

Assembly Bill No. 443

CHAPTER 101

An act to amend Sections 4764 and 4774 of, and to add Section 4767 to, the Vehicle Code, relating to vehicles.

[Approved by Governor August 13, 2013. Filed with
Secretary of State August 13, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 443, Lowenthal. Vehicles: delinquent parking and traffic violations.

Existing law generally prohibits the Department of Motor Vehicles (DMV) from registering a vehicle if the registered owner or lessee has failed to pay outstanding parking or toll evasion penalties unless the registered owner or lessee pays the penalties at the time of the application for renewal. Under existing law, the DMV is not required to continue to attempt collection of outstanding parking or toll evasion penalties if a vehicle is transferred or the registration is not renewed for 2 renewal periods and the DMV has notified each local jurisdiction that is owed penalties of that fact.

This bill would exempt the DMV from continuing to attempt collection of outstanding parking or toll evasion penalties if the vehicle was transferred to a relative, as specified, or a revocable trust, as specified. The bill would instead prohibit the department from transferring the ownership and registration of a vehicle to a relative, as specified, or to a revocable trust, as specified, if delinquent parking or toll violations have been reported to the department, unless the transferee pays the amount of the fines and penalties for those violations to the department, or provides specified documentation showing the fines and penalties have been cleared.

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

SECTION 1. Section 4764 of the Vehicle Code is amended to read:

4764. (a) If a vehicle is transferred or the registration is not renewed for two renewal periods and the former registered owner or lessee of the vehicle owes a parking penalty for a notice of delinquent parking violation filed with the department pursuant to Section 40220, the department shall notify each jurisdiction of that fact and is not required thereafter to attempt collection of the undeposited parking penalty and administrative fees.

(b) This section does not apply if the transfer of a vehicle is one described in Section 6285 of the Revenue and Taxation Code.

SEC. 2. Section 4767 is added to the Vehicle Code, to read:

4767. (a) If delinquent parking or toll violations have been reported to the department for a vehicle for which a transfer of ownership and

registration has been requested, the department shall not transfer ownership and registration unless the transferee requesting the transfer pays all of the fines and penalties for those violations to the department, or provides an original abstract or notice of disposition from the court or designated processing agency that the fines and penalties for those violations have been cleared with the parking agency or the court.

(b) This section only applies if the transfer requested is one described in Section 6285 of the Revenue and Taxation Code.

SEC. 3. Section 4774 of the Vehicle Code is amended to read:

4774. (a) If a vehicle is transferred or the registration is not renewed for two renewal periods and the former registered owner or lessee of the vehicle owes a toll evasion penalty for a notice of delinquent toll evasion violation filed with the department pursuant to Section 40267, the department shall notify each jurisdiction of that fact and is not required thereafter to attempt collection of the undeposited toll evasion penalty and administrative fees.

(b) This section does not apply if the transfer of a vehicle is one described in Section 6285 of the Revenue and Taxation Code.