

Introduced by Senator Wright

February 9, 1995

An act to amend Section 14610.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 307, as introduced, Wright. Vehicles: driver's licenses: examinations.

(1) Existing law makes it unlawful for any person to commit proscribed acts relating to cheating on a driver's license examination. Existing law makes a first conviction of a violation of that provision punishable as an infraction and a second or subsequent conviction punishable as a misdemeanor.

This bill would make the first conviction specified above punishable as either an infraction or a misdemeanor. Because the bill would authorize imprisonment in the county jail for a first conviction, it would impose a state-mandated local program.

(2) 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 14610.5 of the Vehicle Code is
2 amended to read:

3 14610.5. (a) It is unlawful for any person to do any of
4 the following:

5 (1) Sell, offer for sale, distribute, or use any crib sheet
6 or cribbing device that contains the answers to any
7 examination administered by the department for any
8 class of driver’s license, permit, or certificate.

9 (2) Impersonate or allow the impersonation of an
10 applicant for any class of driver’s license, permit, or
11 certificate for the purpose of fraudulently qualifying the
12 applicant for any class of driver’s license, permit, or
13 certificate.

14 (b) A first conviction under this section is punishable
15 as *either* an infraction *or a misdemeanor*; a second or
16 subsequent conviction is punishable as a misdemeanor.

17 SEC. 2. No reimbursement is required by this act
18 pursuant to Section 6 of Article XIII B of the California
19 Constitution because the only costs that may be incurred
20 by a local agency or school district will be incurred
21 because this act creates a new crime or infraction,
22 eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section
24 17556 of the Government Code, or changes the definition
25 of a crime within the meaning of Section 6 of Article
26 XIII B of the California Constitution.

27 Notwithstanding Section 17580 of the Government
28 Code, unless otherwise specified, the provisions of this act
29 shall become operative on the same date that the act
30 takes effect pursuant to the California Constitution.

