

ASSEMBLY BILL

No. 873

Introduced by Assembly Member Price

February 26, 2009

An act to amend Section 4466 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 873, as amended, Price. Vehicles: duplicate or substitute certificate of title or license plate.

Existing

(1) *Existing* law prohibits the Department of Motor Vehicles from issuing a duplicate or substitute certificate of title or license plate if, after a search of the records of the department, the registered owner's address, as submitted on the application, is different from that which appears in the records of the department, unless the registered owner applies in person and presents additional specified documentation, that includes, among other things, a facsimile of specified documents if the facsimile matches the vehicle record of the department.

This bill would authorize the use of a photocopy of those documents in lieu of a facsimile.

(2) *Under existing law, the prohibition described above does not apply under certain circumstances, including when an application for a duplicate or substitute certificate of title or license plate is submitted by a dealer.*

This bill would make that prohibition also inapplicable to an application for a duplicate or substitute certificate of title or license plate that is submitted by an agent of the dealer.

(3) Under existing law, the prohibition described above does not apply under circumstances when the vehicle is registered under the International Registration Plan or under Permanent Fleet Registration, or the vehicle is an implement of husbandry.

This bill would make the inapplicability of the above circumstances subject to the discretion of the department. It would also make the prohibition described above inapplicable, at the discretion of the department, when an application for a duplicate or substitute certificate of title or license plate is submitted by a licensed registration service representing specified persons or entities.

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

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

1 SECTION 1. Section 4466 of the Vehicle Code is amended to
2 read:

3 4466. (a) The department shall not issue a duplicate or
4 substitute certificate of title or license plate if, after a search of the
5 records of the department, the registered owner's address, as
6 submitted on the application, is different from that which appears
7 in the records of the department, unless the registered owner applies
8 in person and presents all of the following:

9 (1) Proof of ownership of the vehicle that is acceptable to the
10 department. Proof of ownership may be the certificate of title,
11 registration certificate, or registration renewal notice, or a facsimile
12 or photocopy of any of those documents, if the facsimile or
13 photocopy matches the vehicle record of the department.

14 (2) A driver's license or identification card containing a picture
15 of the licensee or cardholder issued to the registered owner by the
16 department pursuant to Chapter 1 (commencing with Section
17 12500) of Division 6. The department shall conduct a search of
18 its records to verify the authenticity of any document submitted
19 under this paragraph.

20 (A) If the registered owner is a resident of another state or
21 country, the registered owner shall present a driver's license or
22 identification card issued by that state or country. In addition, the
23 registered owner shall provide photo documentation in the form
24 of a valid passport, military identification card, identification card
25 issued by a state or United States government agency, student

1 identification card issued by a college or university, or
2 identification card issued by a California-based employer. If a
3 resident of another state is unable to present the required photo
4 identification, the department shall verify the authenticity of the
5 driver's license or identification card by contacting the state that
6 issued the driver's license or identification card.

7 (B) If the registered owner is not an individual, the person
8 submitting the application shall submit the photo identification
9 required under this paragraph, as well as documentation acceptable
10 to the department that demonstrates that the person is employed
11 by an officer of the registered owner.

12 (3) If the application is for the purpose of replacing a license
13 plate that was stolen, a copy of a police report identifying the plate
14 as stolen.

15 (4) If the application is for the purpose of replacing a certificate
16 of title or license plate that was mutilated or destroyed, the
17 remnants of the mutilated or destroyed document or plate.

18 (5) If the department has a record of a prior issuance of a
19 duplicate or substitute certificate of title or license plate for the
20 vehicle within the past 90 days, a copy of a report from the
21 Department of the California Highway Patrol verifying the vehicle
22 identification number of the vehicle.

23 (b) Subdivision (a) does not apply if any of the following apply:

24 (1) The registered owner's name, address, and driver's license
25 or identification card number submitted on the application match
26 the name, address, and driver's license or identification card
27 number contained in the department's records.

28 (2) An application for a duplicate or substitute certificate of title
29 or license plate is submitted by or through a legal owner, if the
30 legal owner is not the same as the registered owner or as the lessee
31 under Section 4453.5, a dealer, a dismantler, an insurer, an agent
32 of the insurer, or a salvage pool. one of the following:

33 (A) A legal owner, if the legal owner is not the same person as
34 the registered owner or as the lessee under Section 4453.5.

35 (B) A dealer or an agent of the dealer.

36 (C) A dismantler.

37 (D) An insurer or an agent of the insurer.

38 (E) A salvage pool.

39 (c) At the discretion of the department, subdivision (a) does not
40 apply in any of the following circumstances:

1 (1) An application for a duplicate or substitute certificate of
2 title or license plate is submitted by a licensed registration service
3 representing any of the following:

4 (A) A person or entity, including, but not limited to, a person
5 or entity listed in subparagraphs (A) to (E), inclusive, of paragraph
6 (2) of subdivision (b).

7 (B) A business entity recognized under the laws of this state or
8 the laws of any foreign or domestic jurisdiction whose laws are
9 in parity with the laws of this state.

10 (C) A court-appointed bankruptcy referee.

11 (D) A person who is an individual, is not included in
12 subparagraphs (A) to (C), inclusive, and submits to the licensed
13 registration service an application with a signature that is
14 validated by a notary public. The licensed registration service
15 shall maintain full and complete records of its transactions
16 conducted pursuant to this subparagraph and shall make those
17 records available for inspection by an investigator of the
18 Department of Motor Vehicles, investigator of the Department of
19 the California Highway Patrol, a city police department, a county
20 sheriff's office, or a district attorney's office, if the investigator
21 requests access to the record and the request is for the purpose of
22 a criminal investigation.

23 ~~(3)~~

24 (2) The vehicle is registered under the International Registration
25 Plan pursuant to Section 8052 or under the Permanent Fleet
26 Registration program pursuant to Article 9.5 (commencing with
27 Section 5301) of Chapter 1.

28 ~~(4)~~

29 (3) The vehicle is an implement of husbandry, as defined in
30 Section 36000, or a tow dolly, or has been issued an identification
31 plate under Section 5014 or 5014.1.

32 ~~(e)~~

33 (d) The department shall issue one or more license plates only
34 to the registered owner or lessee. The department shall issue the
35 certificate of title only to the legal owner, or if none, then to the
36 registered owner, as shown on the department's records.