

AMENDED IN SENATE APRIL 25, 2011
AMENDED IN SENATE MARCH 14, 2011

SENATE BILL

No. 125

Introduced by Senator Emmerson

January 26, 2011

An act to add Section 23304 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 125, as amended, Emmerson. Vehicles: toll highways or vehicular crossings: evading toll payments: penalties.

Existing law makes it unlawful for a person to evade or attempt to evade the payment of tolls or other charges on a vehicular crossing or toll highway and imposes a civil penalty for violation of this law.

This bill would authorize a law enforcement officer to impound, or cause to be impounded, a vehicle that is registered to a chronic evader of toll payments, as defined, until all outstanding tolls and all required penalties are paid to the issuing agency.

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 23304 is added to the Vehicle Code, to
2 read:
3 23304. (a) For purposes of this section, the following
4 definitions apply:
5 (1) (A) "Chronic evader of toll payments" is a person who has
6 been issued three or more notices of toll evasion for a violation of
7 subdivision (a) of Section 23302.5, over a designated period of

1 ~~time, to which the registered owner has not responded by paying~~
2 ~~the required toll and penalties. either of the following:~~
3 *(i) A person who has been issued 76 or more notices of*
4 *delinquent toll evasion violations, pursuant to Section 40260.*
5 *(ii) A person who has been issued one or more notices of*
6 *delinquent toll evasion, pursuant to Section 40260, and whose*
7 *vehicle is not currently registered.*
8 (B) For purposes of this section, a chronic evader of toll
9 payments does not include a registered owner of a trailer or
10 semitrailer that is used in connection with intermodal
11 transportation.
12 (2) “Issuing agency” shall have the same meaning as provided
13 in subdivision (e) of Section 40250.
14 (b) If a law enforcement officer discovers during a traffic
15 violation enforcement action that the vehicle is registered to a
16 chronic evader of toll payments, as defined in subdivision (a), the
17 officer may impound, or cause to be impounded, the vehicle until
18 all outstanding tolls and all required penalties imposed pursuant
19 to subdivision (b) of Section 23302.5 are paid to the issuing agency.
20 (c) The removal and storage of a vehicle pursuant to this section
21 shall be consistent, to the extent possible, with the procedures for
22 removal and storage of a vehicle set forth in Article 2 (commencing
23 with Section 22850) of Chapter 10.
24 (d) A notice of toll evasion violation shall inform the recipient
25 that repeated unpaid toll evasion violations will subject a vehicle
26 to impoundment pursuant to this section.