

AMENDED IN SENATE AUGUST 25, 2000
AMENDED IN SENATE AUGUST 14, 2000
AMENDED IN ASSEMBLY MAY 30, 2000
AMENDED IN ASSEMBLY MAY 2, 2000
AMENDED IN ASSEMBLY APRIL 24, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2733

Introduced by Assembly Member Wesson

February 25, 2000

An act to ~~amend Section 51220.1 of~~ *add Section 33319.3 to* the Education Code, and to amend Sections 11113 and 11219 of, and to add Sections 13210 and 13351.8 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2733, as amended, Wesson. Driving education and offenses: road rage.

(1) Existing law includes automobile driver education among the areas of study in grades 7 to 12, inclusive. Existing law also specifies the topics to be covered in an automobile driver education course.

This bill would ~~further require that automobile driver education contain a component examining driver attitude and motivation~~ *the State Department of Education to prepare certain materials* that ~~focuses~~ *focus* on the reduction of future driving violations, with particular emphasis on aggressive

driving behavior and behavior commonly known as “road rage.” ~~Because this provision would impose new duties on school districts, it would constitute a state-mandated local program~~ *rage,” and to make these materials available to school districts to use at the option of the district.*

(2) Existing law makes it a misdemeanor or felony for a person to commit an assault upon the person of another with a deadly weapon or instrument, other than a firearm or by any means of abuse likely to produce great bodily injury.

This bill would authorize a court to order the suspension of the driving privilege of any operator of a motor vehicle who commits an assault on an operator or passenger of another motor vehicle, an operator of a bicycle, or a pedestrian and the offense occurs on a highway. In addition to or in lieu of the suspension, the bill would authorize the court to require the person convicted to complete an anger management course. The bill would provide for a 6 month suspension for a first offense and a one year suspension for a second offense, which the department would be required to impose upon receipt of an abstract of conviction.

(3) Existing law authorizes the Director of Motor Vehicles to prescribe rules and regulations regarding the conduct of courses offered at driving schools and traffic violator schools.

This bill would require the director, in connection with the issuance of rules and regulations relating to driving schools and traffic violator schools, to require, as a component of the curriculum, an examination of driver attitude and motivation that focuses on the reduction of future driving violations, with particular emphasis on aggressive driving behavior and behavior known as “road rage.”

~~(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, if the Commission on State Mandates determines that the bill contains costs mandated by~~



~~the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

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

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

1 ~~SECTION 1. Section 51220.1 of the Education Code is~~
2 ~~amended to read:~~

3 ~~51220.1. In addition to the requirements specified in~~
4 ~~subdivision (j) of Section 51220, automobile driver~~
5 ~~education shall be designed to develop a knowledge of~~
6 ~~the dangers involved in consuming alcohol or drugs in~~
7 ~~connection with the operation of a motor vehicle.~~
8 ~~Automobile driver education shall also contain a~~
9 ~~component examining driver attitude and motivation~~
10 ~~that focuses on the reduction of future driving violations,~~
11 ~~with particular emphasis on aggressive driving behavior~~
12 ~~and behavior commonly known as “road rage.”~~

13 *SECTION 1. Section 33319.3 is added to the*
14 *Education Code, to read:*

15 *33319.3. The State Department of Education shall*
16 *prepare materials on driver attitude and motivation that*
17 *focus on the reduction of driving violations with*
18 *particular emphasis on aggressive driving behavior and*
19 *behavior commonly known as “road rage” and shall make*
20 *these materials available to school districts to use in*
21 *connection with programs of automobile driving*
22 *education, at the option of the school district.*

23 ~~SEC. 2. Section 11113 of the Vehicle Code is amended~~
24 ~~to read:~~

25 ~~11113. (a) The director may prescribe rules and~~
26 ~~regulations for driving schools regarding the conduct of~~
27 ~~courses of driver education and driver training, including~~
28 ~~curriculum, facilities, and equipment. The rules and~~
29 ~~regulations regarding curriculum shall require both of~~
30 ~~the following:~~

31 ~~(1) A component relating to the dangers involved in~~
32 ~~consuming alcohol or drugs in connection with the~~
33 ~~operation of a motor vehicle.~~



1 (2) A component examining driver attitude and
2 motivation that focuses on the reduction of future driving
3 violations, with particular emphasis on aggressive driving
4 behavior and behavior commonly known as “road rage.”

5 (b) The director may also prescribe rules and
6 regulations for the conduct of driving instructor training
7 courses required by Sections 11102.5 and 11104, including
8 curriculum, facilities, and equipment. The department
9 shall monitor instruction given by driving schools.

10 SEC. 3. Section 11219 of the Vehicle Code is amended
11 to read:

12 11219. The director may prescribe rules and
13 regulations for traffic violator schools regarding the
14 conduct of courses of education including curriculum,
15 facilities, and equipment. The curriculum shall include,
16 but not be limited to, a component examining driver
17 attitude and motivation that focuses on the reduction of
18 future driving violations, with particular emphasis on
19 aggressive driving behavior and behavior commonly
20 known as “road rage.” The director may also prescribe
21 rules and regulations for the conduct of instructor
22 training courses.

23 SEC. 4. Section 13210 is added to the Vehicle Code, to
24 read:

25 13210. In addition to the penalties set forth in
26 subdivision (a) of Section 245 of the Penal Code, the court
27 may order the suspension of the driving privilege of any
28 operator of a motor vehicle who commits an assault as
29 described in subdivision (a) of Section 245 of the Penal
30 Code on an operator or passenger of another motor
31 vehicle, an operator of a bicycle, or a pedestrian and the
32 offense occurs on a highway. The suspension period
33 authorized under this section for an assault commonly
34 known as “road rage,” shall be six months for a first
35 offense and one year for a second or subsequent offense
36 to commence, at the discretion of the court, either the
37 person’s confinement or imprisonment, or upon the
38 person’s release from confinement or imprisonment. The
39 court may, in lieu of or in addition to the suspension of the
40 driving privilege, order a person convicted under this



1 section to complete a court-approved anger management
2 or “road rage” course, prior to reinstatement of the
3 person’s driving privilege and subsequent to the date of
4 the current violation.

5 SEC. 5. Section 13351.8 is added to the Vehicle Code,
6 to read:

7 13351.8. Upon receipt of a duly certified abstract of
8 the record of any court showing that the court has
9 ordered the suspension of a driver’s license pursuant to
10 Section 13210, on or after January 1, 2001, the department
11 shall suspend the person’s driving privilege in accordance
12 with that suspension order commencing upon the
13 person’s release from confinement or imprisonment.

14 ~~SEC. 6. Notwithstanding Section 17610 of the~~
15 ~~Government Code, if the Commission on State Mandates~~
16 ~~determines that this act contains costs mandated by the~~
17 ~~state, reimbursement to local agencies and school~~
18 ~~districts for those costs shall be made pursuant to Part 7~~
19 ~~(commencing with Section 17500) of Division 4 of Title~~
20 ~~2 of the Government Code. If the statewide cost of the~~
21 ~~claim for reimbursement does not exceed one million~~
22 ~~dollars (\$1,000,000), reimbursement shall be made from~~
23 ~~the State Mandates Claims Fund.~~

