

Assembly Bill No. 1047

CHAPTER 89

An act to amend Section 2814.1 of the Vehicle Code, relating to vehicles.

[Approved by Governor July 13, 2012. Filed with
Secretary of State July 13, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1047, Jeffries. Vehicles: motorcycle safety.

Existing law establishes the motorcyclist safety program in the Department of the California Highway Patrol, to be administered by the commissioner of the department. Existing law authorizes the commissioner, through contracts with other public agencies or with private entities, to fund projects to enhance motorcycle operation or safety such as rider training programs, to sponsor and coordinate efforts to increase motorists' awareness of motorcyclists, to sponsor research on communicating motorcyclist safety to highway users, and to adopt standards relating to a novice motorcyclist training program.

This bill would expressly prohibit state and local law enforcement agencies from conducting motorcycle only checkpoints.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Other states have established motorcycle only checkpoints to address the growing problem of increased motorcycle fatalities.

(b) It is the intent of the Legislature to prohibit the establishment of motorcycle only checkpoints in California and that this prohibition is in no way intended to affect the establishment or conduct of other enforcement programs conducted by state or local law enforcement agencies.

SEC. 2. Section 2814.1 of the Vehicle Code is amended to read:

2814.1. (a) A board of supervisors of a county may, by ordinance, establish, on highways under its jurisdiction, a vehicle inspection checkpoint program to check for violations of Sections 27153 and 27153.5. The program shall be conducted by the local agency or department with the primary responsibility for traffic law enforcement.

(b) A driver of a motor vehicle shall stop and submit to an inspection conducted under subdivision (a) when signs and displays are posted requiring that stop.

(c) A county that elects to conduct the program described under subdivision (a) may fund that program through fine proceeds deposited with the county under Section 1463.15 of the Penal Code.

(d) State and local law enforcement agencies shall not conduct motorcycle only checkpoints.

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