

ASSEMBLY BILL

No. 2337

Introduced by Assembly Member Linder

February 21, 2014

An act to amend Section 13350 of, and to add Section 13350.1 to, the Vehicle Code, relating to driver's licenses.

LEGISLATIVE COUNSEL'S DIGEST

AB 2337, as introduced, Linder. Driver's licenses: suspension and revocation.

Existing law requires the driver of a vehicle involved in an accident resulting in injury or death to another person to immediately stop the vehicle at the scene of the accident and to fulfill specified requirements. Under existing law, a violation of that provision is either a felony or a misdemeanor. Existing law requires the Department of Motor Vehicles to immediately revoke a person's privilege to drive a motor vehicle upon receipt of a duly certified abstract of the record of a court showing that the person has been convicted of failing to fulfill those specified requirements. Existing law also prohibits the department from reinstating that privilege until the expiration of one year after the date of revocation and until the person whose privilege was revoked gives proof of financial responsibility, as defined.

This bill would instead prohibit the department from reinstating a person's privilege to drive a motor vehicle until the expiration of 2 years after the date of revocation and until that person gives proof of financial responsibility, when that person is the driver of a vehicle involved in an accident resulting in death or permanent, serious injury to another person, and the department receives a duly certified abstract of the

record of a court showing that the person has been convicted of failing to fulfill the requirements described above.

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

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

1 SECTION 1. Section 13350 of the Vehicle Code is amended
2 to read:

3 13350. (a) The department ~~immediately~~ shall *immediately*
4 ~~revoke the a person's privilege of a person~~ to drive a motor vehicle
5 upon receipt of a duly certified abstract of the record of a court
6 showing that the person has been convicted of any of the following
7 crimes or offenses:

8 (1) ~~Failure~~ *Except as provided in Section 13350.1, failure of*
9 ~~the driver of a vehicle involved in an accident resulting in injury~~
10 ~~or death to a person to stop or otherwise~~ to comply with Section
11 20001.

12 (2) A felony in the commission of which a motor vehicle is
13 used, except as provided in Section 13351, 13352, or 13357.

14 (3) Reckless driving causing bodily injury.

15 (b) If a person is convicted of a violation of Section 23152
16 punishable under Section 23546, 23550, or 23550.5, or a violation
17 of Section 23153 punishable under Section 23550.5 or 23566,
18 including a violation of subdivision (b) of Section 191.5 of the
19 Penal Code as provided in Section 193.7 of that code, the court
20 shall, at the time of surrender of the driver's license or temporary
21 permit, require the defendant to sign an affidavit in a form provided
22 by the department acknowledging his or her understanding of the
23 revocation required by paragraph (5), (6), or (7) of subdivision (a)
24 of Section 13352, and an acknowledgment of his or her designation
25 as a habitual traffic offender. A copy of this affidavit shall be
26 transmitted, with the license or temporary permit, to the department
27 within the prescribed 10 days.

28 (c) The department shall not reinstate the privilege revoked
29 under subdivision (a) until the ~~expiration~~ *occurrence of both of*
30 *the following:*

31 (1) *The expiration* of one year after the date of revocation ~~and~~
32 ~~until the person.~~

1 (2) *The person* whose privilege was revoked gives proof of
2 financial responsibility as defined in Section 16430.

3 SEC. 2. Section 13350.1 is added to the Vehicle Code, to read:

4 13350.1. (a) The department shall immediately revoke a
5 person's privilege to drive a motor vehicle upon receipt of a duly
6 certified abstract of the record of a court showing that the person
7 has been convicted of a violation of subdivision (a) of Section
8 20001 that is punishable pursuant to paragraph (2) of subdivision
9 (b) of Section 20001.

10 (b) The department shall not reinstate the privilege revoked
11 under subdivision (a) until the occurrence of both of the following:

12 (1) The expiration of two years after the date of revocation.

13 (2) The person whose privilege was revoked gives proof of
14 financial responsibility as defined in Section 16430.