

AMENDED IN SENATE JULY 16, 2015

AMENDED IN SENATE JUNE 30, 2015

AMENDED IN ASSEMBLY JUNE 1, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 516

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

February 23, 2015

An act to *amend Section 1685 of*, and to amend, repeal, and add Sections 4456, 4456.5, 4462, 4463, 4763, 4773, 5201, 5202, 5901, 6100, 11714, and 38080 of, and to add 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 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 authorizes a dealer, as specified, to assess a specified document processing charge on the purchaser or lessee of a vehicle for the preparation and processing of documents, disclosures, and titling, registration, and information security

obligations imposed by state and federal law. Existing law generally makes a violation of the Vehicle Code an infraction, but makes counterfeiting a license plate a felony.

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~~ *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 also, commencing January 1, 2018, increase the document processing charge, as specified, that a dealer may impose on the purchaser or lessee of a ~~vehicle~~ *vehicle*, and would authorize the *imposition of a specified electronic filing charge for reporting vehicle sales and producing temporary license plates. The bill would authorize the DMV to establish contracts with qualified industry partners to provide these vehicle sale reporting and temporary license plate services.*

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. By

creating new crimes and expanding the scope of existing crimes, ~~this~~ *the* bill would impose a state-mandated local program.

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 1685 of the Vehicle Code is amended to
2 read:

3 1685. (a) In order to continue improving the quality of products
4 and services it provides to its customers, the department, in
5 conformance with Article 4 (commencing with Section 19130) of
6 Chapter 5 of Part 2 of Division 5 of Title 2 of the Government
7 Code, may establish contracts for electronic programs that allow
8 qualified private industry partners to join the department in
9 providing services that include processing and payment programs
10 for vehicle registration and titling ~~transactions~~ *transactions, and*
11 *services related to reporting vehicle sales and producing temporary*
12 *license plates pursuant to Sections 4456 and 4456.2.*

13 (b) (1) The department may enter into contractual agreements
14 with qualified private industry partners. There are the following
15 three types of private industry partnerships authorized under this
16 section:

17 (A) First-line business partner is an industry partner that receives
18 data directly from the department and uses it to complete
19 registration and titling activities for that partner's own business
20 purposes.

21 (B) First-line service provider is an industry partner that receives
22 information from the department and then transmits it to another
23 authorized industry partner.

24 (C) Second-line business partner is a partner that receives
25 information from a first-line service provider.

26 (2) The private industry partner contractual agreements shall
27 include the following minimum requirements:

1 (A) Filing of an application and payment of an application fee,
2 as established by the department.

3 (B) Submission of information, including, but not limited to,
4 fingerprints and personal history statements, focusing on and
5 concerning the applicant's character, honesty, integrity, and
6 reputation as the department may consider necessary.

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

8 (3) The department shall, through regulations, establish any
9 additional requirements for the purpose of safeguarding privacy
10 and protecting the information authorized for release under this
11 section.

12 (c) The director may establish, through the adoption of
13 regulations, the maximum amount that a qualified private industry
14 partner may charge its customers in providing the services
15 authorized under subdivision (a).

16 (d) The department shall charge a three-dollar (\$3) transaction
17 fee for the information and services provided under subdivision
18 (a). The private industry partner may pass the transaction fee to
19 the customer, but the total charge to a customer may not exceed
20 the amount established by the director under subdivision (c).

21 (e) All fees collected by the department pursuant to subdivision
22 (d) shall be deposited in the Motor Vehicle Account. On January
23 1 of each year, the department shall adjust the fee in accordance
24 with the California Consumer Price Index. The amount of the fee
25 shall be rounded to the nearest whole dollar, with amounts equal
26 to, or greater than, fifty cents (\$0.50) rounded to the next highest
27 whole dollar.

28 (f) The department shall adopt regulations and procedures that
29 ensure adequate oversight and monitoring of qualified private
30 industry partners to protect vehicle owners from the improper use
31 of vehicle records. These regulations and procedures shall include
32 provisions for qualified private industry partners to periodically
33 submit records to the department, and the department shall review
34 those records as necessary. The regulations shall also include
35 provisions for the dedication of department resources to program
36 monitoring and oversight; the protection of confidential records
37 in the department's files and databases; and the duration and nature
38 of the contracts with qualified private industry partners.

39 (g) The department shall, annually, by October 1, provide a
40 report to the Legislature that shall include all of the following

1 information gathered during the fiscal year immediately preceding
2 the report date:

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

5 (2) Volume of transactions, by type, completed by business
6 partners.

7 (3) Total amount of funds, by transaction type, collected by
8 business partners.

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

10 (5) Description of any fraudulent activities identified by the
11 department.

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

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

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

17 **SECTION 1.**

18 *SEC. 2.* Section 4456 of the Vehicle Code is amended to read:

19 4456. (a) When selling a vehicle, dealers and lessor-retailers
20 shall use numbered report-of-sale forms issued by the department.
21 The forms shall be used in accordance with the following terms
22 and conditions:

23 (1) The dealer or lessor-retailer shall attach for display a copy
24 of the report of sale on the vehicle before the vehicle is delivered
25 to the purchaser.

26 (2) The dealer or lessor-retailer shall submit to the department
27 an application accompanied by all fees and penalties due for
28 registration or transfer of registration of the vehicle within 30 days
29 from the date of sale, as provided in subdivision (c) of Section
30 9553, if the vehicle is a used vehicle, and 20 days if the vehicle is
31 a new vehicle. Penalties due for noncompliance with this paragraph
32 shall be paid by the dealer or lessor-retailer. The dealer or
33 lessor-retailer shall not charge the purchaser for the penalties.

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

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

39 (B) Purchaser's name and address.

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

3 (D) Salesperson number.

4 (4) If the department returns an application and the application
5 was first received by the department within 30 days of the date of
6 sale of the vehicle if the vehicle is a used vehicle, and 20 days if
7 the vehicle is a new vehicle, the dealer or lessor-retailer shall
8 submit a corrected application to the department within 50 days
9 from the date of sale of the vehicle if the vehicle is a used vehicle,
10 and 40 days if the vehicle is a new vehicle, or within 30 days from
11 the date that the application is first returned by the department if
12 the vehicle is a used vehicle, and 20 days if the vehicle is a new
13 vehicle, whichever is later.

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

21 (6) An application first received by the department more than
22 50 days from the date of sale of the vehicle if the vehicle is a used
23 vehicle, and 40 days if the vehicle is a new vehicle, is subject to
24 the penalties specified in subdivisions (a) and (b) of Section 4456.1.

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

27 (b) (1) A transfer that takes place through a dealer conducting
28 a wholesale vehicle auction shall be reported to the department by
29 that dealer on a single form approved by the department. The
30 completed form shall contain, at a minimum, all of the following
31 information:

32 (A) The name and address of the seller.

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

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

35 (D) The actual mileage of the vehicle as indicated by the
36 vehicle's odometer at the time of delivery to the dealer conducting
37 the auction.

38 (E) The name, address, and occupational license number of the
39 dealer conducting the auction.

1 (F) The name, address, and occupational license number of the
2 buyer.

3 (G) The signature of the dealer conducting the auction.

4 (2) Submission of the completed form specified in paragraph
5 (1) to the department shall fully satisfy the requirements of
6 subdivision (a) and subdivision (a) of Section 5901 with respect
7 to the dealer selling at auction and the dealer conducting the
8 auction.

9 (3) The single form required by this subdivision does not relieve
10 a dealer of any obligation or responsibility that is required by any
11 other law.

12 (c) A vehicle displaying a copy of the report of sale may be
13 operated without license plates or registration card until either of
14 the following, whichever occurs first:

15 (1) The license plates and registration card are received by the
16 purchaser.

17 (2) A 90-day period, commencing with the date of sale of the
18 vehicle, has expired.

19 (d) This section shall become operative on July 1, 2012.

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

23 ~~SEC. 2.~~

24 *SEC. 3.* Section 4456 is added to the Vehicle Code, to read:

25 4456. (a) When selling a vehicle, dealers and lessor-retailers
26 shall report the sale using the reporting system described in Section
27 4456.2. After providing information to the reporting system, the
28 dealer or lessor-retailer shall do all of the following:

29 (1) The dealer or lessor-retailer shall attach for display a copy
30 of the report-of-sale form provided by the reporting system on the
31 vehicle before the vehicle is delivered to the purchaser.

32 (2) The dealer or lessor-retailer shall submit to the department
33 an application accompanied by all fees and penalties due for
34 registration or transfer of registration of the vehicle within 30 days
35 from the date of sale, as provided in subdivision (c) of Section
36 9553, if the vehicle is a used vehicle, and within 20 days if the
37 vehicle is a new vehicle. Penalties due for noncompliance with
38 this paragraph shall be paid by the dealer or lessor-retailer. The
39 dealer or lessor-retailer shall not charge the purchaser for the
40 penalties.

- 1 (3) As part of an application to transfer registration of a used
2 vehicle, the dealer or lessor-retailer shall include all of the
3 following information on the certificate of title, application for a
4 duplicate certificate of title, or form prescribed by the department:
5 (A) Date of sale and report-of-sale number.
6 (B) Purchaser's name and address.
7 (C) Dealer's name, address, number, and signature, or signature
8 of authorized agent.
9 (D) Salesperson number.
- 10 (4) If the department returns an application and the application
11 was first received by the department within 30 days of the date of
12 sale of the vehicle if the vehicle is a used vehicle, and within 20
13 days if the vehicle is a new vehicle, the dealer or lessor-retailer
14 shall submit a corrected application to the department within 50
15 days from the date of sale of the vehicle if the vehicle is a used
16 vehicle, and within 40 days if the vehicle is a new vehicle, or within
17 30 days from the date that the application was first returned by the
18 department if the vehicle is a used vehicle, and within 20 days if
19 the vehicle is a new vehicle, whichever is later.
- 20 (5) If the department returns an application and the application
21 was first received by the department more than 30 days from the
22 date of sale of the vehicle if the vehicle is a used vehicle, and more
23 than 20 days if the vehicle is a new vehicle, the dealer or
24 lessor-retailer shall submit a corrected application to the department
25 within 50 days from the date of sale of the vehicle if the vehicle
26 is a used vehicle, and within 40 days if the vehicle is a new vehicle.
- 27 (6) An application first received by the department more than
28 50 days from the date of sale of the vehicle if the vehicle is a used
29 vehicle, and more than 40 days if the vehicle is a new vehicle, is
30 subject to the penalties specified in subdivisions (a) and (b) of
31 Section 4456.1.
- 32 (7) The dealer or lessor-retailer shall report the sale pursuant to
33 Section 5901.
- 34 (8) If the vehicle does not display license plates previously
35 issued by the department, the dealer or lessor-retailer shall attach
36 the temporary license plates issued by the reporting system.
- 37 (b) (1) A transfer that takes place through a dealer conducting
38 a wholesale vehicle auction shall be reported to the department
39 electronically in a manner approved by the department. The report
40 shall contain, at a minimum, all of the following 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 electronic report 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 electronic report required by this subdivision does not
- 18 relieve a dealer of any obligation or responsibility that is required
- 19 by any other law.
- 20 (c) A vehicle displaying a report-of-sale form or temporary
- 21 license plate issued pursuant to paragraph (8) of subdivision (a)
- 22 may be operated without license plates until either of the following,
- 23 whichever occurs first:
- 24 (1) The license plates and registration card are received by the
- 25 purchaser.
- 26 (2) A 90-day period, commencing with the date of sale of the
- 27 vehicle, has expired.
- 28 (d) *Notwithstanding subdivision (c), a vehicle may continue to*
- 29 *display a report-of-sale form or temporary license plates after 90*
- 30 *days if the owner has not yet received the permanent license plates*
- 31 *and provides proof that he or she has submitted an application to*
- 32 *the department pursuant to Section 4457.*
- 33 ~~(d)~~
- 34 (e) This section shall become operative January 1, 2018.
- 35 ~~SEC. 3.~~
- 36 *SEC. 4.* Section 4456.2 is added to the Vehicle Code, to read:
- 37 4456.2. (a) The department shall develop a system for dealers
- 38 and lessor-retailers to electronically report the sale of a vehicle
- 39 before the vehicle is delivered to the purchaser. At minimum, the
- 40 system shall conform ~~with~~ *to* the following conditions:

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

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

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

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

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

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

21 ~~SEC. 4.~~

22 *SEC. 5.* Section 4456.5 of the Vehicle Code is amended to
23 read:

24 4456.5. (a) A dealer may charge the purchaser or lessee of a
25 vehicle the following charges:

26 (1) A document processing charge for the preparation and
27 processing of documents, disclosures, and titling, registration, and
28 information security obligations imposed by state and federal law.
29 The dealer document processing charge shall not be represented
30 as a governmental fee.

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

34 (B) If a dealer does not have a contractual agreement with the
35 department to be a private industry partner pursuant to Section
36 1685, the document processing charge shall not exceed sixty-five
37 dollars (\$65).

38 (2) An electronic filing charge, not to exceed the actual amount
39 the dealer is charged by a first-line service provider for providing
40 license plate processing, postage, and the fees and services

1 authorized pursuant to subdivisions (a) and (d) of Section 1685.
2 The director may establish, through the adoption of regulations,
3 the maximum amount that a first-line service provider may charge
4 a dealer. The electronic filing charge shall not be represented as a
5 governmental fee.

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

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

12 ~~SEC. 5.~~

13 *SEC. 6.* Section 4456.5 is added to the Vehicle Code, to read:

14 4456.5. (a) A dealer may charge the purchaser or lessee of a
15 vehicle the following charges:

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

21 (A) If a dealer has a contractual agreement with the department
22 to be a private industry partner pursuant to Section 1685, the
23 document processing charge shall not exceed ninety dollars (\$90).

24 (B) If a dealer does not have a contractual agreement with the
25 department to be a private industry partner pursuant to Section
26 1685, the document processing charge shall not exceed seventy-five
27 dollars (\$75).

28 (2) An electronic filing charge, not to exceed the actual amount
29 the dealer is charged by a first-line service provider for providing
30 license plate processing, postage, and the fees and services
31 authorized pursuant to subdivisions (a) and (d) of Section ~~1685~~
32 *1685, including services related to reporting vehicle sales and*
33 *producing temporary license plates pursuant to Sections 4456 and*
34 *4456.2. The director may establish, through the adoption of*
35 *regulations, the maximum amount that a first-line service provider*
36 *may charge a dealer. The electronic filing charge shall not be*
37 *represented as a governmental fee.*

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

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

2 ~~SEC. 6.~~

3 *SEC. 7.* Section 4462 of the Vehicle Code is amended to read:

4 4462. (a) The driver of a motor vehicle shall present the
5 registration or identification card or other evidence of registration
6 of any or all vehicles under his or her immediate control for
7 examination upon demand of any peace officer.

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

13 (c) 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.~~

17 *SEC. 8.* Section 4462 is added to the Vehicle Code, to read:

18 4462. (a) The driver of a motor vehicle shall present the
19 registration or identification card or other evidence of registration
20 of any or all vehicles under his or her immediate control for
21 examination upon demand of any peace officer.

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

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

28 ~~SEC. 8.~~

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

30 4463. (a) A person who, with intent to prejudice, damage, or
31 defraud, commits any of the following acts is guilty of a felony
32 and upon conviction thereof shall be punished by imprisonment
33 pursuant to subdivision (h) of Section 1170 of the Penal Code for
34 16 months, or two or three years, or by imprisonment in a county
35 jail for not more than one year:

36 (1) Alters, forges, counterfeits, or falsifies a certificate of
37 ownership, registration card, certificate, license, license plate,
38 device issued pursuant to Section 4853, special plate, or permit
39 provided for by this code or a comparable certificate of ownership,
40 registration card, certificate, license, license plate, device

1 comparable to that issued pursuant to Section 4853, special plate,
2 or permit provided for by a foreign jurisdiction, or alters, forges,
3 counterfeits, or falsifies the document, device, or plate with intent
4 to represent it as issued by the department, or alters, forges,
5 counterfeits, or falsifies with fraudulent intent an endorsement of
6 transfer on a certificate of ownership or other document evidencing
7 ownership, or with fraudulent intent displays or causes or permits
8 to be displayed or have in his or her possession a blank, incomplete,
9 canceled, suspended, revoked, altered, forged, counterfeit, or false
10 certificate of ownership, registration card, certificate, license,
11 license plate, device issued pursuant to Section 4853, special plate,
12 or permit.

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

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

24 (1) Forges, counterfeits, or falsifies a disabled person placard
25 or a comparable placard relating to parking privileges for disabled
26 persons provided for by a foreign jurisdiction, or forges,
27 counterfeits, or falsifies a disabled person placard with intent to
28 represent it as issued by the department.

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

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

34 (c) A person who, with fraudulent intent, displays or causes or
35 permits to be displayed a forged, counterfeit, or false disabled
36 person placard, is subject to the issuance of a notice of parking
37 violation imposing a civil penalty of not less than two hundred
38 fifty dollars (\$250) and not more than one thousand dollars
39 (\$1,000), for which enforcement shall be governed by the
40 procedures set forth in Article 3 (commencing with Section 40200)

1 of Chapter 1 of Division 17 or is guilty of a misdemeanor
2 punishable by imprisonment in a county jail for six months, a fine
3 of not less than two hundred fifty dollars (\$250) and not more than
4 one thousand dollars (\$1,000), or both that fine and imprisonment,
5 which penalty shall not be suspended.

6 (d) For purposes of subdivision (b) or (c), “disabled person
7 placard” means a placard issued pursuant to Section 22511.55 or
8 22511.59.

9 (e) A person who, with intent to prejudice, damage, or defraud,
10 commits any of the following acts is guilty of an infraction, and
11 upon conviction thereof shall be punished by a fine of not less than
12 one hundred dollars (\$100) and not more than two hundred fifty
13 dollars (\$250) for a first offense, not less than two hundred fifty
14 dollars (\$250) and not more than five hundred dollars (\$500) for
15 a second offense, and not less than five hundred dollars (\$500)
16 and not more than one thousand dollars (\$1,000) for a third or
17 subsequent offense, which penalty shall not be suspended:

18 (1) Forges, counterfeits, or falsifies a Clean Air Sticker or a
19 comparable clean air sticker relating to high-occupancy vehicle
20 lane privileges provided for by a foreign jurisdiction, or forges,
21 counterfeits, or falsifies a Clean Air Sticker with intent to represent
22 it as issued by the department.

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

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

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

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

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

36 ~~SEC. 9.~~

37 *SEC. 10.* Section 4463 is added to the Vehicle Code, 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) Alters, forges, counterfeits, or falsifies a certificate of
5 ownership, registration card, certificate, license, license plate,
6 temporary license plate, device issued pursuant to Section 4853,
7 special plate, or permit provided for by this code or a comparable
8 certificate of ownership, registration card, certificate, license,
9 license plate, temporary license plate, device comparable to that
10 issued pursuant to Section 4853, special plate, or permit provided
11 for by a foreign jurisdiction, or alters, forges, counterfeits, or
12 falsifies the document, device, or plate with intent to represent it
13 as issued by the department, or alters, forges, counterfeits, or
14 falsifies with fraudulent intent an endorsement of transfer on a
15 certificate of ownership or other document evidencing ownership,
16 or with fraudulent intent displays or causes or permits to be
17 displayed or have in his or her possession a blank, incomplete,
18 canceled, suspended, revoked, altered, forged, counterfeit, or false
19 certificate of ownership, registration card, certificate, license,
20 license plate, temporary license plate, device issued pursuant to
21 Section 4853, special plate, or permit.

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

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

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

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

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

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

15 (d) For purposes of subdivision (b) or (c), “disabled person
16 placard” means a placard issued pursuant to Section 22511.55 or
17 22511.59.

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

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

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

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

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

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

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

4 ~~SEC. 10.~~

5 *SEC. 11.* Section 4763 of the Vehicle Code is amended to read:

6 4763. (a) The department shall assess a fee for the recording
7 of the notice of delinquent parking violation, which is given to the
8 department by a processing agency pursuant to Section 40220, in
9 an amount, as determined by the department, that is sufficient to
10 provide a total amount equal to its actual costs of administering
11 Sections 4760, 4761, 4762, 4764, and 4765.

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

15 ~~SEC. 11.~~

16 *SEC. 12.* Section 4763 is added to the Vehicle Code, to read:

17 4763. (a) The department shall assess a fee for the recording
18 of the notice of delinquent parking violation, which is given to the
19 department by a processing agency pursuant to Section 40220, in
20 an amount, as determined by the department, that is sufficient to
21 provide a total amount equal to its actual costs of administering
22 Sections 4760, 4761, 4762, 4764, and 4765, and administering the
23 system described in Section 4456.2.

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

25 ~~SEC. 12.~~

26 *SEC. 13.* Section 4773 of the Vehicle Code is amended to read:

27 4773. (a) The department shall assess a fee for the recording
28 of the notice of delinquent toll evasion violation, which is given
29 to the department by a processing agency pursuant to Section
30 40267, in an amount, as determined by the department, that is
31 sufficient to provide a total amount equal to at least its actual costs
32 of administering Sections 4770, 4771, 4774, and 4775.

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

36 ~~SEC. 13.~~

37 *SEC. 14.* Section 4773 is added to the Vehicle Code, to read:

38 4773. (a) The department shall assess a fee for the recording
39 of the notice of delinquent toll evasion violation, which is given
40 to the department by a processing agency pursuant to Section

1 40267, in an amount, as determined by the department, that is
2 sufficient to provide a total amount equal to at least its actual costs
3 of administering Sections 4770, 4771, 4774, and 4775, and
4 administering the system described in Section 4456.2.

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

6 ~~SEC. 14.~~

7 *SEC. 15.* Section 5201 of the Vehicle Code is amended to read:

8 5201. (a) License plates shall at all times be securely fastened
9 to the vehicle for which they are issued so as to prevent the plates
10 from swinging, shall be mounted in a position so as to be clearly
11 visible, and so that the characters are upright and display from left
12 to right, and shall be maintained in a condition so as to be clearly
13 legible. The rear license plate shall be mounted not less than 12
14 inches nor more than 60 inches from the ground, and the front
15 license plate shall be mounted not more than 60 inches from the
16 ground, except as follows:

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

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

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

28 (4) The rear license plate of a vehicle designed by the
29 manufacturer for the collection and transportation of garbage,
30 rubbish, or refuse that is used regularly for the collection and
31 transportation of that material by a person or governmental entity
32 employed to collect, transport, and dispose of garbage, rubbish,
33 or refuse may be mounted not less than 12 inches nor more than
34 90 inches from the ground.

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

38 (6) (A) The rear license plate on a dump bed motortruck
39 equipped with a trailing, load bearing swing axle shall be mounted

1 more than 12 inches, but not more than 107 inches, from the
2 ground.

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

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

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

16 (2) The installation of a license plate security cover is not a
17 violation of this subdivision if the device does not obstruct or
18 impair the recognition of the license plate information, including,
19 but not limited to, the issuing state, license plate number, and
20 registration tabs, and the cover is limited to the area directly over
21 the top of the registration tabs. No portion of a license plate security
22 cover shall rest over the license plate number.

23 (c) A casing, shield, frame, border, product, or other device that
24 obstructs or impairs the reading or recognition of a license plate
25 by an electronic device operated by state or local law enforcement,
26 an electronic device operated in connection with a toll road,
27 high-occupancy toll lane, toll bridge, or other toll facility, or a
28 remote emission sensing device, as specified in Sections 44081
29 and 44081.6 of the Health and Safety Code, shall not be installed
30 on, or affixed to, a vehicle.

31 (d) (1) It is the intent of the Legislature that an accommodation
32 be made to persons with disabilities and to those persons who
33 regularly transport persons with disabilities, to allow the removal
34 and relocation of wheelchair lifts and wheelchair carriers without
35 the necessity of removing and reattaching the vehicle's rear license
36 plate. Therefore, it is not a violation of this section if the reading
37 or recognition of a rear license plate is obstructed or impaired by
38 a wheelchair lift or wheelchair carrier and all of the following
39 requirements are met:

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

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

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

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

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

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

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

23 ~~SEC. 15.~~

24 *SEC. 16.* Section 5201 is added to the Vehicle Code, to read:

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

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

39 (2) The rear license plate on a tank vehicle hauling hazardous
 40 waste, as defined in Section 25117 of the Health and Safety Code,

1 or asphalt material may be mounted not less than 12 inches nor
2 more than 90 inches from the ground.

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

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

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

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

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

24 (b) Temporary license plates shall be replaced with permanent
25 license plates upon receipt of the permanent license plates, and
26 the temporary license plates shall be destroyed at that time.

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

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

36 (2) The installation of a license plate security cover is not a
37 violation of this subdivision if the device does not obstruct or
38 impair the recognition of the license plate information, including,
39 but not limited to, the issuing state, license plate number, and
40 registration tabs, and the cover is limited to the area directly over

1 the top of the registration tabs. No portion of a license plate security
2 cover shall rest over the license plate number.

3 (d) A casing, shield, frame, border, product, or other device that
4 obstructs or impairs the reading or recognition of a license plate
5 by an electronic device operated by state or local law enforcement,
6 an electronic device operated in connection with a toll road,
7 high-occupancy toll lane, toll bridge, or other toll facility, or a
8 remote emission sensing device, as specified in Sections 44081
9 and 44081.6 of the Health and Safety Code, shall not be installed
10 on, or affixed to, a vehicle.

11 (e) (1) It is the intent of the Legislature that an accommodation
12 be made to persons with disabilities and to those persons who
13 regularly transport persons with disabilities, to allow the removal
14 and relocation of wheelchair lifts and wheelchair carriers without
15 the necessity of removing and reattaching the vehicle's rear license
16 plate. Therefore, it is not a violation of this section if the reading
17 or recognition of a rear license plate is obstructed or impaired by
18 a wheelchair lift or wheelchair carrier and all of the following
19 requirements are met:

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

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

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

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

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

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

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

1 ~~SEC. 16.~~

2 *SEC. 17.* Section 5202 of the Vehicle Code is amended to read:

3 5202. (a) A license plate issued by this state or any other
4 jurisdiction within or without the United States shall be attached
5 upon receipt and remain attached during the period of its validity
6 to the vehicle for which it is issued while being operated within
7 this state or during the time the vehicle is being held for sale in
8 this state, or until the time that a vehicle with special or
9 identification plates is no longer entitled to those plates; and a
10 person shall not operate, and an owner shall not knowingly permit
11 to be operated, upon any highway, a vehicle unless the license
12 plate is so attached. A special permit issued in lieu of plates shall
13 be attached and displayed on the vehicle for which the permit was
14 issued during the period of the permit's validity.

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

18 ~~SEC. 17.~~

19 *SEC. 18.* Section 5202 is added to the Vehicle Code, to read:

20 5202. (a) A license plate issued by this state or any other
21 jurisdiction within or without the United States shall be attached
22 upon receipt and remain attached during the period of its validity
23 to the vehicle for which it is issued while being operated within
24 this state or during the time the vehicle is being held for sale in
25 this state, or until the time that a vehicle with special or
26 identification plates is no longer entitled to those plates; and a
27 person shall not operate, and an owner shall not knowingly permit
28 to be operated, upon any highway, a vehicle unless the license
29 plate is so attached. A special permit or temporary license plate
30 issued in lieu of permanent license plates shall be attached and
31 displayed on the vehicle for which the permit or temporary license
32 plate was issued until the temporary license plate or the special
33 permit expires, or the permanent license plates are received,
34 whichever occurs first.

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

36 ~~SEC. 18.~~

37 *SEC. 19.* Section 5901 of the Vehicle Code is amended to read:

38 5901. (a) Every dealer or lessor-retailer, upon transferring by
39 sale, lease, or otherwise any vehicle, whether new or used, of a
40 type subject to registration under this code, shall, not later than

1 the end of the fifth calendar day thereafter not counting the day of
2 sale, give written notice of the transfer to the department at its
3 headquarters upon an appropriate form provided by it.

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

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

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

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

26 ~~SEC. 19.~~

27 *SEC. 20.* Section 5901 is added to the Vehicle Code, to read:

28 5901. (a) Every dealer or lessor-retailer, upon transferring by
29 sale, lease, or otherwise any vehicle, whether new or used, of a
30 type subject to registration under this code, shall, not later than
31 the end of the fifth calendar day thereafter not counting the day of
32 sale, give notice of the transfer to the department electronically in
33 a manner approved by the department.

34 (b) Except as otherwise provided in this subdivision or in
35 subdivision (c), the dealer or lessor-retailer shall enter on the form
36 and pursuant to Section 32705(a) of Title 49 of the United States
37 Code, on the ownership certificate, the actual mileage of the vehicle
38 as indicated by the vehicle's odometer at the time of the transfer.
39 However, if the vehicle dealer or lessor-retailer has knowledge
40 that the mileage displayed on the odometer is incorrect, the licensee

1 shall indicate on the form on which the mileage is entered that the
2 mileage registered by the odometer is incorrect. A vehicle dealer
3 or lessor-retailer need not give the notice when selling or
4 transferring a new unregistered vehicle to a dealer or lessor-retailer.

5 (c) When the dealer or lessor-retailer is not in possession of the
6 vehicle that is sold or transferred, the person in physical possession
7 of the vehicle shall give the information required by subdivision
8 (b).

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

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

14 ~~SEC. 20.~~

15 *SEC. 21.* Section 6100 of the Vehicle Code is amended to read:

16 6100. (a) A dealer who conducts a wholesale motor vehicle
17 auction and who uses the form prescribed in subdivision (b) of
18 Section 4456 shall include the phrase “SOLD THROUGH [name
19 of dealer conducting the auction]” and the date of the auction on
20 the certificate of title of every vehicle sold, in a manner prescribed
21 by the department.

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

25 ~~SEC. 21.~~

26 *SEC. 22.* Section 6100 is added to the Vehicle Code, to read:

27 6100. (a) A dealer who conducts a wholesale motor vehicle
28 auction and reports the sale of the vehicle in the manner prescribed
29 in subdivision (b) of Section 4456 shall include the phrase “SOLD
30 THROUGH [name of dealer conducting the auction]” and the date
31 of the auction on the certificate of title of every vehicle sold, in a
32 manner prescribed by the department.

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

34 ~~SEC. 22.~~

35 *SEC. 23.* Section 11714 of the Vehicle Code is amended to
36 read:

37 11714. (a) The department, upon granting a license, shall issue
38 to the applicant a license containing the applicant’s name and
39 address and the general distinguishing number assigned to the
40 applicant.

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

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

7 (d) When the department has issued a license pursuant to
8 subdivision (a), the licensee may apply for and the department
9 shall issue special plates which shall have displayed thereon the
10 general distinguishing number assigned to the applicant. Each plate
11 so issued shall also contain a number or symbol identifying the
12 plate from every other plate bearing a like general distinguishing
13 number.

14 (e) The department shall also furnish books and forms as it may
15 determine necessary. Those books and forms are and shall remain
16 the property of the department and may be taken up at any time
17 for inspection.

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

21 ~~SEC. 23.~~

22 *SEC. 24.* Section 11714 is added to the Vehicle Code, to read:

23 11714. (a) The department, upon granting a license, shall issue
24 to the applicant a license containing the applicant's name and
25 address and the general distinguishing number assigned to the
26 applicant.

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

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

33 (d) When the department has issued a license pursuant to
34 subdivision (a), the licensee may apply for and the department
35 shall issue special plates which shall have displayed thereon the
36 general distinguishing number assigned to the applicant. Each plate
37 so issued shall also contain a number or symbol identifying the
38 plate from every other plate bearing a like general distinguishing
39 number.

1 (e) The department shall also furnish books and forms as it may
2 determine necessary. Those books and forms are and shall remain
3 the property of the department and may be taken up at any time
4 for inspection.

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

6 ~~SEC. 24.~~

7 *SEC. 25.* Section 38080 of the Vehicle Code is amended to
8 read:

9 38080. (a) The department may authorize, under Section 4456,
10 dealers licensed under Article 1 (commencing with Section 11700)
11 of Chapter 4 of Division 5 to use numbered copies of the
12 report-of-sale form and corresponding temporary identification
13 devices upon off-highway motor vehicles subject to identification
14 that they sell.

15 (b) Off-highway motor vehicles subject to identification that
16 are purchased from dealers not required to be licensed under Article
17 1 (commencing with Section 11700) of Chapter 4 of Division 5,
18 or that are specially constructed by the owner or owners, may be
19 operated off-highway, as provided by this division, without an
20 identification plate or device or identification certificate, provided
21 a receipt or other suitable device issued by the department is
22 displayed upon the vehicle evidencing an application has been
23 made and appropriate fees paid pursuant to this division, until the
24 identification plate or device and identification certificate are
25 received from the department.

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

29 ~~SEC. 25.~~

30 *SEC. 26.* Section 38080 is added to the Vehicle Code, to read:

31 38080. (a) The department may authorize, under Section 4456,
32 dealers licensed under Article 1 (commencing with Section 11700)
33 of Chapter 4 of Division 5 to use the process described in Section
34 4456 and corresponding temporary identification devices upon
35 off-highway motor vehicles subject to identification that they sell.

36 (b) Off-highway motor vehicles subject to identification that
37 are purchased from dealers not required to be licensed under Article
38 1 (commencing with Section 11700) of Chapter 4 of Division 5,
39 or that are specially constructed by the owner or owners, may be
40 operated off-highway, as provided by this division, without an

1 identification plate or device or identification certificate, provided
2 a receipt or other suitable device issued by the department is
3 displayed upon the vehicle evidencing an application has been
4 made and appropriate fees paid pursuant to this division, until the
5 identification plate or device and identification certificate are
6 received from the department.

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

8 ~~SEC. 26.~~

9 *SEC. 27.* No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.