

AMENDED IN ASSEMBLY JUNE 23, 2009

AMENDED IN SENATE MAY 26, 2009

AMENDED IN SENATE APRIL 14, 2009

SENATE BILL

No. 165

Introduced by Senator Lowenthal

February 14, 2009

An act to amend ~~Section 44126 of the Health and Safety Code, and to amend Sections 12810.3 and 21800 of the Vehicle Code, relating to Section 40203.5 of the Vehicle Code, relating to vehicles.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 165, as amended, Lowenthal. Vehicles: *parking violation.*

Existing law makes it a violation for a person to park or leave standing a vehicle in a stall or space designated for disabled persons and disabled veterans unless the vehicle displays a special identification license plate or a distinguishing placard.

This bill would establish a schedule of penalties, which are collected as civil penalties, for the violation of the above provision.

~~Existing law creates the High Polluter Repair or Removal Account in the Vehicle Inspection and Repair Fund and creates the Enhanced Fleet Modernization Subaccount in the High Polluter Removal and Repair Account.~~

~~This bill would correct the name of that account to refer to the High Polluter Repair or Removal Account.~~

~~This bill would also make technical, nonsubstantive changes to the Vehicle Code.~~

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

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

1 *SECTION 1. Section 40203.5 of the Vehicle Code is amended*
2 *to read:*

3 40203.5. (a) The schedule of parking penalties for parking
4 violations and late payment penalties shall be established by the
5 governing body of the jurisdiction where the notice of violation is
6 issued. To the extent possible, issuing agencies within the same
7 county shall standardize parking penalties.

8 (b) Parking penalties under this article shall be collected as civil
9 penalties.

10 (c) (1) *The penalty for a violation of Section 22507.8 shall be*
11 *as follows:*

12 (A) *Not less than two hundred fifty dollars (\$250) and not more*
13 *than five hundred dollars (\$500) for the first offense.*

14 (B) *Not less than five hundred dollars (\$500) and not more than*
15 *seven hundred fifty dollars (\$750) for the second offense.*

16 (C) *Not less than seven hundred fifty dollars (\$750) and not*
17 *more than one thousand dollars (\$1,000) for three or more*
18 *offenses.*

19 (2) *The issuing agency may suspend the imposition of the penalty*
20 *in paragraph (1), if the violator, at the time of the offense,*
21 *possessed but failed to display a valid special identification license*
22 *plate issued pursuant to Section 5007 or a distinguishing placard*
23 *issued pursuant to Section 22511.55 or 22511.59.*

24 (3) *A penalty imposed pursuant to this subdivision may be paid*
25 *in installments if the issuing agency determines that the violator*
26 *is unable to pay the entire amount in one payment.*

27 ~~SECTION 1. Section 44126 of the Health and Safety Code is~~
28 ~~amended to read:~~

29 ~~44126. The Enhanced Fleet Modernization Subaccount is~~
30 ~~hereby created in the High Polluter Repair or Removal Account.~~
31 ~~All moneys deposited in the subaccount shall be available to the~~
32 ~~department and the BAR, upon appropriation by the Legislature,~~
33 ~~to establish and implement the program created pursuant to this~~
34 ~~article.~~

35 ~~SEC. 2. Section 12810.3 of the Vehicle Code is amended to~~
36 ~~read:~~

37 ~~12810.3. Notwithstanding subdivision (f) of Section 12810, a~~
38 ~~violation point shall not be given for a conviction of a violation~~

1 of subdivision (a) of Section 23123, subdivision (a) of Section
2 23123.5, or subdivision (b) of Section 23124.

3 SEC. 3. Section 21800 of the Vehicle Code is amended to read:

4 21800. (a) The driver of a vehicle approaching an intersection
5 shall yield the right-of-way to any vehicle which has entered the
6 intersection from a different highway.

7 (b) (1) When two vehicles enter an intersection from different
8 highways at the same time, the driver of the vehicle on the left
9 shall yield the right-of-way to the vehicle on his or her immediate
10 right, except that the driver of any vehicle on a terminating highway
11 shall yield the right-of-way to any vehicle on the intersecting
12 continuing highway.

13 (2) For the purposes of this section, “terminating highway”
14 means a highway which intersects, but does not continue beyond
15 the intersection, with another highway which does continue beyond
16 the intersection.

17 (c) When two vehicles enter an intersection from different
18 highways at the same time and the intersection is controlled from
19 all directions by stop signs, the driver of the vehicle on the left
20 shall yield the right-of-way to the vehicle on his or her immediate
21 right.

22 (d) (1) The driver of any vehicle approaching an intersection
23 which has official traffic control signals that are inoperative shall
24 stop at the intersection, and may proceed with caution when it is
25 safe to do so.

26 (2) When two vehicles enter an intersection from different
27 highways at the same time, and the official traffic control signals
28 for the intersection are inoperative, the driver of the vehicle on the
29 left shall yield the right-of-way to the vehicle on his or her
30 immediate right, except that the driver of any vehicle on a
31 terminating highway shall yield the right-of-way to any vehicle
32 on the intersecting continuing highway.

33 (e) This section does not apply to any of the following:

34 (1) Any intersection controlled by an official traffic control
35 signal or yield right-of-way sign.

36 (2) Any intersection controlled by stop signs from less than all
37 directions.

- 1 ~~(3) When vehicles are approaching each other from opposite~~
- 2 ~~directions and the driver of one of the vehicles intends to make,~~
- 3 ~~or is making, a left turn.~~

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