

AMENDED IN ASSEMBLY JUNE 1, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 516**

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**Introduced by Assembly Member Mullin**  
**(Coauthor: Assembly Member Chiu)**  
(Coauthor: Senator Hill)

February 23, 2015

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An act to ~~amend Sections 1685, 4456, 4463, and 5200 of, to amend, repeal, and add Section 4456.5~~ *Sections 4456, 4462, 4463, 4763, 4773, 5201, 5202, 5901, 6100, 11714, and 38080* of, and to add ~~Sections 1686, 4456.6, and 5202.5~~ *Section 4456.2* to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 516, as amended, Mullin. Vehicles: temporary license plates.

Existing law requires the Department of Motor Vehicles (DMV), upon registering a vehicle, to issue to the owner 2 license plates, as specified. Existing law also requires vehicle dealers and lessor-retailers to attach *a* numbered report-of-sale ~~forms~~ *form* issued by the DMV to a vehicle at the time of sale, and to submit to the DMV an application for registration of the vehicle, and the applicable fees, within a specified period after the date of sale. Existing law generally makes a violation of the Vehicle Code an infraction, but makes counterfeiting a license plate a felony.

~~This bill would require the DMV to develop a temporary license plate system to enable the DMV, vehicle dealers that are private industry partners, and first-line service providers, as defined, to provide~~

~~temporary license plates, and would require the system to begin operation on January 1, 2017. The bill would require, commencing January 1, 2017, a motor vehicle dealer that is a private industry partner to affix a temporary license plate, at the time of sale, to a vehicle sold without a permanent license plate. The bill would authorize the operation of a vehicle that has been issued temporary license plates for 90 days after the sale of the vehicle or until the owner receives the permanent license plates, and would direct the owner to destroy the temporary license plates upon the receipt of the permanent license plates, as specified. A violation of these provisions would be a crime. The bill would also make counterfeiting a temporary license plate a felony. By creating new crimes and expanding the scope of an existing crime, this bill would impose a state-mandated local program.~~

~~Existing law authorizes a vehicle dealer to charge the purchaser of a vehicle a document processing charge for the preparation and processing of documents, disclosures, and titling, registration, and information security obligations. Under existing law, if a dealer has a contractual agreement with the DMV to be a private industry partner, the document processing charge may not exceed \$80. Existing law also authorizes the dealer to impose an electronic filing charge that does not exceed the amount the dealer is charged by a first-line service provider for processing license plates, as specified.~~

~~This bill would increase to \$95 the document processing charge that may be imposed on a vehicle purchaser by a private industry partner. The bill would also require the first-line service provider to impose a \$2 transaction fee for processing temporary license plates, and would expand the electronic filing charge to include that amount.~~

*Existing law requires the driver of a motor vehicle to present evidence of registration of a vehicle under the driver's immediate control upon demand by a peace officer. Existing law prohibits displaying or presenting to a peace officer specified indicia of vehicle registration that are not issued for that vehicle. Existing law authorizes the DMV to assess administrative fees on a processing agency for providing notices of delinquent parking violations or toll evasion violations to the offenders in connection with the collection of penalties for those violations, and authorizes the use of those administrative fees to support those collection procedures. Existing law requires license plates to be securely fastened to the vehicle for which they were issued for the period of validity of the license plates, and authorizes the use of a special permit in lieu of license plates for that purpose.*

*This bill would require the DMV to develop an operational system, no later than January 1, 2018, that allows a dealer or lessor-retailer to electronically report the sale of a vehicle and provide a temporary license plate as specified. The bill would, commencing January 1, 2017, authorize the department to assess specified administrative fees on processing agencies to support the administration of this system.*

*The bill would, commencing January 1, 2018, prohibit a person from displaying on a vehicle or presenting to a peace officer, a temporary license plate that was not issued for that vehicle, as specified. The bill would, commencing January 1, 2018, make counterfeiting a temporary license plate a felony. The bill would, commencing January 1, 2018, require temporary license plates to be securely fastened to the vehicle for which they are issued, as specified, and would require a person upon receipt of permanent license plates to replace and destroy the temporary license plates. The bill would make additional conforming changes.*

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 4456 of the Vehicle Code is amended to*  
2 *read:*  
3     4456. (a) When selling a vehicle, dealers and lessor-retailers  
4 shall use numbered report-of-sale forms issued by the department.  
5 The forms shall be used in accordance with the following terms  
6 and conditions:  
7     (1) The dealer or lessor-retailer shall attach for display a copy  
8 of the report of sale on the vehicle before the vehicle is delivered  
9 to the purchaser.  
10    (2) The dealer or lessor-retailer shall submit to the department  
11 an application accompanied by all fees and penalties due for  
12 registration or transfer of registration of the vehicle within 30 days  
13 from the date of sale, as provided in subdivision (c) of Section  
14 9553, if the vehicle is a used vehicle, and 20 days if the vehicle is

1 a new vehicle. Penalties due for noncompliance with this paragraph  
2 shall be paid by the dealer or lessor-retailer. The dealer or  
3 lessor-retailer shall not charge the purchaser for the penalties.

4 (3) As part of an application to transfer registration of a used  
5 vehicle, the dealer or lessor-retailer shall include all of the  
6 following information on the certificate of title, application for a  
7 duplicate certificate of title, or form prescribed by the department:

8 (A) Date of sale and report of sale number.

9 (B) Purchaser's name and address.

10 (C) Dealer's name, address, number, and signature or signature  
11 of authorized agent.

12 (D) Salesperson number.

13 (4) If the department returns an application and the application  
14 was first received by the department within 30 days of the date of  
15 sale of the vehicle if the vehicle is a used vehicle, and 20 days if  
16 the vehicle is a new vehicle, the dealer or lessor-retailer shall  
17 submit a corrected application to the department within 50 days  
18 from the date of sale of the vehicle if the vehicle is a used vehicle,  
19 and 40 days if the vehicle is a new vehicle, or within 30 days from  
20 the date that the application is first returned by the department if  
21 the vehicle is a used vehicle, and 20 days if the vehicle is a new  
22 vehicle, whichever is later.

23 (5) If the department returns an application and the application  
24 was first received by the department more than 30 days from the  
25 date of sale of the vehicle if the vehicle is a used vehicle, and 20  
26 days if the vehicle is a new vehicle, the dealer or lessor-retailer  
27 shall submit a corrected application to the department within 50  
28 days from the date of sale of the vehicle if the vehicle is a used  
29 vehicle, and 40 days if the vehicle is a new vehicle.

30 (6) An application first received by the department more than  
31 50 days from the date of sale of the vehicle if the vehicle is a used  
32 vehicle, and 40 days if the vehicle is a new vehicle, is subject to  
33 the penalties specified in subdivisions (a) and (b) of Section 4456.1.

34 (7) The dealer or lessor-retailer shall report the sale pursuant to  
35 Section 5901.

36 (b) (1) A transfer that takes place through a dealer conducting  
37 a wholesale vehicle auction shall be reported to the department by  
38 that dealer on a single form approved by the department. The  
39 completed form shall contain, at a minimum, all of the following  
40 information:

- 1 (A) The name and address of the seller.
- 2 (B) The seller's dealer number, if applicable.
- 3 (C) The date of delivery to the dealer conducting the auction.
- 4 (D) The actual mileage of the vehicle as indicated by the
- 5 vehicle's odometer at the time of delivery to the dealer conducting
- 6 the auction.
- 7 (E) The name, address, and occupational license number of the
- 8 dealer conducting the auction.
- 9 (F) The name, address, and occupational license number of the
- 10 buyer.
- 11 (G) The signature of the dealer conducting the auction.
- 12 (2) Submission of the completed form specified in paragraph
- 13 (1) to the department shall fully satisfy the requirements of
- 14 subdivision (a) and subdivision (a) of Section 5901 with respect
- 15 to the dealer selling at auction and the dealer conducting the
- 16 auction.
- 17 (3) The single form required by this subdivision does not relieve
- 18 a dealer of any obligation or responsibility that is required by any
- 19 other ~~provision of law~~.
- 20 (c) A vehicle displaying a copy of the report of sale may be
- 21 operated without license plates or registration card until either of
- 22 the following, whichever occurs first:
- 23 (1) The license plates and registration card are received by the
- 24 purchaser.
- 25 (2) A 90-day period, commencing with the date of sale of the
- 26 vehicle, has expired.
- 27 (d) This section shall become operative on July 1, 2012.
- 28 (e) *This section shall remain in effect only until January 1, 2018,*
- 29 *and as of that date is repealed, unless a later enacted statute, that*
- 30 *is enacted before January 1, 2018, deletes or extends that date.*
- 31 *SEC. 2. Section 4456 is added to the Vehicle Code, to read:*
- 32 *4456. (a) When selling a vehicle, dealers and lessor-retailers*
- 33 *shall report the sale using the reporting system described in Section*
- 34 *4456.2. After providing information to the reporting system, the*
- 35 *dealer or lessor-retailer shall do all of the following:*
- 36 *(1) The dealer or lessor-retailer shall attach for display a copy*
- 37 *of the report-of-sale form provided by the reporting system on the*
- 38 *vehicle before the vehicle is delivered to the purchaser.*
- 39 *(2) The dealer or lessor-retailer shall submit to the department*
- 40 *an application accompanied by all fees and penalties due for*

1 registration or transfer of registration of the vehicle within 30  
2 days from the date of sale, as provided in subdivision (c) of Section  
3 9553, if the vehicle is a used vehicle, and within 20 days if the  
4 vehicle is a new vehicle. Penalties due for noncompliance with  
5 this paragraph shall be paid by the dealer or lessor-retailer. The  
6 dealer or lessor-retailer shall not charge the purchaser for the  
7 penalties.

8 (3) As part of an application to transfer registration of a used  
9 vehicle, the dealer or lessor-retailer shall include all of the  
10 following information on the certificate of title, application for a  
11 duplicate certificate of title, or form prescribed by the department:

12 (A) Date of sale and report-of-sale number.

13 (B) Purchaser's name and address.

14 (C) Dealer's name, address, number, and signature, or signature  
15 of authorized agent.

16 (D) Salesperson number.

17 (4) If the department returns an application and the application  
18 was first received by the department within 30 days of the date of  
19 sale of the vehicle if the vehicle is a used vehicle, and within 20  
20 days if the vehicle is a new vehicle, the dealer or lessor-retailer  
21 shall submit a corrected application to the department within 50  
22 days from the date of sale of the vehicle if the vehicle is a used  
23 vehicle, and within 40 days if the vehicle is a new vehicle, or within  
24 30 days from the date that the application was first returned by  
25 the department if the vehicle is a used vehicle, and within 20 days  
26 if the vehicle is a new vehicle, whichever is later.

27 (5) If the department returns an application and the application  
28 was first received by the department more than 30 days from the  
29 date of sale of the vehicle if the vehicle is a used vehicle, and more  
30 than 20 days if the vehicle is a new vehicle, the dealer or  
31 lessor-retailer shall submit a corrected application to the  
32 department within 50 days from the date of sale of the vehicle if  
33 the vehicle is a used vehicle, and within 40 days if the vehicle is a  
34 new vehicle.

35 (6) An application first received by the department more than  
36 50 days from the date of sale of the vehicle if the vehicle is a used  
37 vehicle, and more than 40 days if the vehicle is a new vehicle, is  
38 subject to the penalties specified in subdivisions (a) and (b) of  
39 Section 4456.1.

1 (7) *The dealer or lessor-retailer shall report the sale pursuant*  
2 *to Section 5901.*

3 (8) *If the vehicle does not display license plates previously issued*  
4 *by the department, the dealer or lessor-retailer shall attach the*  
5 *temporary license plates issued by the reporting system.*

6 (b) (1) *A transfer that takes place through a dealer conducting*  
7 *a wholesale vehicle auction shall be reported to the department*  
8 *electronically in a manner approved by the department. The report*  
9 *shall contain, at a minimum, all of the following information:*

10 (A) *The name and address of the seller.*

11 (B) *The seller's dealer number, if applicable.*

12 (C) *The date of delivery to the dealer conducting the auction.*

13 (D) *The actual mileage of the vehicle as indicated by the*  
14 *vehicle's odometer at the time of delivery to the dealer conducting*  
15 *the auction.*

16 (E) *The name, address, and occupational license number of the*  
17 *dealer conducting the auction.*

18 (F) *The name, address, and occupational license number of the*  
19 *buyer.*

20 (G) *The signature of the dealer conducting the auction.*

21 (2) *Submission of the electronic report specified in paragraph*  
22 *(1) to the department shall fully satisfy the requirements of*  
23 *subdivision (a) and subdivision (a) of Section 5901 with respect*  
24 *to the dealer selling at auction and the dealer conducting the*  
25 *auction.*

26 (3) *The electronic report required by this subdivision does not*  
27 *relieve a dealer of any obligation or responsibility that is required*  
28 *by any other law.*

29 (c) *A vehicle displaying a report-of-sale form or temporary*  
30 *license plate issued pursuant to paragraph (8) of subdivision (a)*  
31 *may be operated without license plates until either of the following,*  
32 *whichever occurs first:*

33 (1) *The license plates and registration card are received by the*  
34 *purchaser.*

35 (2) *A 90-day period, commencing with the date of sale of the*  
36 *vehicle, has expired.*

37 (d) *This section shall become operative January 1, 2018.*

38 **SEC. 3.** *Section 4456.2 is added to the Vehicle Code, to read:*

39 **4456.2.** (a) *The department shall develop a system for dealers*  
40 *and lessor-retailers to electronically report the sale of a vehicle*

1 before the vehicle is delivered to the purchaser. At minimum, the  
2 system shall conform with the following conditions:

3 (1) The system shall provide a licensed dealer with the forms  
4 for use as prescribed in subdivision (a) of Section 4456.

5 (2) For a vehicle that does not already display license plates,  
6 the system shall also produce a temporary license plate to be used  
7 and displayed in lieu of license plates, pursuant to subdivision (c)  
8 of Section 4456. The temporary license plate shall display the  
9 report-of-sale number, expiration date, and any other information  
10 deemed necessary by the department.

11 (3) The dealer reporting system shall assign each transaction  
12 a unique report-of-sale number that will be displayed on the  
13 report-of-sale forms and any temporary license plate.

14 (4) The system shall record the vehicle identification number,  
15 vehicle year, model, and make, name of dealer or lessor-retailer,  
16 purchaser name, and any other information deemed necessary by  
17 the department.

18 (b) Access to the dealer reporting system shall be restricted to  
19 authorized users of the department's vehicle registration and  
20 occupational licensing databases.

21 (c) The department shall make the dealer reporting system  
22 operational for use no later than January 1, 2018.

23 SEC. 4. Section 4462 of the Vehicle Code is amended to read:

24 4462. (a) The driver of a motor vehicle shall present the  
25 registration or identification card or other evidence of registration  
26 of any or all vehicles under his or her immediate control for  
27 examination upon demand of any peace officer.

28 (b) ~~No~~A person shall not display upon a vehicle, nor present to  
29 any peace officer, any registration card, identification card,  
30 temporary receipt, license plate, device issued pursuant to Section  
31 4853, or permit not issued for that vehicle or not otherwise lawfully  
32 used thereon under this code.

33 ~~(e) This section shall become operative on January 1, 2001.~~

34 (c) This section shall remain in effect only until January 1, 2018,  
35 and as of that date is repealed, unless a later enacted statute, that  
36 is enacted before January 1, 2018, deletes or extends that date.

37 SEC. 5. Section 4462 is added to the Vehicle Code, to read:

38 4462. (a) The driver of a motor vehicle shall present the  
39 registration or identification card or other evidence of registration



1 of any or all vehicles under his or her immediate control for  
2 examination upon demand of any peace officer.

3 (b) A person shall not display upon a vehicle, nor present to  
4 any peace officer, any registration card, identification card,  
5 temporary receipt, license plate, temporary license plate, device  
6 issued pursuant to Section 4853, or permit not issued for that  
7 vehicle or not otherwise lawfully used thereon under this code.

8 (c) This section shall become operative January 1, 2018.

9 SEC. 6. Section 4463 of the Vehicle Code is amended to read:

10 4463. (a) A person who, with intent to prejudice, damage, or  
11 defraud, commits any of the following acts is guilty of a felony  
12 and upon conviction thereof shall be punished by imprisonment  
13 pursuant to subdivision (h) of Section 1170 of the Penal Code for  
14 16 months or two or three years, or by imprisonment in a county  
15 jail for not more than one year:

16 (1) Alters, forges, counterfeits, or falsifies a certificate of  
17 ownership, registration card, certificate, license, license plate,  
18 device issued pursuant to Section 4853, special plate, or permit  
19 provided for by this code or a comparable certificate of ownership,  
20 registration card, certificate, license, license plate, device  
21 comparable to that issued pursuant to Section 4853, special plate,  
22 or permit provided for by a foreign jurisdiction, or alters, forges,  
23 counterfeits, or falsifies the document, device, or plate with intent  
24 to represent it as issued by the department, or alters, forges,  
25 counterfeits, or falsifies with fraudulent intent an endorsement of  
26 transfer on a certificate of ownership or other document evidencing  
27 ownership, or with fraudulent intent displays or causes or permits  
28 to be displayed or have in his or her possession a blank, incomplete,  
29 canceled, suspended, revoked, altered, forged, counterfeit, or false  
30 certificate of ownership, registration card, certificate, license,  
31 license plate, device issued pursuant to Section 4853, special plate,  
32 or permit.

33 (2) Utters, publishes, passes, or attempts to pass, as true and  
34 genuine, a false, altered, forged, or counterfeited matter listed in  
35 paragraph (1) knowing it to be false, altered, forged, or  
36 counterfeited.

37 (b) A person who, with intent to prejudice, damage, or defraud,  
38 commits any of the following acts is guilty of a misdemeanor, and  
39 upon conviction thereof shall be punished by imprisonment in a  
40 county jail for six months, a fine of not less than five hundred

1 dollars (\$500) and not more than one thousand dollars (\$1,000),  
2 or both that fine and imprisonment, which penalty shall not be  
3 suspended:

4 (1) Forges, counterfeits, or falsifies a disabled person placard  
5 or a comparable placard relating to parking privileges for disabled  
6 persons provided for by a foreign jurisdiction, or forges,  
7 counterfeits, or falsifies a disabled person placard with intent to  
8 represent it as issued by the department.

9 (2) Passes, or attempts to pass, as true and genuine, a false,  
10 forged, or counterfeit disabled person placard knowing it to be  
11 false, forged, or counterfeited.

12 (3) Acquires, possesses, sells, or offers for sale a genuine or  
13 counterfeit disabled person placard.

14 (c) A person who, with fraudulent intent, displays or causes or  
15 permits to be displayed a forged, counterfeit, or false disabled  
16 person placard, is subject to the issuance of a notice of parking  
17 violation imposing a civil penalty of not less than two hundred  
18 fifty dollars (\$250) and not more than one thousand dollars  
19 (\$1,000), for which enforcement shall be governed by the  
20 procedures set forth in Article 3 (commencing with Section 40200)  
21 of Chapter 1 of Division 17 or is guilty of a misdemeanor  
22 punishable by imprisonment in a county jail for six months, a fine  
23 of not less than two hundred fifty dollars (\$250) and not more than  
24 one thousand dollars (\$1,000), or both that fine and imprisonment,  
25 which penalty shall not be suspended.

26 (d) For purposes of subdivision (b) or (c), “disabled person  
27 placard” means a placard issued pursuant to Section 22511.55 or  
28 22511.59.

29 (e) A person who, with intent to prejudice, damage, or defraud,  
30 commits any of the following acts is guilty of an infraction, and  
31 upon conviction thereof shall be punished by a fine of not less than  
32 one hundred dollars (\$100) and not more than two hundred fifty  
33 dollars (\$250) for a first offense, not less than two hundred fifty  
34 dollars (\$250) and not more than five hundred dollars (\$500) for  
35 a second offense, and not less than five hundred dollars (\$500)  
36 and not more than one thousand dollars (\$1,000) for a third or  
37 subsequent offense, which penalty shall not be suspended:

38 (1) Forges, counterfeits, or falsifies a Clean Air Sticker or a  
39 comparable clean air sticker relating to high occupancy vehicle  
40 lane privileges provided for by a foreign jurisdiction, or forges,

1 counterfeits, or falsifies a Clean Air Sticker with intent to represent  
2 it as issued by the department.

3 (2) Passes, or attempts to pass, as true and genuine, a false,  
4 forged, or counterfeit Clean Air Sticker knowing it to be false,  
5 forged, or counterfeited.

6 (3) Acquires, possesses, sells, or offers for sale a counterfeit  
7 Clean Air Sticker.

8 (4) Acquires, possesses, sells, or offers for sale a genuine Clean  
9 Air Sticker separate from the vehicle for which the department  
10 issued that sticker.

11 (f) As used in this section, “Clean Air Sticker” means a label  
12 or decal issued pursuant to Sections 5205.5 and 21655.9.

13 (g) *This section shall remain in effect only until January 1, 2018,*  
14 *and as of that date is repealed, unless a later enacted statute, that*  
15 *is enacted before January 1, 2018, deletes or extends that date.*

16 SEC. 7. Section 4463 is added to the Vehicle Code, to read:

17 4463. (a) *A person who, with intent to prejudice, damage, or*  
18 *defraud, commits any of the following acts is guilty of a felony and*  
19 *upon conviction thereof shall be punished by imprisonment*  
20 *pursuant to subdivision (h) of Section 1170 of the Penal Code for*  
21 *16 months or two or three years, or by imprisonment in a county*  
22 *jail for not more than one year:*

23 (1) *Alters, forges, counterfeits, or falsifies a certificate of*  
24 *ownership, registration card, certificate, license, license plate,*  
25 *temporary license plate, device issued pursuant to Section 4853,*  
26 *special plate, or permit provided for by this code or a comparable*  
27 *certificate of ownership, registration card, certificate, license,*  
28 *license plate, temporary license plate, device comparable to that*  
29 *issued pursuant to Section 4853, special plate, or permit provided*  
30 *for by a foreign jurisdiction, or alters, forges, counterfeits, or*  
31 *falsifies the document, device, or plate with intent to represent it*  
32 *as issued by the department, or alters, forges, counterfeits, or*  
33 *falsifies with fraudulent intent an endorsement of transfer on a*  
34 *certificate of ownership or other document evidencing ownership,*  
35 *or with fraudulent intent displays or causes or permits to be*  
36 *displayed or have in his or her possession a blank, incomplete,*  
37 *canceled, suspended, revoked, altered, forged, counterfeit, or false*  
38 *certificate of ownership, registration card, certificate, license,*  
39 *license plate, temporary license plate, device issued pursuant to*  
40 *Section 4853, special plate, or permit.*

1 (2) *Utters, publishes, passes, or attempts to pass, as true and*  
2 *genuine, a false, altered, forged, or counterfeited matter listed in*  
3 *paragraph (1) knowing it to be false, altered, forged, or*  
4 *counterfeited.*

5 (b) *A person who, with intent to prejudice, damage, or defraud,*  
6 *commits any of the following acts is guilty of a misdemeanor, and*  
7 *upon conviction thereof shall be punished by imprisonment in a*  
8 *county jail for six months, a fine of not less than five hundred*  
9 *dollars (\$500) and not more than one thousand dollars (\$1,000),*  
10 *or both that fine and imprisonment, which penalty shall not be*  
11 *suspended:*

12 (1) *Forges, counterfeits, or falsifies a disabled person placard*  
13 *or a comparable placard relating to parking privileges for disabled*  
14 *persons provided for by a foreign jurisdiction, or forges,*  
15 *counterfeits, or falsifies a disabled person placard with intent to*  
16 *represent it as issued by the department.*

17 (2) *Passes, or attempts to pass, as true and genuine, a false,*  
18 *forged, or counterfeit disabled person placard knowing it to be*  
19 *false, forged, or counterfeited.*

20 (3) *Acquires, possesses, sells, or offers for sale a genuine or*  
21 *counterfeit disabled person placard.*

22 (c) *A person who, with fraudulent intent, displays or causes or*  
23 *permits to be displayed a forged, counterfeit, or false disabled*  
24 *person placard, is subject to the issuance of a notice of parking*  
25 *violation imposing a civil penalty of not less than two hundred*  
26 *fifty dollars (\$250) and not more than one thousand dollars*  
27 *(\$1,000), for which enforcement shall be governed by the*  
28 *procedures set forth in Article 3 (commencing with Section 40200)*  
29 *of Chapter 1 of Division 17, or is guilty of a misdemeanor*  
30 *punishable by imprisonment in a county jail for six months, a fine*  
31 *of not less than two hundred fifty dollars (\$250) and not more than*  
32 *one thousand dollars (\$1,000), or both that fine and imprisonment,*  
33 *which penalty shall not be suspended.*

34 (d) *For purposes of subdivision (b) or (c), “disabled person*  
35 *placard” means a placard issued pursuant to Section 22511.55*  
36 *or 22511.59.*

37 (e) *A person who, with intent to prejudice, damage, or defraud,*  
38 *commits any of the following acts is guilty of an infraction, and*  
39 *upon conviction thereof shall be punished by a fine of not less than*  
40 *one hundred dollars (\$100) and not more than two hundred fifty*

1 dollars (\$250) for a first offense, not less than two hundred fifty  
2 dollars (\$250) and not more than five hundred dollars (\$500) for  
3 a second offense, and not less than five hundred dollars (\$500)  
4 and not more than one thousand dollars (\$1,000) for a third or  
5 subsequent offense, which penalty shall not be suspended:

6 (1) Forges, counterfeits, or falsifies a Clean Air Sticker or a  
7 comparable clean air sticker relating to high-occupancy vehicle  
8 lane privileges provided for by a foreign jurisdiction, or forges,  
9 counterfeits, or falsifies a Clean Air Sticker with intent to represent  
10 it as issued by the department.

11 (2) Passes, or attempts to pass, as true and genuine, a false,  
12 forged, or counterfeit Clean Air Sticker knowing it to be false,  
13 forged, or counterfeited.

14 (3) Acquires, possesses, sells, or offers for sale a counterfeit  
15 Clean Air Sticker.

16 (4) Acquires, possesses, sells, or offers for sale a genuine Clean  
17 Air Sticker separate from the vehicle for which the department  
18 issued that sticker.

19 (f) As used in this section, “Clean Air Sticker” means a label  
20 or decal issued pursuant to Sections 5205.5 and 21655.9.

21 (g) This section shall become operative January 1, 2018.

22 SEC. 8. Section 4763 of the Vehicle Code is amended to read:

23 4763. (a) The department shall assess a fee for the recording  
24 of the notice of delinquent parking violation, which is given to the  
25 department by a processing agency pursuant to Section 40220, in  
26 an amount, as determined by the department, that is sufficient to  
27 provide a total amount equal to its actual costs of administering  
28 Sections 4760, 4761, 4762, 4764, and 4765.

29 (b) This section shall remain in effect only until January 1, 2017,  
30 and as of that date is repealed, unless a later enacted statute, that  
31 is enacted before January 1, 2017, deletes or extends that date.

32 SEC. 9. Section 4763 is added to the Vehicle Code, to read:

33 4763. (a) The department shall assess a fee for the recording  
34 of the notice of delinquent parking violation, which is given to the  
35 department by a processing agency pursuant to Section 40220, in  
36 an amount, as determined by the department, that is sufficient to  
37 provide a total amount equal to its actual costs of administering  
38 Sections 4760, 4761, 4762, 4764, and 4765, and administering  
39 the system described in Section 4456.2.

40 (b) This section shall become operative January 1, 2017.

1     *SEC. 10. Section 4773 of the Vehicle Code is amended to read:*

2     4773. (a) The department shall assess a fee for the recording  
3 of the notice of delinquent toll evasion violation, which is given  
4 to the department by a processing agency pursuant to Section  
5 40267, in an amount, as determined by the department, that is  
6 sufficient to provide a total amount equal to at least its actual costs  
7 of administering Sections 4770, 4771, 4774, and 4775.

8     (b) *This section shall remain in effect only until January 1, 2017,*  
9 *and as of that date is repealed, unless a later enacted statute, that*  
10 *is enacted before January 1, 2017, deletes or extends that date.*

11     *SEC. 11. Section 4773 is added to the Vehicle Code, to read:*

12     4773. (a) The department shall assess a fee for the recording  
13 of the notice of delinquent toll evasion violation, which is given  
14 to the department by a processing agency pursuant to Section  
15 40267, in an amount, as determined by the department, that is  
16 sufficient to provide a total amount equal to at least its actual costs  
17 of administering Sections 4770, 4771, 4774, and 4775, and  
18 administering the system described in Section 4456.2.

19     (b) *This section shall become operative January 1, 2017.*

20     *SEC. 12. Section 5201 of the Vehicle Code is amended to read:*

21     5201. (a) License plates shall at all times be securely fastened  
22 to the vehicle for which they are issued so as to prevent the plates  
23 from swinging, shall be mounted in a position so as to be clearly  
24 visible, and so that the characters are upright and display from left  
25 to right, and shall be maintained in a condition so as to be clearly  
26 legible. The rear license plate shall be mounted not less than 12  
27 inches nor more than 60 inches from the ground, and the front  
28 license plate shall be mounted not more than 60 inches from the  
29 ground, except as follows:

30     (1) The rear license plate on a tow truck or reposessor's tow  
31 vehicle may be mounted on the left-hand side of the mast assembly  
32 at the rear of the cab of the vehicle, not less than 12 inches nor  
33 more than 90 inches from the ground.

34     (2) The rear license plate on a tank vehicle hauling hazardous  
35 waste, as defined in Section 25117 of the Health and Safety Code,  
36 or asphalt material may be mounted not less than 12 inches nor  
37 more than 90 inches from the ground.

38     (3) The rear license plate on a truck tractor may be mounted at  
39 the rear of the cab of the vehicle, but not less than 12 inches nor  
40 more than 90 inches from the ground.

1 (4) The rear license plate of a vehicle designed by the  
2 manufacturer for the collection and transportation of garbage,  
3 rubbish, or refuse that is used regularly for the collection and  
4 transportation of that material by a person or governmental entity  
5 employed to collect, transport, and dispose of garbage, rubbish,  
6 or refuse may be mounted not less than 12 inches nor more than  
7 90 inches from the ground.

8 (5) The rear license plate on a two-axle livestock trailer may be  
9 mounted 12 inches or more, but not more than 90 inches, from the  
10 ground.

11 (6) (A) The rear license plate on a dump bed motortruck  
12 equipped with a trailing, load bearing swing axle shall be mounted  
13 more than 12 inches, but not more than 107 inches, from the  
14 ground.

15 (B) As used in this section, a trailing, load bearing swing axle  
16 is an axle which can be moved from a raised position to a position  
17 behind the vehicle that allows for the transfer of a portion of the  
18 weight of the vehicle and load to the trailing axle.

19 (b) A covering shall not be used on license plates except as  
20 follows:

21 (1) The installation of a cover over a lawfully parked vehicle  
22 to protect it from the weather and the elements does not constitute  
23 a violation of this subdivision. A peace officer or other regularly  
24 salaried employee of a public agency designated to enforce laws,  
25 including local ordinances, relating to the parking of vehicles may  
26 temporarily remove so much of the cover as is necessary to inspect  
27 any license plate, tab, or indicia of registration on a vehicle.

28 (2) The installation of a license plate security cover is not a  
29 violation of this subdivision if the device does not obstruct or  
30 impair the recognition of the license plate information, including,  
31 but not limited to, the issuing state, license plate number, and  
32 registration tabs, and the cover is limited to the area directly over  
33 the top of the registration tabs. No portion of a license plate security  
34 cover shall rest over the license plate number.

35 (c) A casing, shield, frame, border, product, or other device that  
36 obstructs or impairs the reading or recognition of a license plate  
37 by an electronic device operated by state or local law enforcement,  
38 an electronic device operated in connection with a toll road,  
39 high-occupancy toll lane, toll bridge, or other toll facility, or a  
40 remote emission sensing device, as specified in Sections 44081

1 and 44081.6 of the Health and Safety Code, shall not be installed  
2 on, or affixed to, a vehicle.

3 (d) (1) It is the intent of the Legislature that an accommodation  
4 be made to persons with disabilities and to those persons who  
5 regularly transport persons with disabilities, to allow the removal  
6 and relocation of wheelchair lifts and wheelchair carriers without  
7 the necessity of removing and reattaching the vehicle's rear license  
8 plate. Therefore, it is not a violation of this section if the reading  
9 or recognition of a rear license plate is obstructed or impaired by  
10 a wheelchair lift or wheelchair carrier and all of the following  
11 requirements are met:

12 (A) The owner of the vehicle has been issued a special  
13 identification license plate pursuant to Section 5007, or the person  
14 using the wheelchair that is carried on the vehicle has been issued  
15 a distinguishing placard under Section 22511.55.

16 (B) (i) The operator of the vehicle displays a decal, designed  
17 and issued by the department, that contains the license plate number  
18 assigned to the vehicle transporting the wheelchair.

19 (ii) The decal is displayed on the rear window of the vehicle,  
20 in a location determined by the department, in consultation with  
21 the Department of the California Highway Patrol, so as to be clearly  
22 visible to law enforcement.

23 (2) Notwithstanding any other law, if a decal is displayed  
24 pursuant to this subdivision, the requirements of this code that  
25 require the illumination of the license plate and the license plate  
26 number do not apply.

27 (3) The department shall adopt regulations governing the  
28 procedures for accepting and approving applications for decals,  
29 and issuing decals, authorized by this subdivision.

30 (4) This subdivision does not apply to a front license plate.

31 (e) *This section shall remain in effect only until January 1, 2018,*  
32 *and as of that date is repealed, unless a later enacted statute, that*  
33 *is enacted before January 1, 2018, deletes or extends that date.*

34 *SEC. 13. Section 5201 is added to the Vehicle Code, to read:*

35 *5201. (a) License plates, including temporary license plates,*  
36 *shall at all times be securely fastened to the vehicle for which they*  
37 *are issued so as to prevent the plates from swinging, shall be*  
38 *mounted in a position so as to be clearly visible, and so that the*  
39 *characters are upright and display from left to right, and shall be*  
40 *maintained in a condition so as to be clearly legible. The rear*



1 license plate shall be mounted not less than 12 inches nor more  
2 than 60 inches from the ground, and the front license plate shall  
3 be mounted not more than 60 inches from the ground, except as  
4 follows:

5 (1) The rear license plate on a tow truck or reposessor's tow  
6 vehicle may be mounted on the left-hand side of the mast assembly  
7 at the rear of the cab of the vehicle, not less than 12 inches nor  
8 more than 90 inches from the ground.

9 (2) The rear license plate on a tank vehicle hauling hazardous  
10 waste, as defined in Section 25117 of the Health and Safety Code,  
11 or asphalt material may be mounted not less than 12 inches nor  
12 more than 90 inches from the ground.

13 (3) The rear license plate on a truck tractor may be mounted  
14 at the rear of the cab of the vehicle, but not less than 12 inches  
15 nor more than 90 inches from the ground.

16 (4) The rear license plate of a vehicle designed by the  
17 manufacturer for the collection and transportation of garbage,  
18 rubbish, or refuse that is used regularly for the collection and  
19 transportation of that material by a person or governmental entity  
20 employed to collect, transport, and dispose of garbage, rubbish,  
21 or refuse may be mounted not less than 12 inches nor more than  
22 90 inches from the ground.

23 (5) The rear license plate on a two-axle livestock trailer may  
24 be mounted 12 inches or more, but not more than 90 inches, from  
25 the ground.

26 (6) (A) The rear license plate on a dump bed motortruck  
27 equipped with a trailing, load bearing swing axle shall be mounted  
28 more than 12 inches, but not more than 107 inches, from the  
29 ground.

30 (B) As used in this section, a trailing, load bearing swing axle  
31 is an axle which can be moved from a raised position to a position  
32 behind the vehicle that allows for the transfer of a portion of the  
33 weight of the vehicle and load to the trailing axle.

34 (b) Temporary license plates shall be replaced with permanent  
35 license plates upon receipt of the permanent license plates, and  
36 the temporary license plates shall be destroyed at that time.

37 (c) A covering shall not be used on license plates except as  
38 follows:

39 (1) The installation of a cover over a lawfully parked vehicle  
40 to protect it from the weather and the elements does not constitute

1 a violation of this subdivision. A peace officer or other regularly  
2 salaried employee of a public agency designated to enforce laws,  
3 including local ordinances, relating to the parking of vehicles may  
4 temporarily remove so much of the cover as is necessary to inspect  
5 any license plate, tab, or indicia of registration on a vehicle.

6 (2) The installation of a license plate security cover is not a  
7 violation of this subdivision if the device does not obstruct or  
8 impair the recognition of the license plate information, including,  
9 but not limited to, the issuing state, license plate number, and  
10 registration tabs, and the cover is limited to the area directly over  
11 the top of the registration tabs. No portion of a license plate  
12 security cover shall rest over the license plate number.

13 (d) A casing, shield, frame, border, product, or other device  
14 that obstructs or impairs the reading or recognition of a license  
15 plate by an electronic device operated by state or local law  
16 enforcement, an electronic device operated in connection with a  
17 toll road, high-occupancy toll lane, toll bridge, or other toll facility,  
18 or a remote emission sensing device, as specified in Sections 44081  
19 and 44081.6 of the Health and Safety Code, shall not be installed  
20 on, or affixed to, a vehicle.

21 (e) (1) It is the intent of the Legislature that an accommodation  
22 be made to persons with disabilities and to those persons who  
23 regularly transport persons with disabilities, to allow the removal  
24 and relocation of wheelchair lifts and wheelchair carriers without  
25 the necessity of removing and reattaching the vehicle's rear license  
26 plate. Therefore, it is not a violation of this section if the reading  
27 or recognition of a rear license plate is obstructed or impaired by  
28 a wheelchair lift or wheelchair carrier and all of the following  
29 requirements are met:

30 (A) The owner of the vehicle has been issued a special  
31 identification license plate pursuant to Section 5007, or the person  
32 using the wheelchair that is carried on the vehicle has been issued  
33 a distinguishing placard under Section 22511.55.

34 (B) (i) The operator of the vehicle displays a decal, designed  
35 and issued by the department, that contains the license plate  
36 number assigned to the vehicle transporting the wheelchair.

37 (ii) The decal is displayed on the rear window of the vehicle, in  
38 a location determined by the department, in consultation with the  
39 Department of the California Highway Patrol, so as to be clearly  
40 visible to law enforcement.

1 (2) *Notwithstanding any other law, if a decal is displayed*  
2 *pursuant to this subdivision, the requirements of this code that*  
3 *require the illumination of the license plate and the license plate*  
4 *number do not apply.*

5 (3) *The department shall adopt regulations governing the*  
6 *procedures for accepting and approving applications for decals,*  
7 *and issuing decals, authorized by this subdivision.*

8 (4) *This subdivision does not apply to a front license plate.*

9 (f) *This section shall become operative January 1, 2018.*

10 *SEC. 14. Section 5202 of the Vehicle Code is amended to read:*

11 5202. (a) *A license plate issued by this state or any other*  
12 *jurisdiction within or without the United States shall be attached*  
13 *upon receipt and remain attached during the period of its validity*  
14 *to the vehicle for which it is issued while being operated within*  
15 *this state or during the time the vehicle is being held for sale in*  
16 *this state, or until the time that a vehicle with special or*  
17 *identification plates is no longer entitled to those plates; and a*  
18 *person shall not operate, and an owner shall not knowingly permit*  
19 *to be operated, upon any highway, a vehicle unless the license*  
20 *plate is so attached. A special permit issued in lieu of plates shall*  
21 *be attached and displayed on the vehicle for which the permit was*  
22 *issued during the period of the permit's validity..*

23 ~~(b) *This section shall become operative on July 1, 2012.*~~

24 (b) *This section shall remain in effect only until January 1, 2018,*  
25 *and as of that date is repealed, unless a later enacted statute, that*  
26 *is enacted before January 1, 2018, deletes or extends that date.*

27 *SEC. 15. Section 5202 is added to the Vehicle Code, to read:*

28 5202. (a) *A license plate issued by this state or any other*  
29 *jurisdiction within or without the United States shall be attached*  
30 *upon receipt and remain attached during the period of its validity*  
31 *to the vehicle for which it is issued while being operated within*  
32 *this state or during the time the vehicle is being held for sale in*  
33 *this state, or until the time that a vehicle with special or*  
34 *identification plates is no longer entitled to those plates; and a*  
35 *person shall not operate, and an owner shall not knowingly permit*  
36 *to be operated, upon any highway, a vehicle unless the license*  
37 *plate is so attached. A special permit or temporary license plate*  
38 *issued in lieu of permanent license plates shall be attached and*  
39 *displayed on the vehicle for which the permit or temporary license*  
40 *plate was issued until the temporary license plate or the special*

1 *permit expires, or the permanent license plates are received,*  
2 *whichever occurs first.*

3 *(b) This section shall become operative January 1, 2018.*

4 *SEC. 16. Section 5901 of the Vehicle Code is amended to read:*

5 5901. (a) Every dealer or lessor-retailer, upon transferring by  
6 sale, lease, or otherwise any vehicle, whether new or used, of a  
7 type subject to registration under this code, shall, not later than  
8 the end of the fifth calendar day thereafter not counting the day of  
9 sale, give written notice of the transfer to the department at its  
10 headquarters upon an appropriate form provided by it.

11 (b) Except as otherwise provided in this subdivision or in  
12 subdivision (c), the dealer or lessor-retailer shall enter on the form  
13 and pursuant to Section 32705(a) of Title 49 of the United States  
14 Code, on the ownership certificate, the actual mileage of the vehicle  
15 as indicated by the vehicle's odometer at the time of the transfer.  
16 However, if the vehicle dealer or lessor-retailer has knowledge  
17 that the mileage displayed on the odometer is incorrect, the licensee  
18 shall indicate on the form on which the mileage is entered that the  
19 mileage registered by the odometer is incorrect. A vehicle dealer  
20 or lessor-retailer need not give the notice when selling or  
21 transferring a new unregistered vehicle to a dealer or lessor-retailer.

22 (c) When the dealer or lessor-retailer is not in possession of the  
23 vehicle that is sold or transferred, the person in physical possession  
24 of the vehicle shall give the information required by subdivision  
25 (b).

26 (d) A sale is deemed completed and consummated when the  
27 purchaser of the vehicle has paid the purchase price, or, in lieu  
28 thereof, has signed a purchase contract or security agreement, and  
29 has taken physical possession or delivery of the vehicle.

30 *(e) This section shall remain in effect only until January 1, 2018,*  
31 *and as of that date is repealed, unless a later enacted statute, that*  
32 *is enacted before January 1, 2018, deletes or extends that date.*

33 *SEC. 17. Section 5901 is added to the Vehicle Code, to read:*

34 5901. (a) Every dealer or lessor-retailer, upon transferring  
35 by sale, lease, or otherwise any vehicle, whether new or used, of  
36 a type subject to registration under this code, shall, not later than  
37 the end of the fifth calendar day thereafter not counting the day  
38 of sale, give notice of the transfer to the department electronically  
39 in a manner approved by the department.

1 (b) Except as otherwise provided in this subdivision or in  
2 subdivision (c), the dealer or lessor-retailer shall enter on the form  
3 and pursuant to Section 32705(a) of Title 49 of the United States  
4 Code, on the ownership certificate, the actual mileage of the vehicle  
5 as indicated by the vehicle's odometer at the time of the transfer.  
6 However, if the vehicle dealer or lessor-retailer has knowledge  
7 that the mileage displayed on the odometer is incorrect, the  
8 licensee shall indicate on the form on which the mileage is entered  
9 that the mileage registered by the odometer is incorrect. A vehicle  
10 dealer or lessor-retailer need not give the notice when selling or  
11 transferring a new unregistered vehicle to a dealer or  
12 lessor-retailer.

13 (c) When the dealer or lessor-retailer is not in possession of the  
14 vehicle that is sold or transferred, the person in physical possession  
15 of the vehicle shall give the information required by subdivision  
16 (b).

17 (d) A sale is deemed completed and consummated when the  
18 purchaser of the vehicle has paid the purchase price, or, in lieu  
19 thereof, has signed a purchase contract or security agreement,  
20 and has taken physical possession or delivery of the vehicle.

21 (e) This section shall become operative January 1, 2018.

22 SEC. 18. Section 6100 of the Vehicle Code is amended to read:

23 6100. (a) A dealer who conducts a wholesale motor vehicle  
24 auction and who uses the form prescribed in subdivision (b) of  
25 Section 4456 shall include the phrase "SOLD THROUGH [name  
26 of dealer conducting the auction]" and the date of the auction on  
27 the certificate of title of every vehicle sold, in a manner prescribed  
28 by the department.

29 (b) This section shall remain in effect only until January 1, 2018,  
30 and as of that date is repealed, unless a later enacted statute, that  
31 is enacted before January 1, 2018, deletes or extends that date.

32 SEC. 19. Section 6100 is added to the Vehicle Code, to read:

33 6100. (a) A dealer who conducts a wholesale motor vehicle  
34 auction and reports the sale of the vehicle in the manner prescribed  
35 in subdivision (b) of Section 4456 shall include the phrase "SOLD  
36 THROUGH [name of dealer conducting the auction]" and the  
37 date of the auction on the certificate of title of every vehicle sold,  
38 in a manner prescribed by the department.

39 (b) This section shall become operative January 1, 2018.

1     *SEC. 20. Section 11714 of the Vehicle Code is amended to*  
 2     *read:*

3     11714. (a) The department, upon granting a license, shall issue  
 4     to the applicant a license containing the applicant’s name and  
 5     address and the general distinguishing number assigned to the  
 6     applicant.

7     (b) A dealer shall not sell any vehicle at retail at a location that  
 8     is not posted pursuant to Section 11709.

9     (c) A dealer who is authorized by the department to sell motor  
 10     vehicles only at wholesale shall not sell any vehicle at retail and  
 11     shall report every sale to the department on the wholesale report  
 12     of sale form prescribed by the department..

13     (d) When the department has issued a license pursuant to  
 14     subdivision (a), the licensee may apply for and the department  
 15     shall issue special plates which shall have displayed thereon the  
 16     general distinguishing number assigned to the applicant. Each plate  
 17     so issued shall also contain a number or symbol identifying the  
 18     plate from every other plate bearing a like general distinguishing  
 19     number.

20     (e) The department shall also furnish books and forms as it may  
 21     determine necessary. ~~Such~~ *Those* books and forms are and shall  
 22     remain the property of the department and may be taken up at any  
 23     time for inspection.

24     (f) *This section shall remain in effect only until January 1, 2018,*  
 25     *and as of that date is repealed, unless a later enacted statute, that*  
 26     *is enacted before January 1, 2018, deletes or extends that date.*

27     *SEC. 21. Section 11714 is added to the Vehicle Code, to read:*

28     11714. (a) *The department, upon granting a license, shall*  
 29     *issue to the applicant a license containing the applicant’s name*  
 30     *and address and the general distinguishing number assigned to*  
 31     *the applicant.*

32     (b) *A dealer shall not sell any vehicle at retail at a location that*  
 33     *is not posted pursuant to Section 11709.*

34     (c) *A dealer who is authorized by the department to sell motor*  
 35     *vehicles only at wholesale shall not sell any vehicle at retail and*  
 36     *shall report every sale to the department as prescribed in*  
 37     *subdivision (b) of Section 4456.*

38     (d) *When the department has issued a license pursuant to*  
 39     *subdivision (a), the licensee may apply for and the department*  
 40     *shall issue special plates which shall have displayed thereon the*

1 *general distinguishing number assigned to the applicant. Each*  
2 *plate so issued shall also contain a number or symbol identifying*  
3 *the plate from every other plate bearing a like general*  
4 *distinguishing number.*

5 *(e) The department shall also furnish books and forms as it may*  
6 *determine necessary. Those books and forms are and shall remain*  
7 *the property of the department and may be taken up at any time*  
8 *for inspection.*

9 *(f) This section shall become operative January 1, 2018.*

10 *SEC. 22. Section 38080 of the Vehicle Code is amended to*  
11 *read:*

12 38080. (a) The department may authorize, under Section 4456,  
13 dealers licensed under Article 1 (commencing with Section 11700)  
14 of Chapter 4 of Division 5 to use numbered copies of the  
15 report-of-sale form and corresponding temporary identification  
16 devices upon off-highway motor vehicles subject to identification  
17 that they sell.

18 (b) Off-highway motor vehicles subject to identification that  
19 are purchased from dealers not required to be licensed under Article  
20 1 (commencing with Section 11700) of Chapter 4 of Division 5,  
21 or that are specially constructed by the owner or owners, may be  
22 operated off-highway, as provided by this division, without an  
23 identification plate or device or identification certificate, provided  
24 a receipt or other suitable device issued by the department is  
25 displayed upon the vehicle evidencing an application has been  
26 made and appropriate fees paid pursuant to this division, until the  
27 identification plate or device and identification certificate are  
28 received from the department.

29 *(c) This section shall remain in effect only until January 1, 2018,*  
30 *and as of that date is repealed, unless a later enacted statute, that*  
31 *is enacted before January 1, 2018, deletes or extends that date.*

32 *SEC. 23. Section 38080 is added to the Vehicle Code, to read:*

33 38080. (a) The department may authorize, under Section 4456,  
34 dealers licensed under Article 1 (commencing with Section 11700)  
35 of Chapter 4 of Division 5 to use the process described in Section  
36 4456 and corresponding temporary identification devices upon  
37 off-highway motor vehicles subject to identification that they sell.

38 (b) Off-highway motor vehicles subject to identification that  
39 are purchased from dealers not required to be licensed under  
40 Article 1 (commencing with Section 11700) of Chapter 4 of

1 *Division 5, or that are specially constructed by the owner or*  
2 *owners, may be operated off-highway, as provided by this division,*  
3 *without an identification plate or device or identification*  
4 *certificate, provided a receipt or other suitable device issued by*  
5 *the department is displayed upon the vehicle evidencing an*  
6 *application has been made and appropriate fees paid pursuant to*  
7 *this division, until the identification plate or device and*  
8 *identification certificate are received from the department.*

9 *(c) This section shall become operative January 1, 2018.*

10 *SEC. 24. No reimbursement is required by this act pursuant*  
11 *to Section 6 of Article XIII B of the California Constitution because*  
12 *the only costs that may be incurred by a local agency or school*  
13 *district will be incurred because this act creates a new crime or*  
14 *infraction, eliminates a crime or infraction, or changes the penalty*  
15 *for a crime or infraction, within the meaning of Section 17556 of*  
16 *the Government Code, or changes the definition of a crime within*  
17 *the meaning of Section 6 of Article XIII B of the California*  
18 *Constitution.*

19 ~~SECTION 1. Section 1685 of the Vehicle Code is amended to~~  
20 ~~read:~~

21 ~~1685. (a) In order to continue improving the quality of products~~  
22 ~~and services it provides to its customers, the department, in~~  
23 ~~conformance with Article 4 (commencing with Section 19130) of~~  
24 ~~Chapter 5 of Part 2 of Division 5 of Title 2 of the Government~~  
25 ~~Code, may establish contracts for electronic programs that allow~~  
26 ~~qualified private industry partners to join the department in~~  
27 ~~providing services that include processing and payment programs~~  
28 ~~for vehicle registration and titling transactions.~~

29 ~~(b) (1) The department may enter into contractual agreements~~  
30 ~~with qualified private industry partners. There are the following~~  
31 ~~three types of private industry partnerships authorized under this~~  
32 ~~section:~~

33 ~~(A) First-line business partner is an industry partner that receives~~  
34 ~~data directly from the department and uses it to complete~~  
35 ~~registration and titling activities for that partner's own business~~  
36 ~~purposes.~~

37 ~~(B) First-line service provider is an industry partner that receives~~  
38 ~~information from the department and then transmits it to another~~  
39 ~~authorized industry partner.~~



1 ~~(C) Second-line business partner is a partner that receives~~  
2 ~~information from a first-line service provider.~~

3 ~~(2) The private industry partner contractual agreements shall~~  
4 ~~include the following minimum requirements:~~

5 ~~(A) Filing of an application and payment of an application fee,~~  
6 ~~as established by the department.~~

7 ~~(B) Submission of information, including, but not limited to,~~  
8 ~~fingerprints and personal history statements, focusing on and~~  
9 ~~concerning the applicant's character, honesty, integrity, and~~  
10 ~~reputation as the department may consider necessary.~~

11 ~~(C) Posting a bond in an amount consistent with Section 1815.~~

12 ~~(3) The department shall, through regulations, establish any~~  
13 ~~additional requirements for the purpose of safeguarding privacy~~  
14 ~~and protecting the information authorized for release under this~~  
15 ~~section.~~

16 ~~(e) The director may establish, through the adoption of~~  
17 ~~regulations, the maximum amount that a qualified private industry~~  
18 ~~partner may charge its customers in providing the services~~  
19 ~~authorized under subdivision (a).~~

20 ~~(d) (1) The department shall charge a three-dollar (\$3)~~  
21 ~~transaction fee for the information and services provided under~~  
22 ~~subdivision (a). The private industry partner may pass the~~  
23 ~~transaction fee to the customer, but the total charge to a customer~~  
24 ~~may not exceed the amount established by the director under~~  
25 ~~subdivision (e).~~

26 ~~(2) Commencing on January 1, 2017, the first-line service~~  
27 ~~provider shall charge a two-dollar (\$2) transaction fee for~~  
28 ~~temporary license plates processed pursuant to subdivision (a) of~~  
29 ~~Section 1686. The private industry partner may pass the transaction~~  
30 ~~fee to the customer.~~

31 ~~(e) All fees collected by the department pursuant to subdivision~~  
32 ~~(d) shall be deposited in the Motor Vehicle Account. On January~~  
33 ~~1 of each year, the department shall adjust the fee in accordance~~  
34 ~~with the California Consumer Price Index. The amount of the fee~~  
35 ~~shall be rounded to the nearest whole dollar, with amounts equal~~  
36 ~~to, or greater than, fifty cents (\$0.50) rounded to the next highest~~  
37 ~~whole dollar.~~

38 ~~(f) The department shall adopt regulations and procedures that~~  
39 ~~ensure adequate oversight and monitoring of qualified private~~  
40 ~~industry partners to protect vehicle owners from the improper use~~

1 of vehicle records. These regulations and procedures shall include  
2 provisions for qualified private industry partners to periodically  
3 submit records to the department, and the department shall review  
4 those records as necessary. The regulations shall also include  
5 provisions for the dedication of department resources to program  
6 monitoring and oversight; the protection of confidential records  
7 in the department's files and databases; and the duration and nature  
8 of the contracts with qualified private industry partners.

9 (g) The department shall, annually, by October 1, provide a  
10 report to the Legislature that shall include all of the following  
11 information gathered during the fiscal year immediately preceding  
12 the report date:

13 (1) Listing of all qualified private industry partners, including  
14 names and business addresses.

15 (2) Volume of transactions, by type, completed by business  
16 partners.

17 (3) Total amount of funds, by transaction type, collected by  
18 business partners.

19 (4) Total amount of funds received by the department.

20 (5) Description of any fraudulent activities identified by the  
21 department.

22 (6) Evaluation of the benefits of the program.

23 (7) Recommendations for any administrative or statutory  
24 changes that may be needed to improve the program.

25 (h) Nothing in this section impairs or limits the authority  
26 provided in Section 4610 or Section 12155 of the Insurance Code.

27 SEC. 2. Section 1686 is added to the Vehicle Code, to read:

28 1686. (a) The department shall develop, or contract with a  
29 private industry partner for the development of, a temporary license  
30 plate system that shall begin operating on January 1, 2017. The  
31 system shall enable the department, vehicle dealers that are private  
32 industry partners under Section 1685, and first-line service  
33 providers to provide temporary license plates at the time of sale  
34 of a vehicle. The system shall provide electronic access to  
35 information identifying the vehicle and its owner only to those  
36 entities authorized to access the state's vehicle registration system.

37 (b) For purposes of this section, "first-line service provider"  
38 has the same meaning as defined in Section 1685.

39 SEC. 3. Section 4456 of the Vehicle Code is amended to read:

1     ~~4456. (a) When selling a vehicle, dealers and lessor-retailers~~  
2 ~~shall use numbered report-of-sale forms issued by the department.~~  
3 ~~The forms shall be used in accordance with the following terms~~  
4 ~~and conditions:~~

5     ~~(1) The dealer or lessor-retailer shall attach for display a copy~~  
6 ~~of the report of sale on the vehicle before the vehicle is delivered~~  
7 ~~to the purchaser.~~

8     ~~(2) The dealer or lessor-retailer shall submit to the department~~  
9 ~~an application accompanied by all fees and penalties due for~~  
10 ~~registration or transfer of registration of the vehicle within 30 days~~  
11 ~~from the date of sale, as provided in subdivision (c) of Section~~  
12 ~~9553, if the vehicle is a used vehicle, and 20 days if the vehicle is~~  
13 ~~a new vehicle. Penalties due for noncompliance with this paragraph~~  
14 ~~shall be paid by the dealer or lessor-retailer. The dealer or~~  
15 ~~lessor-retailer shall not charge the purchaser for the penalties.~~

16     ~~(3) As part of an application to transfer registration of a used~~  
17 ~~vehicle, the dealer or lessor-retailer shall include all of the~~  
18 ~~following information on the certificate of title, application for a~~  
19 ~~duplicate certificate of title, or form prescribed by the department:~~

20     ~~(A) Date of sale and report of sale number.~~

21     ~~(B) Purchaser's name and address.~~

22     ~~(C) Dealer's name, address, number, and signature or signature~~  
23 ~~of authorized agent.~~

24     ~~(D) Salesperson number.~~

25     ~~(4) If the department returns an application and the application~~  
26 ~~was first received by the department within 30 days of the date of~~  
27 ~~sale of the vehicle if the vehicle is a used vehicle, and 20 days if~~  
28 ~~the vehicle is a new vehicle, the dealer or lessor-retailer shall~~  
29 ~~submit a corrected application to the department within 50 days~~  
30 ~~from the date of sale of the vehicle if the vehicle is a used vehicle,~~  
31 ~~and 40 days if the vehicle is a new vehicle, or within 30 days from~~  
32 ~~the date that the application is first returned by the department if~~  
33 ~~the vehicle is a used vehicle, and 20 days if the vehicle is a new~~  
34 ~~vehicle, whichever is later.~~

35     ~~(5) If the department returns an application and the application~~  
36 ~~was first received by the department more than 30 days from the~~  
37 ~~date of sale of the vehicle if the vehicle is a used vehicle, and 20~~  
38 ~~days if the vehicle is a new vehicle, the dealer or lessor-retailer~~  
39 ~~shall submit a corrected application to the department within 50~~

1 days from the date of sale of the vehicle if the vehicle is a used  
2 vehicle, and 40 days if the vehicle is a new vehicle.

3 (6) ~~An application first received by the department more than  
4 50 days from the date of sale of the vehicle if the vehicle is a used  
5 vehicle, and 40 days if the vehicle is a new vehicle, is subject to  
6 the penalties specified in subdivisions (a) and (b) of Section 4456.1.~~

7 (7) ~~The dealer or lessor-retailer shall report the sale pursuant to  
8 Section 5901.~~

9 (b) (1) ~~A transfer that takes place through a dealer conducting  
10 a wholesale vehicle auction shall be reported to the department by  
11 that dealer on a single form approved by the department. The  
12 completed form shall contain, at a minimum, all of the following  
13 information:~~

14 (A) ~~The name and address of the seller.~~

15 (B) ~~The seller's dealer number, if applicable.~~

16 (C) ~~The date of delivery to the dealer conducting the auction.~~

17 (D) ~~The actual mileage of the vehicle as indicated by the  
18 vehicle's odometer at the time of delivery to the dealer conducting  
19 the auction.~~

20 (E) ~~The name, address, and occupational license number of the  
21 dealer conducting the auction.~~

22 (F) ~~The name, address, and occupational license number of the  
23 buyer.~~

24 (G) ~~The signature of the dealer conducting the auction.~~

25 (2) ~~Submission of the completed form specified in paragraph  
26 (1) to the department shall fully satisfy the requirements of  
27 subdivision (a) and subdivision (a) of Section 5901 with respect  
28 to the dealer selling at auction and the dealer conducting the  
29 auction.~~

30 (3) ~~The single form required by this subdivision does not relieve  
31 a dealer of any obligation or responsibility that is required by any  
32 other law.~~

33 (e) ~~If temporary license plates have been issued for a vehicle,  
34 the vehicle may be operated until either of the following events,  
35 whichever occurs first:~~

36 (1) ~~The permanent license plates and registration card are  
37 received by the purchaser.~~

38 (2) ~~A 90-day period, commencing with the date of sale of the  
39 vehicle, has expired.~~

1 ~~(d) If temporary license plates have not been issued for a vehicle,~~  
2 ~~the vehicle displaying a copy of the report of sale may be operated~~  
3 ~~without license plates or registration card until either of the~~  
4 ~~following events, whichever occurs first:~~

5 ~~(1) The license plates and registration card are received by the~~  
6 ~~purchaser.~~

7 ~~(2) A 90-day period, commencing with the date of sale of the~~  
8 ~~vehicle, has expired.~~

9 ~~SEC. 4. Section 4456.5 of the Vehicle Code is amended to~~  
10 ~~read:~~

11 ~~4456.5. (a) A dealer may charge the purchaser or lessee of a~~  
12 ~~vehicle the following charges:~~

13 ~~(1) A document processing charge for the preparation and~~  
14 ~~processing of documents, disclosures, and titling, registration, and~~  
15 ~~information security obligations imposed by state and federal law.~~  
16 ~~The dealer document processing charge shall not be represented~~  
17 ~~as a governmental fee.~~

18 ~~(A) If a dealer has a contractual agreement with the department~~  
19 ~~to be a private industry partner pursuant to Section 1685, the~~  
20 ~~document processing charge shall not exceed eighty dollars (\$80).~~

21 ~~(B) If a dealer does not have a contractual agreement with the~~  
22 ~~department to be a private industry partner pursuant to Section~~  
23 ~~1685, the document processing charge shall not exceed sixty-five~~  
24 ~~dollars (\$65).~~

25 ~~(2) An electronic filing charge, not to exceed the actual amount~~  
26 ~~the dealer is charged by a first-line service provider for providing~~  
27 ~~license plate processing, postage, and the fees and services~~  
28 ~~authorized pursuant to subdivisions (a) and (d) of Section 1685.~~  
29 ~~The director may establish, through the adoption of regulations,~~  
30 ~~the maximum amount that a first-line service provider may charge~~  
31 ~~a dealer. The electronic filing charge shall not be represented as a~~  
32 ~~governmental fee.~~

33 ~~(b) As used in this section, the term “first-line service provider”~~  
34 ~~shall have the same meaning as defined in subdivision (b) of~~  
35 ~~Section 1685.~~

36 ~~(c) This section shall remain in effect only until January 1, 2017,~~  
37 ~~and as of that date is repealed, unless a later enacted statute, that~~  
38 ~~is enacted before January 1, 2017, deletes or extends that date.~~

39 ~~SEC. 5. Section 4456.5 is added to the Vehicle Code, to read:~~

1     ~~4456.5. (a) A dealer may charge the purchaser or lessee of a~~  
2 ~~vehicle the following charges:~~

3     ~~(1) A document processing charge for the preparation and~~  
4 ~~processing of documents, disclosures, and titling, registration, and~~  
5 ~~information security obligations imposed by state and federal law.~~  
6 ~~The dealer document processing charge shall not be represented~~  
7 ~~as a governmental fee.~~

8     ~~(A) If a dealer has a contractual agreement with the department~~  
9 ~~to be a private industry partner pursuant to Section 1685, the~~  
10 ~~document processing charge shall not exceed ninety-five dollars~~  
11 ~~(\$95).~~

12     ~~(B) If a dealer does not have a contractual agreement with the~~  
13 ~~department to be a private industry partner pursuant to Section~~  
14 ~~1685, the document processing charge shall not exceed sixty-five~~  
15 ~~dollars (\$65).~~

16     ~~(2) (A) An electronic filing charge, not to exceed the actual~~  
17 ~~amount the dealer is charged by a first-line service provider for~~  
18 ~~both of the following:~~

19     ~~(i) Permanent license plate processing, postage, and the fees~~  
20 ~~and services authorized pursuant to subdivisions (a) and (d) of~~  
21 ~~Section 1685.~~

22     ~~(ii) Temporary license plate processing authorized pursuant to~~  
23 ~~Section 1686.~~

24     ~~(B) The director may establish, through the adoption of~~  
25 ~~regulations, the maximum amount that a first-line service provider~~  
26 ~~may charge a dealer. The electronic filing charge shall not be~~  
27 ~~represented as a governmental fee.~~

28     ~~(b) As used in this section, “first-line service provider” has the~~  
29 ~~same meaning as defined in Section 1685.~~

30     ~~(c) This section shall become operative January 1, 2017.~~

31     ~~SEC. 6. Section 4456.6 is added to the Vehicle Code, to read:~~

32     ~~4456.6. (a) A motor vehicle dealer that is a private industry~~  
33 ~~partner pursuant to Section 1685 shall, at the time of sale, affix a~~  
34 ~~temporary license plate to a vehicle sold without a permanent~~  
35 ~~license plate.~~

36     ~~(b) This section shall become operative on January 1, 2017.~~

37     ~~SEC. 7. Section 4463 of the Vehicle Code is amended to read:~~

38     ~~4463. (a) A person who, with intent to prejudice, damage, or~~  
39 ~~defraud, commits any of the following acts is guilty of a felony~~  
40 ~~and upon conviction thereof shall be punished by imprisonment~~

1 pursuant to subdivision (h) of Section 1170 of the Penal Code for  
2 16 months or two or three years, or by imprisonment in a county  
3 jail for not more than one year:

4 (1) (A) ~~Alters, forges, counterfeits, or falsifies a certificate of~~  
5 ~~ownership, registration card, certificate, license, license plate,~~  
6 ~~device issued pursuant to Section 4853, special plate, or permit~~  
7 ~~provided for by this code or a comparable certificate of ownership,~~  
8 ~~registration card, certificate, license, license plate, device~~  
9 ~~comparable to that issued pursuant to Section 4853, special plate,~~  
10 ~~or permit provided for by a foreign jurisdiction, or alters, forges,~~  
11 ~~counterfeits, or falsifies the document, device, or plate with intent~~  
12 ~~to represent it as issued by the department, or alters, forges,~~  
13 ~~counterfeits, or falsifies with fraudulent intent an endorsement of~~  
14 ~~transfer on a certificate of ownership or other document evidencing~~  
15 ~~ownership, or with fraudulent intent displays or causes or permits~~  
16 ~~to be displayed or have in his or her possession a blank, incomplete,~~  
17 ~~anceled, suspended, revoked, altered, forged, counterfeit, or false~~  
18 ~~certificate of ownership, registration card, certificate, license,~~  
19 ~~license plate, device issued pursuant to Section 4853, special plate,~~  
20 ~~or permit.~~

21 (B) For purposes of this paragraph, “license plate” includes both  
22 temporary and permanent license plates.

23 (2) ~~Utters, publishes, passes, or attempts to pass, as true and~~  
24 ~~genuine, a false, altered, forged, or counterfeited matter listed in~~  
25 ~~paragraph (1) knowing it to be false, altered, forged, or~~  
26 ~~counterfeited.~~

27 (b) A person who, with intent to prejudice, damage, or defraud,  
28 commits any of the following acts is guilty of a misdemeanor, and  
29 upon conviction thereof shall be punished by imprisonment in a  
30 county jail for six months, a fine of not less than five hundred  
31 dollars (\$500) and not more than one thousand dollars (\$1,000),  
32 or both that fine and imprisonment, which penalty shall not be  
33 suspended:

34 (1) ~~Forges, counterfeits, or falsifies a disabled person placard~~  
35 ~~or a comparable placard relating to parking privileges for disabled~~  
36 ~~persons provided for by a foreign jurisdiction, or forges,~~  
37 ~~counterfeits, or falsifies a disabled person placard with intent to~~  
38 ~~represent it as issued by the department.~~

1     ~~(2) Passes, or attempts to pass, as true and genuine, a false,~~  
 2 ~~forged, or counterfeit disabled person placard knowing it to be~~  
 3 ~~false, forged, or counterfeited.~~

4     ~~(3) Acquires, possesses, sells, or offers for sale a genuine or~~  
 5 ~~counterfeit disabled person placard.~~

6     ~~(e) A person who, with fraudulent intent, displays or causes or~~  
 7 ~~permits to be displayed a forged, counterfeit, or false disabled~~  
 8 ~~person placard, is subject to the issuance of a notice of parking~~  
 9 ~~violation imposing a civil penalty of not less than two hundred~~  
 10 ~~fifty dollars (\$250) and not more than one thousand dollars~~  
 11 ~~(\$1,000), for which enforcement shall be governed by the~~  
 12 ~~procedures set forth in Article 3 (commencing with Section 40200)~~  
 13 ~~of Chapter 1 of Division 17 or is guilty of a misdemeanor~~  
 14 ~~punishable by imprisonment in a county jail for six months, a fine~~  
 15 ~~of not less than two hundred fifty dollars (\$250) and not more than~~  
 16 ~~one thousand dollars (\$1,000), or both that fine and imprisonment,~~  
 17 ~~which penalty shall not be suspended.~~

18     ~~(d) For purposes of subdivision (b) or (c), “disabled person~~  
 19 ~~placard” means a placard issued pursuant to Section 22511.55 or~~  
 20 ~~22511.59.~~

21     ~~(e) A person who, with intent to prejudice, damage, or defraud,~~  
 22 ~~commits any of the following acts is guilty of an infraction, and~~  
 23 ~~upon conviction thereof shall be punished by a fine of not less than~~  
 24 ~~one hundred dollars (\$100) and not more than two hundred fifty~~  
 25 ~~dollars (\$250) for a first offense, not less than two hundred fifty~~  
 26 ~~dollars (\$250) and not more than five hundred dollars (\$500) for~~  
 27 ~~a second offense, and not less than five hundred dollars (\$500)~~  
 28 ~~and not more than one thousand dollars (\$1,000) for a third or~~  
 29 ~~subsequent offense, which penalty shall not be suspended.~~

30     ~~(1) Forges, counterfeits, or falsifies a Clean Air Sticker or a~~  
 31 ~~comparable clean air sticker relating to high occupancy vehicle~~  
 32 ~~lane privileges provided for by a foreign jurisdiction, or forges,~~  
 33 ~~counterfeits, or falsifies a Clean Air Sticker with intent to represent~~  
 34 ~~it as issued by the department.~~

35     ~~(2) Passes, or attempts to pass, as true and genuine, a false,~~  
 36 ~~forged, or counterfeit Clean Air Sticker knowing it to be false,~~  
 37 ~~forged, or counterfeited.~~

38     ~~(3) Acquires, possesses, sells, or offers for sale a counterfeit~~  
 39 ~~Clean Air Sticker.~~



1 ~~(4) Acquires, possesses, sells, or offers for sale a genuine Clean~~  
2 ~~Air Sticker separate from the vehicle for which the department~~  
3 ~~issued that sticker.~~

4 ~~(f) As used in this section, “Clean Air Sticker” means a label~~  
5 ~~or decal issued pursuant to Sections 5205.5 and 21655.9.~~

6 ~~SEC. 8. Section 5200 of the Vehicle Code is amended to read:~~

7 ~~5200. (a) When two license plates are issued by the department~~  
8 ~~for use upon a vehicle, they shall be attached to the vehicle for~~  
9 ~~which they were issued, one in the front and the other in the rear.~~

10 ~~(b) When only one license plate is issued for use upon a vehicle,~~  
11 ~~it shall be attached to the rear thereof, unless the license plate is~~  
12 ~~issued for use upon a truck tractor, in which case the license plate~~  
13 ~~shall be displayed in accordance with Section 4850.5.~~

14 ~~(c) For purposes of this section, “license plate” includes both~~  
15 ~~temporary and permanent license plates.~~

16 ~~SEC. 9. Section 5202.5 is added to the Vehicle Code, to read:~~

17 ~~5202.5. Upon receipt of permanent license plates, the owner~~  
18 ~~of a vehicle shall replace any temporary license plates with the~~  
19 ~~permanent license plates and shall destroy the temporary license~~  
20 ~~plates in accordance with instructions issued by the department.~~

21 ~~SEC. 10. No reimbursement is required by this act pursuant to~~  
22 ~~Section 6 of Article XIII B of the California Constitution because~~  
23 ~~the only costs that may be incurred by a local agency or school~~  
24 ~~district will be incurred because this act creates a new crime or~~  
25 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
26 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
27 ~~the Government Code, or changes the definition of a crime within~~  
28 ~~the meaning of Section 6 of Article XIII B of the California~~  
29 ~~Constitution.~~