

# **Vehicle Related Laws 2006**

## **Complied from California DMV Website**

### **License Plate Replacement: Victims of Rape or Sexual Battery**

Adds a victim of rape or sexual battery to the provisions in current law requiring the department to issue replacement license plates to persons who are seeking to protect their whereabouts from persons who would cause them harm.

### **Fingerprint Identification Fee**

Extends the collection and appropriation of the Fingerprint Identification Fee until January 1, 2012.

### **Inspection of Maintenance Facility or Terminal**

Requires motor carriers of property to obtain a certification of compliance with the Inspection of Maintenance Facility or Terminal program from another motor carrier before contracting or subcontracting with them.

### **Self-Employed Driver: Motor Carrier Responsibility**

Replaces "owner-operator" with a person who owns, leases, or otherwise operates not more than one vehicle listed in Vehicle Code §34500.

### **Emissions Labels**

Requires the Smog Index Label to be renamed and include the level of emissions of global warming gases from passenger cars and light-duty trucks, for 2009 and subsequent year model motor vehicles.

### **Vessel Renewal Fee**

Increases the vessel registration renewal fee, collected biennially, from \$10 to \$20.

### **Pocket Bikes**

Adds the definition of a "pocket bike" to the Vehicle Code.

Adds §21720 to the Vehicle Code, which makes it illegal to operate a pocket bike on a sidewalk, roadway, or any other part of a highway, or on a bikeway, bicycle path or trail, equestrian trail, hiking or recreational trail, or on public lands open to off-highway motor vehicle use.

Requires the manufacturer to provide a disclosure statement to the buyer which clearly indicates where a pocket bike cannot be operated.

Authorizes law enforcement to seize a pocket bike and hold it for 48 hours when the operator is cited for violation of Vehicle Code §21720.

### **Registration Renewal (Transportation Omnibus Bill)**

Authorizes the department to accept vehicle registration renewal fees up to 75 days prior to the current expiration date of a vehicle.

### **Driver License Endorsements and Certificates**

Eliminates inconsistencies and resolves confusion in the Vehicle Code sections that govern various certificate programs for testing for controlled substances.

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### **Driving Under the Influence (DUI)**

Allows a repeat DUI offender to obtain a restricted driver license after 12 months of the revocation and 12 months of either an 18 or 30-month DUI program if an ignition interlock device (IID) is installed on the vehicle.

Authorizes a 30-day impoundment of a vehicle when a person required to have an IID installed is found driving a vehicle without such a device.

### **Wilderness Areas**

Provides that a person who violates a state or federal regulation that prohibits entry of a motor vehicle into a designated wilderness area is guilty of a public offense punishable by a fine. The fine will be \$150 for a first offense, \$225 for a second offense, and \$300 or 90 days imprisonment, or both, for a third offense within seven years.

Authorizes the court to order impoundment of the vehicle for up to 30 days at the owner's expense, if the person convicted is the owner of the vehicle.

Requires the DMV to keep records of convictions for seven years, however, the conviction will not count as a point on a person's driving record.

### **Motor Vehicle Speed Contests**

Increases the jail time to a minimum of 30 days and a maximum of six months in jail when a person is found guilty of engaging in a motor vehicle speed contest and the driver causes injury to someone other than himself. If it is a second or subsequent offense and serious bodily injury occurs, the jail time is increased to a maximum of one year.

### **Provisional Licensing Program**

Prohibits a provisional licensee from carrying passengers under the age of 20, unless accompanied by a licensed parent/guardian, licensed/certified instructor or a licensed driver 25 years of age or older, during the first 12 months (currently six months) the driver is licensed.

Prohibits a provisional licensee from driving between the hours of 11 p.m. and 5 a.m. (currently 12 midnight and 5 a.m.).

### **Voter Registration Information Implementation 7/1/2006**

Requires that any voter registration document provided by DMV under the National Voter Registration Act (Motor Voter) include a notice to inform a prospective voter that if no voter registration information was received within 30 days of the request to contact the local elections office or the office of the Secretary of State.

### **Sacramento County Vehicle Impoundment Pilot—Driving Under the Influence (DUI)**

Establishes a pilot program for Sacramento County that authorizes the seizure and impoundment of a motor vehicle when the driver is arrested for a DUI and has one or more DUI convictions within the past 10 years. The seizure and impoundment shall only occur if the county participates in a program that combines seizure and impoundment with intervention and a referral to a DUI program.

The Board of Supervisors of Sacramento County must enact an ordinance or resolution authorizing the implementation of the pilot program for this section to apply.

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### **Good Driver Discount—DUI and Manslaughter Convictions**

Prohibits a person from receiving a Good Driver Insurance Discount if convicted of a DUI or manslaughter within 10 years of the date the application is made. Convictions prior to January 1, 1999, will not count for the purposes of this section.

### **Organ and Tissue Donor Registry Implementation 7/1/2006**

Requires the application for driver license and identification card to contain a space for the applicant to give consent to be an organ and tissue donor upon death.

Requires the DMV to electronically transmit applicant information to Donate Life California, a nonprofit organization established and designated as the California Organ and Tissue Donor Registry.

Provides a means for an applicant to designate a voluntary contribution of \$2 to Donate Life California for the purpose of promoting and supporting the organ and tissue donation program.

### **Police Pursuits**

Requires DMV to include a question in all non-commercial drivers license examinations that deals with the risks and punishments associated with evading a law enforcement vehicle.

Significantly increases fines and jail/prison time for persons who flee from law enforcement in a vehicle. Requires law enforcement agencies to implement a police pursuit policy and to provide related training.

### **Motorized Scooter Driver License Requirements (Transportation Omnibus Bill)**

Adds a person with a Class M or M1 license is authorized to operate a motorized scooter.

### **Schoolbus Drivers Certificate (Transportation Omnibus Bill)**

Allows the issuance of a schoolbus endorsement to a mechanic or a driver-trainee to allow them to operate a schoolbus without having possession of a schoolbus certificate, provided no pupils are being transported.

### **Dealer Sales—Smog Exemptions (Transportation Omnibus Bill)**

Specifies that retail sales by a licensed motor vehicle dealer are exempt from the smog certification

### **Insurance—Low Cost Policies and Evidence of Financial Responsibility**

Expands the California low-cost automobile insurance pilot program created in 2000 to include Alameda, Fresno, Orange, Riverside, San Bernardino, and San Diego counties and requires these new counties to begin their programs by April 1, 2006.

Authorizes the Commissioner of the California Department of Insurance to establish the program in other counties, as appropriate.

Increases the vehicle value to \$20,000 and allows two low cost policies per person.

Extends the date that vehicle owners in Los Angeles and San Francisco Counties must show evidence of financial responsibility to January 1, 2011.

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### **Electronic Insurance Verification**

Extends the statutory deadline to October 1, 2006, for the DMV to implement the electronic insurance verification required by Vehicle Code §4000.38, provided DMV and the Department of Finance submit periodic status reports.

### **Electronic Verification of Insurance Status by Court Personnel**

Requires DMV to provide a method for court personnel to electronically access department records to verify financial responsibility for a motor vehicle.

### **Car Buyer's Bill of Rights**

Requires a seller to offer the buyer the choice to purchase a two-day contract cancellation option on used vehicles with a purchase price of less than \$40,000.

Creates additional disclosure requirements for the purchase of add-on items.

Limits the amount a dealer may add as extra "markup" when arranging financing.

Requires dealers to provide the buyer with the buyer's credit score and explain the meaning of that score.

Effective is July 1, 2006.

### **Registration Services**

Expands the definition of a "registration service" to include those entities that solicit and receive applications for the issuance of Motor Carrier Permits.

Authorizes the department to refuse to issue a license, suspend, revoke, or cancel the license of a person acting as a registration service when fraud or violations of the Vehicle Code have occurred.

### **Driver Education—Private Schools**

Provides that the satisfactory completion by a pupil of an Internet-based correspondence, or other distance-learning course offered by a private secondary school meets the driver education instructional requirements of the DMV.

Requires the DMV to issue completion certificates to the school under specified conditions.

### **Electronic Transmissions**

Provides that an electronically submitted signature may meet signature requirements if the department retains information verifying the identity of that person.

### **Deceptive Identification Documents**

Makes it unlawful to possess a document-making device with the intent to manufacture, alter, or authenticate a deceptive identification document, punishable by imprisonment in a county jail not exceeding one year, or by a fine not exceeding \$1000, or by both.

Authorizes law enforcement to seize any document-making device and allows it to be destroyed by order of the court.

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#### **Personal Information**

Revises the Information Practices Act to permit state agencies to disclose personal information to the University of California, or a nonprofit education institution conducting scientific research, provided that it is approved by the Committee for the Protection of Human Subjects on behalf of the California Health and Human Services Agency.