

AMENDED IN ASSEMBLY APRIL 12, 1999

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 585

Introduced by Assembly Member Floyd

February 19, 1999

An act to amend Section 40303.5 of, and to add Section 12814.7 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 585, as amended, Floyd. Driver's license: renewal: mail.

(1) Existing law provides a procedure for the renewal of a driver's license by mail.

This bill would require the Department of Motor Vehicles to process all applications for renewal of a driver's license by mail and to mail the applicant a specified receipt within ~~3 business~~ 21 days of the application's receipt by the department, *as specified*.

(2) Under existing law, whenever any person is arrested for not having a driver's license in his or her possession, the arrested person may execute a notice containing a promise to correct the violation or a notice to appear.

This bill would prohibit an arresting officer from executing a notice specified above if a driver of a motor vehicle presents the arresting officer with a receipt described in (1) and a

driver’s license that is issued to that driver, but that expired within the past 90 days.

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 12814.7 is added to the Vehicle
2 Code, to read:

3 12814.7. (a) All applications *submitted by mail* for
4 renewal of a driver’s license ~~by mail~~ shall be promptly
5 ~~processed~~ *processed promptly* by the ~~department~~, and
6 ~~the department shall mail the applicant a receipt~~
7 ~~acknowledging payment of fees and receipt of the~~
8 ~~application within three business days of the application’s~~
9 ~~receipt by the department.~~ *department.*

10 (b) *For any application for renewal of a driver’s*
11 *license that is postmarked on or before the expiration*
12 *date of the driver’s license being renewed, the*
13 *department shall mail the applicant a form*
14 *acknowledging payment of fees and receipt of the*
15 *application, not later than 21 days after receipt of the*
16 *application, unless the department has issued the*
17 *renewed driver’s license within that time.*

18 SEC. 2. Section 40303.5 of the Vehicle Code is
19 amended to read:

20 40303.5. (a) Whenever any person is arrested for any
21 of the following offenses, the arresting officer shall permit
22 the arrested person to execute a notice containing a
23 promise to correct the violation in accordance with the
24 provisions of Section 40610 unless the arresting officer
25 finds that any of the disqualifying conditions specified in
26 subdivision (b) of Section 40610 exist:

27 (1) Any registration infraction set forth in Division 3
28 (commencing with Section 4000).

29 (2) Any driver’s license infraction set forth in Division
30 6 (commencing with Section 12500), and subdivision (a)
31 of Section 12951, relating to possession of driver’s license.

32 (3) Section 21201, relating to bicycle equipment.



1 (4) Any infraction involving equipment set forth in
2 Division 12 (commencing with Section 24000), Division
3 13 (commencing with Section 29000), Division 14.8
4 (commencing with Section 34500), Division 16
5 (commencing with Section 36000), Division 16.5
6 (commencing with Section 38000), and Division 16.7
7 (commencing with Section 39000).

8 (b) If a driver of a motor vehicle presents the arresting
9 officer a receipt described in Section 12814.7 and a
10 driver's license that is issued to that driver but that
11 expired within the past 90 days, the officer shall not issue
12 a promise to correct pursuant to paragraph (2) of
13 subdivision (a) or a promise to appear for driver's license
14 violation.

