

AMENDED IN ASSEMBLY MARCH 21, 1996

CALIFORNIA LEGISLATURE—1995-96 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2352**

**Introduced by Assembly Member Speier**

February 16, 1996

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An act to amend ~~Section 12814.5 of, and to add Section 12804.10 to, Sections 12814.5 and 12816 of~~ the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2352, as amended, Speier. Vehicles: driver's licenses: expiration.

(1) ~~Existing~~ Under existing law ~~makes~~, every original driver's license and every renewed driver's license ~~expire~~ expires on the 4th birthday of the applicant following the date of the application for the license or renewal, except as specified.

~~This bill would authorize the Department of Motor Vehicles to issue a class C driver's license, as an original license or as a renewal, that expires on the 10th birthday of the applicant following the date of application, except as specified, to an applicant who is 18 years of age or older at the time of application, if the applicant does not hold a probationary license and the applicant's record with the department for the 2 years immediately preceding the determination of eligibility for the original license or the renewal meets all of specified criteria.~~

~~The bill would require an original license or a renewal issued under the provision specified above to a person who is 64 years of age or older to expire on that person's 70th birthday.~~

~~The bill would require the department to charge a fee of \$20 for an original license or a renewal issued under the specified provision.~~

~~The bill would prohibit the department from renewing a driver's license by mail if the license was issued under the specified provision.~~

*This bill would provide for the expiration of a driver's license on the 5th birthday, rather than the 4th birthday, of the applicant following the date of the application for the license or renewal.*

*(2) Existing law prohibits the Department of Motor Vehicles from renewing a driver's license by mail, under a program allowing for renewal by mail, if the license has been previously renewed by mail 2 consecutive times for 4-year periods.*

*This bill would prohibit that renewal if the license has been previously renewed by mail 2 consecutive times for 5-year periods, rather than 4-year periods, and would make a related, conforming change.*

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

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

1    ~~SECTION 1. Section 12804.10 is added to the Vehicle~~  
 2    ~~Code, to read:~~  
 3    ~~12804.10. (a) The department may issue a class C~~  
 4    ~~driver's license, as an original license or as a renewal, that~~  
 5    ~~expires on the 10th birthday of the applicant following the~~  
 6    ~~date of application, except as specified in subdivision (b);~~  
 7    ~~to an applicant who is 18 years of age or older at the time~~  
 8    ~~of application, if the applicant does not hold a~~  
 9    ~~probationary license and the applicant's record with the~~  
 10   ~~department for the two years immediately preceding the~~  
 11   ~~determination of eligibility for the original license or the~~  
 12   ~~renewal meets all of the following criteria:~~



1 ~~(1) There is no record of a notification of a violation of~~  
2 ~~subdivision (a) of Section 40509.~~

3 ~~(2) The total violation point count is not greater than~~  
4 ~~one, as determined in accordance with Section 12810.~~

5 ~~(3) There is no record of a suspension of the driving~~  
6 ~~privilege pursuant to Section 13353.2.~~

7 ~~(4) There is no record of a refusal to submit to or~~  
8 ~~complete chemical testing pursuant to Section 13353 or~~  
9 ~~13353.1.~~

10 ~~(b) An original license or a renewal issued under this~~  
11 ~~section to a person who is 64 years of age or older shall~~  
12 ~~expire on that person's 70th birthday.~~

13 ~~(c) The department shall charge a fee of twenty~~  
14 ~~dollars (\$20) for an original license or a renewal issued~~  
15 ~~under this section.~~

16 ~~SEC. 2.~~

17 *SECTION 1.* Section 12814.5 of the Vehicle Code is  
18 amended to read:

19 12814.5. (a) The director may establish a program to  
20 evaluate the traffic safety and other effects of renewing  
21 driver's licenses by mail. Pursuant to that program, the  
22 department may renew by mail driver's licensees for  
23 licensees not holding a probationary license, and whose  
24 records, for the two years immediately preceding the  
25 determination of eligibility for the renewal, show no  
26 notification of a violation of subdivision (a) of Section  
27 40509, a total violation point count not greater than one  
28 as determined in accordance with Section 12810, no  
29 suspension of the driving privilege pursuant to Section  
30 13353.2, and no refusal to submit to or complete chemical  
31 testing pursuant to Section 13353 or 13353.1.

32 (b) The director may terminate the renewal by mail  
33 program authorized by this section at any time the  
34 department determines that the program has an adverse  
35 impact on traffic safety.

36 (c) No renewal by mail shall be granted to any person  
37 who is 70 years of age or older.

38 (d) The department shall charge a fee of twelve  
39 dollars (\$12) for each noncommercial license renewal  
40 and twenty-seven dollars (\$27) for each commercial



1 license or noncommercial firefighter license renewal  
2 granted pursuant to subdivision (a).

3 (e) The department shall notify each licensee granted  
4 a renewal by mail pursuant to this section of major  
5 changes to the Vehicle Code affecting traffic laws  
6 occurring during the prior ~~four-year~~ *five-year* period.

7 (f) The department shall not renew a driver's license  
8 by mail if the license has been previously renewed by mail  
9 ~~two consecutive times for four-year periods or if the~~  
10 ~~license was issued under Section 12804.10.~~ *two*  
11 *consecutive times for five-year periods.*

12 *SEC. 2. Section 12816 of the Vehicle Code is amended*  
13 *to read:*

14 12816. (a) Every original driver's license expires on  
15 the ~~fourth~~ *fifth* birthday of the applicant following the  
16 date of the application for the license.

17 (b) Renewal of a driver's license shall be made for a  
18 term which expires on the ~~fourth~~ *fifth* birthday of the  
19 applicant following the expiration of the license renewed,  
20 if application for renewal is made within six months prior  
21 to the expiration of the license to be renewed, or within  
22 90 days after expiration of the license. If renewal is not  
23 applied for within 90 days after expiration of the license,  
24 the application and fee is considered the same as an  
25 application for an original license.

26 (c) The department may accept application for a  
27 renewal of a driver's license made more than six months  
28 prior to the date of expiration. The renewal shall be made  
29 for a term which expires on the ~~fourth~~ *fifth* birthday of the  
30 applicant following the date of the application for the  
31 renewal license.

32 (d) The department may accept an application for a  
33 license of a different class made more than six months  
34 before the expiration of the license previously issued, if  
35 the previously issued license is surrendered for  
36 cancellation in accordance with Section 13100. The  
37 driver's license issued from that application expires on  
38 the ~~fourth~~ *fifth* birthday of the applicant following the  
39 date of the application.



1 (e) Notwithstanding subdivisions (a), (b), (c), and  
2 (d), the department may adjust the expiration date for  
3 any driver's license issued pursuant to this code. The  
4 department may extend the term of any driver's license  
5 to a maximum of ~~60~~ 72 months, with subsequent  
6 expiration dates occurring on the ~~fourth~~ *fifth* birthday of  
7 the applicant following the expiration date of the license  
8 which was so extended. If the term of renewal was less  
9 than ~~four~~ *five* years, the next term of renewal shall be  
10 extended by a period equal to the period the term was  
11 reduced from ~~four~~ *five* years.

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