

AMENDED IN ASSEMBLY MAY 28, 1999
AMENDED IN ASSEMBLY MAY 19, 1999
AMENDED IN ASSEMBLY APRIL 19, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 834

Introduced by Assembly Member Cardoza

February 24, 1999

An act to amend Section 4463 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 834, as amended, Cardoza. Unlawful conduct: insurance.

(1) Under existing law, it is a felony for any person, with the intent to prejudice, damage, or defraud, to commit specified acts that involve false evidences and uses of certain documents, licenses, devices, or plates issued by the Department of Motor Vehicles.

This bill would add to those specified acts producing, supplying, selling, or offering for sale any false, altered, forged, or counterfeit documents purporting to evidence the existence of automobile liability insurance coverage, including, but not limited to, the production and sale of counterfeit evidence of financial responsibility documents. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

This bill would also make it a misdemeanor, thereby creating a state-mandated local program, for every person who, with the intent to prejudice, damage, or defraud, acquires, possesses, or presents to a peace officer or the Department of Motor Vehicles, a counterfeit document purporting to evidence the existence of automobile liability insurance coverage, including, but not limited to, a counterfeit evidence of financial responsibility document. ~~The bill would prohibit consideration of this offense as a lesser included or lesser related offense in a prosecution under Penal Code provisions relating to preparing false evidence or forgery.~~

(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 4463 of the Vehicle Code is
2 amended to read:

3 4463. (a) Every person who, with intent to prejudice,
4 damage, or defraud, commits any of the following acts is
5 guilty of a felony and upon conviction thereof shall be
6 punished by imprisonment in the state prison for 16
7 months, two or three years, or by imprisonment in the
8 county jail for not more than one year:

9 (1) Alters, forges, counterfeits, or falsifies any
10 certificate of ownership, registration card, certificate,
11 license, license plate, device issued pursuant to Section
12 4853, special plate, or permit provided for by this code or
13 any comparable certificate of ownership, registration
14 card, certificate, license, license plate, device comparable
15 to that issued pursuant to Section 4853, special plate, or
16 permit provided for by any foreign jurisdiction, or alters,
17 forges, counterfeits, or falsifies any such document,



1 device, or plate with intent to represent it as issued by the
2 department, or alters, forges, counterfeits, or falsifies with
3 fraudulent intent any endorsement of transfer on a
4 certificate of ownership or other document evidencing
5 ownership, or with fraudulent intent displays or causes or
6 permits to be displayed or have in his or her possession
7 any blank, incomplete, canceled, suspended, revoked,
8 altered, forged, counterfeit, or false certificate of
9 ownership, registration card, certificate, license, license
10 plate, device issued pursuant to Section 4853, special
11 plate, or permit.

12 (2) Utters, publishes, passes, or attempts to pass, as
13 true and genuine, any false, altered, forged, or
14 counterfeited matter listed in subdivision (a) knowing it
15 to be false, altered, forged, or counterfeited.

16 (3) Produces, supplies, sells, or offers for sale any false,
17 altered, forged, or counterfeit document purporting to
18 evidence the existence of automobile liability insurance
19 coverage, including, but not limited to, the production
20 and sale of a counterfeit evidence of financial
21 responsibility document.

22 (b) Every person who, with the intent to prejudice,
23 damage, or defraud, commits any of the following acts is
24 guilty of a misdemeanor, and upon conviction thereof
25 shall be punished by imprisonment in the county jail for
26 six months or by a fine of not less than five hundred dollars
27 (\$500) or more than one thousand dollars (\$1,000), or by
28 both that fine and imprisonment, which penalty shall not
29 be suspended:

30 (1) Forges, counterfeits, or falsifies any disabled
31 person placard or any comparable placard relating to
32 parking privileges for disabled persons provided for by
33 any foreign jurisdiction, or forges, counterfeits, or falsifies
34 any disabled person placard with intent to represent it as
35 issued by the department.

36 (2) Passes, or attempts to pass, as true and genuine, any
37 false, forged, or counterfeit disabled person placard
38 knowing it to be false, forged, or counterfeited.

39 (3) Acquires, possesses, sells, or offers for sale a
40 genuine or counterfeit disabled person placard.



1 (c) Every person who, with fraudulent intent, displays
2 or causes or permits to be displayed any forged,
3 counterfeit, or false disabled person placard, is guilty of
4 a misdemeanor, and upon conviction thereof shall be
5 punished by imprisonment in the county jail for six
6 months or by a fine of not less than five hundred dollars
7 (\$500) or more than one thousand dollars (\$1,000), or by
8 both that fine and imprisonment, which penalty shall not
9 be suspended.

10 (d) No person shall lend any disabled person placard
11 issued to him or her, nor shall any person knowingly
12 permit its use by one not entitled to it. A disabled person
13 placard holder may permit another person to use the
14 placard for the purpose of transporting the disabled
15 person for whom the placard was issued. A violation of
16 this subdivision is a misdemeanor.

17 (e) ~~(f)~~ Every person who, with the intent to
18 prejudice, damage, or defraud, acquires, possesses, or
19 presents to a peace officer or the department, a
20 counterfeit document purporting to evidence the
21 existence of automobile liability insurance coverage,
22 including, but not limited to, a counterfeit evidence of
23 financial responsibility document, is guilty of a
24 misdemeanor, and upon conviction is punishable by
25 imprisonment in the county jail for six months or by a fine
26 of not more than one thousand dollars (\$1,000), or by both
27 that fine and imprisonment.

28 ~~(2) An offense described in this subdivision may not be~~
29 ~~considered a lesser included offense or a lesser related~~
30 ~~offense in a prosecution under Section 134 or 470 of the~~
31 ~~Penal Code.~~

32 (f) For purposes of subdivision (b), (c), or (d),
33 “disabled person placard” means a placard issued
34 pursuant to Section 22511.55 or 22511.59.

35 SEC. 2. No reimbursement is required by this act
36 pursuant to Section 6 of Article XIII B of the California
37 Constitution because the only costs that may be incurred
38 by a local agency or school district will be incurred
39 because this act creates a new crime or infraction,
40 eliminates a crime or infraction, or changes the penalty



1 for a crime or infraction, within the meaning of Section
2 17556 of the Government Code, or changes the definition
3 of a crime within the meaning of Section 6 of Article
4 XIII B of the California Constitution.

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