

AMENDED IN ASSEMBLY MAY 6, 1998  
AMENDED IN SENATE JANUARY 7, 1998

**SENATE BILL**

**No. 1250**

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**Introduced by Senator Kopp**

February 28, 1997

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An act to amend Section 10770 of, and to repeal Section 10707 of, the Revenue and Taxation Code, and to *amend Sections 16000 and 24400 of, and to repeal Section 677 of, the Vehicle Code, relating to vehicles.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1250, as amended, Kopp. Vehicles: annual registration.

~~Under~~

*(1) Under existing law, there is a year-round registration system for vehicles which commenced in 1976. Under these provisions, existing law defines "1976 registration year."*

This bill would delete this obsolete definition and make related and other technical, nonsubstantive changes.

*(2) Existing law requires the driver of every motor vehicle who is in an accident originating from the operation of a motor vehicle on any street or highway or any reportable off-highway accident, as specified, that has resulted in damage to the property of any one person in excess of \$500, or in bodily injury, or in the death of any person, to report the accident, within 10 days after the accident, to the Department of Motor Vehicles, as specified. Existing law specifies that any person who violates these provisions is guilty of an infraction. Existing law also specifies that a report is not required pursuant to*

*these provisions if the motor vehicle involved in the accident was owned or leased by, or under the direction of, the United States, this state, another state, or a local agency.*

*This bill, as an exception to this latter provision, would require the driver of a motor vehicle that is owned or operated by a publicly owned or operated transit system, or that is operated under contract with a publicly owned or operated transit system, and used to provide regularly scheduled transportation to the general public or for other official business of the system, to report to the transit system any accident as specified above. In addition, the bill would require the transit system to maintain records of any report filed by one of its drivers pursuant to these provisions. Thus, the bill would increase the duties and responsibilities of local entities, thereby imposing a state-mandated local program. In addition, to the extent that these provisions would expand the scope of an existing crime, the bill would impose a state-mandated local program.*

*(3) Under existing law, motor vehicles during darkness, other than motorcycles, are required to be equipped with at least 2 lighted headlamps.*

*This bill would require every motor vehicle, other than motorcycles, to have lighted headlamps during periods of rain, mist, hail, snow, or other precipitation which necessitates the constant use of windshield wipers by the person driving the motor vehicle.*

*(4) 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.*

*This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.*

*With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state,*



*reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

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

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

1 SECTION 1. Section 10707 of the Revenue and  
2 Taxation Code is repealed.

3 SEC. 2. Section 10770 of the Revenue and Taxation  
4 Code is amended to read:

5 10770. (a) If the fee for an original registration is not  
6 paid within 20 days after it becomes delinquent, a penalty  
7 equal to 20 percent of the fee shall be added and collected  
8 with the fee.

9 (b) A penalty of 20 percent of the license fee shall be  
10 added on any application for original or renewal of  
11 year-round or annual registration made later than  
12 midnight of the date of expiration or on or after the date  
13 penalties become due. This penalty shall be computed  
14 after the vehicle license fee has been combined with the  
15 registration and weight fees as provided in Sections 9250  
16 and 9400 of the Vehicle Code.

17 (c) Notwithstanding subdivision (a), any penalty that  
18 became due prior to January 1, 1978, shall be computed  
19 at the rate of penalty which was then in effect.

20 SEC. 3. Section 677 of the Vehicle Code is repealed.

21 SEC. 4. Section 16000 of the Vehicle Code is amended  
22 to read:

23 16000. (a) The driver of every motor vehicle who is  
24 in any manner involved in an accident originating from  
25 the operation of a motor vehicle on any street or highway  
26 or any reportable off-highway accident defined in Section  
27 16000.1 ~~which~~-that has resulted in damage to the property  
28 of any one person in excess of five hundred dollars (\$500)  
29 or in bodily injury or in the death of any person shall,  
30 within 10 days after the accident, report the accident,  
31 either personally or through an insurance agent, broker,  
32 or legal representative, on a form approved by the  
33 department to the office of the department at



1 Sacramento, subject to the provisions of this chapter. The  
2 driver shall identify on the form, by name and current  
3 residence address, if available, any person involved in the  
4 accident complaining of bodily injury.

5 ~~(b) A~~

6 *(b) (1) Except as provided in paragraph (2), a report*  
7 *is not required pursuant to subdivision (a) if the motor*  
8 *vehicle involved in the accident was owned or leased by,*  
9 *or under the direction of, the United States, this state,*  
10 *another state, or a local agency.*

11 *(2) The driver of a vehicle that is owned or operated*  
12 *by a publicly owned or operated transit system, or that is*  
13 *operated under contract with a publicly owned or*  
14 *operated transit system, and used to provide regularly*  
15 *scheduled transportation to the general public or for*  
16 *other official business of the system, shall report to the*  
17 *transit system any accident of a type otherwise required*  
18 *to be reported pursuant to subdivision (a). The transit*  
19 *system shall maintain records of any report filed pursuant*  
20 *to this paragraph. A driver who fails to file a report as*  
21 *required by this paragraph shall be subject to the driver's*  
22 *license suspension requirements of Section 16004.*

23 (c) If none of the parties involved in an accident has  
24 reported that accident to the department within one year  
25 following the date of the accident, the department is not  
26 required to file the report, and the driver's license  
27 suspension requirements of Section 16004 or 16070 do not  
28 apply.

29 *SEC. 5. Section 24400 of the Vehicle Code is amended*  
30 *to read:*

31 24400. (a) During darkness, every motor vehicle  
32 other than a motorcycle, shall be equipped with at least  
33 two lighted headlamps, with at least one on each side of  
34 the front of the vehicle, and, except as to vehicles  
35 registered prior to January 1, 1930, they shall be located  
36 directly above or in advance of the front axle of the  
37 vehicle. The headlamps and every light source in any  
38 headlamp unit shall be located at a height of not more  
39 than 54 inches nor less than 22 inches.



1 (b) Lighted headlamps shall be required on every  
2 motor vehicle subject to subdivision (a) during periods of  
3 rain, mist, hail, snow, or other precipitation which  
4 necessitates the constant use of windshield wipers by the  
5 person driving the motor vehicle.

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

16 However, notwithstanding Section 17610 of the  
17 Government Code, if the Commission on State Mandates  
18 determines that this act contains other costs mandated by  
19 the state, reimbursement to local agencies and school  
20 districts for those costs shall be made pursuant to Part 7  
21 (commencing with Section 17500) of Division 4 of Title  
22 2 of the Government Code. If the statewide cost of the  
23 claim for reimbursement does not exceed one million  
24 dollars (\$1,000,000), reimbursement shall be made from  
25 the State Mandates Claims Fund.

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

