

Assembly Bill No. 2733

CHAPTER 642

An act to 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.

[Approved by Governor September 24, 2000. Filed
with Secretary of State September 26, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2733, 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 require the State Department of Education to prepare certain materials that focus on the reduction of future driving violations, with particular emphasis on aggressive driving behavior and behavior commonly known as "road 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."

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

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

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

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

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

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

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

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

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

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

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

13210. In addition to the penalties set forth in subdivision (a) of Section 245 of the Penal Code, the court may order the suspension of the driving privilege of any operator of a motor vehicle who commits an assault as described in subdivision (a) of Section 245 of the Penal Code on an operator or passenger of another motor vehicle, an operator of a bicycle, or a pedestrian and the offense occurs on a highway. The suspension period authorized under this section for an assault commonly known as “road rage,” shall be six months for a first offense and one year for a second or subsequent offense to



commence, at the discretion of the court, either on the date of the person's conviction, or upon the person's release from confinement or imprisonment. The court may, in lieu of or in addition to the suspension of the driving privilege, order a person convicted under this section to complete a court-approved anger management or "road rage" course, subsequent to the date of the current violation.

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

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

