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. Section 12804.13 is added to the Vehicle Code,
- 2 to read:
- 3 12804.13. (a) The department shall, when issuing an original
- 4 driver’s license, driver’s license renewal, identification card, or a
- 5 renewal of an identification card to a person required to be
- 6 registered under the Sex Offender Registration Act (Chapter 5.5
- 7 (commencing with Section 290) of Title 9 of Part 1 of the Penal
- 8 Code), comply with the requirements of subdivisions (b) and (c),
- 9 if either of the following applies:
- 10 (1) The person has been adjudicated to be a sexually violent
- 11 predator pursuant to Section 6600 of the Welfare and Institutions
- 12 Code.
- 13 (2) The person was convicted of a sex offense against a minor
- 14 as described in subdivision (c) of Section 290 of the Penal Code.
- 15 (b) When issuing a driver’s license or identification card, or a
- 16 renewal of that license or identification card, to a person as
- 17 described in subdivision (a), the metallic strip on the driver’s

1 license or identification card shall contain information that  
2 identifies the person pursuant to either paragraph (1) or (2) of  
3 subdivision (a).

4 (c) (1) In addition to any other requirement for a driver's license  
5 or identification card, or a renewal of that license or identification  
6 card, the department shall require the applicant to provide a current  
7 photograph and address verification for the original license or  
8 identification card, and for each renewal.

9 (2) *In addition to any other fees required by this code, the*  
10 *applicant, licensee, or identification cardholder under this section*  
11 *shall pay to the department a fee sufficient to cover the actual costs*  
12 *of ensuring that the metallic strip on the driver's license or*  
13 *identification card contains the information that identifies the*  
14 *person pursuant to either paragraph (1) or (2) of subdivision (a).*

15 (d) A person who is issued a driver's license or identification  
16 card, or a renewal of that license or identification card pursuant to  
17 this section, shall carry his or her driver's license or identification  
18 card issued by the department at all times outside of his or her  
19 place of residence.

20 SEC. 2. No reimbursement is required by this act pursuant to  
21 Section 6 of Article XIII B of the California Constitution because  
22 the only costs that may be incurred by a local agency or school  
23 district will be incurred because this act creates a new crime or  
24 infraction, eliminates a crime or infraction, or changes the penalty  
25 for a crime or infraction, within the meaning of Section 17556 of  
26 the Government Code, or changes the definition of a crime within  
27 the meaning of Section 6 of Article XIII B of the California  
28 Constitution.

O