

AMENDED IN ASSEMBLY SEPTEMBER 2, 2015

**SENATE BILL**

**No. 404**

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**Introduced by Senator De León**

February 25, 2015

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An act to amend Section 40800 of the Vehicle Code, relating to vehicles:  *fines*.

LEGISLATIVE COUNSEL'S DIGEST

SB 404, as amended, De León. ~~Vehicles: traffic officers. Fines: criminal and traffic base fines.~~

*Existing law imposes various penalties including, among others, fines, for violations of the Penal Code and the Vehicle Code.*

*This bill would state the intent of the Legislature to enact legislation to provide a durable solution to address the issues of equity and efficacy of penalty assessments associated with criminal and traffic base fines.*

~~Existing law requires a traffic officer on duty for the exclusive or main purpose of enforcing specified provisions of the Vehicle Code relating to accidents and accident reports and rules of the road to wear a full distinctive uniform, and if the officer while on duty uses a motor vehicle, requires the vehicle to be painted a distinctive color specified by the Commissioner of the California Highway Patrol.~~

~~This bill would delete the requirement that the motor vehicle be painted, but would continue to require the vehicle be a distinctive color.~~

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

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

1     SECTION 1. *Recognizing the complexity of the state’s fine and*  
2 *fee structure, it is the intent of the Legislature to enact legislation*  
3 *to provide a durable solution to address the issues of equity and*  
4 *efficacy of penalty assessments associated with criminal and traffic*  
5 *base fines.*

6     SECTION 1. ~~Section 40800 of the Vehicle Code is amended~~  
7 ~~to read:~~

8     ~~40800. (a) A traffic officer on duty for the exclusive or main~~  
9 ~~purpose of enforcing the provisions of Division 10 (commencing~~  
10 ~~with Section 20000) or division 11 (commencing with Section~~  
11 ~~21000) shall wear a full distinctive uniform, and if the officer while~~  
12 ~~on duty uses a motor vehicle, it shall be a distinctive color specified~~  
13 ~~by the commissioner.~~

14     ~~(b) This section does not apply to an officer assigned exclusively~~  
15 ~~to the duty of investigating and securing evidence in reference to~~  
16 ~~the theft of a vehicle, failure of a person to stop in the event of an~~  
17 ~~accident, or violation of Section 23109 or 23109.1, or in reference~~  
18 ~~to a felony charge, or to an officer engaged in serving a warrant~~  
19 ~~when the officer is not engaged in patrolling the highways for the~~  
20 ~~purpose of enforcing the traffic laws.~~