

SAFETY COMPENDIUM – 2009 CALIFORNIA MOTOR VEHICLE LAW

Motorist-related laws taking effect on Jan. 1, 2009 include:

Temporary Operating Permits (AB2241/Saldana)

This law restricts DMV from issuing temporary operating permits to allow more time to obtain a smog certificate as part of the registration renewal process. Under the law, extensions will cost \$50 and are only allowed if the vehicle has been tested at a smog station and failed. The extension can be for no more than 60 days from the date registration is due. The \$50 fee will be waived for owners accepted into the Bureau of Automotive Repair Consumer Assistance Program (CAP).

Unlicensed Car Dealers (AB 2042/Fuentes)

This new law allows law enforcement officers to impound vehicles that are being sold by unlicensed dealers.

Counterfeit Clean Air Stickers (SB 1720/Lowenthal)

This new law will make it a crime to forge, counterfeit, or falsify a Clean Air Sticker. These stickers are currently issued by DMV to certain low emission vehicles and permit vehicles with these stickers to be driven in the HOV lane.

Text Messaging (SB 28/Simitian)

This new law makes it an infraction to write, send, or read text-based communication on an electronic wireless communication device, such as a cell phone, while driving.

DUI Probation License Suspension (AB 1165 Maze)

A change in the driving under the influence (DUI) law creates a new authority for DMV to administratively suspend the driver's license for one year under a zero tolerance standard. The new law authorizes law enforcement to issue a notice of suspension and impound the vehicle of a person who is driving with a blood-alcohol concentration (BAC) of 0.01 percent or greater while on court-ordered post-DUI probation.

San Joaquin Valley Air Pollution Control District Fee (AB 2522/Arambula)

In an effort to fund programs to reduce vehicle emissions, vehicle owners who register their vehicles in San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties and Valley portions of Kern County will be assessed an air quality fee of \$6.

New Special Interest Plate (SB 1455/Cogdill)

A new "Gold Star Family" special interest license will be available to family members of individuals killed in the line of duty while serving in the Armed Forces during wartime or military operations.

Special License Plates (AB 190, Bass)

This new law, when approved by local authorities, allows veterans whose vehicles display plates honoring Pearl Harbor Survivors, Legion of Valor recipients, former American Prisoners of War, Congressional Medal of Honor recipients, or Purple Heart recipients to park their vehicles that weigh not

more than 6,000 pounds gross weight, without charge, in any metered parking space.

Motorcycle Definition (AB 2272/Fuentes)

This new law changes the definition of a motorcycle, deleting the existing weight limitation of 1500 pounds. It also removes a separate definition for electrically-powered vehicles. This change in law will also allow drivers of fully-enclosed 3-wheeled motor vehicles to use the High Occupancy Vehicle (HOV) lanes.

Ignition Interlock Devices (IID) (SB 1190, Oropeza)

This new law reduces the BAC from .20 percent to .15 percent or more at the time of arrest to trigger a requirement for the court to give heightened consideration for the installation of an IID for a first-time offender convicted of DUI of an alcoholic beverage.

Ignition Interlock Devices (SB 1388, Torlakson)

Effective July 2009, this new law transfers authority for the administration of mandatory IID programs from the state courts to the Department of Motor Vehicles (DMV). This law also authorizes the DMV to require any driver convicted of driving with a suspended license due to a prior conviction for DUI to install an IID in any vehicle that the offender owns or operates.

Fee Waiver Firefighting (AB 2060, Jefferies)

This new law provides a vehicle fee waiver for Indian Tribes that have entered into mutual aid agreements for their firefighting vehicles.

Nonrepairable Certificate (AB 2273, Fuentes)

This law authorizes insurance companies and salvage pools to request the DMV to issue a nonrepairable certificate, if they are unable to obtain the properly endorsed certificate of ownership or other evidence of ownership acceptable to the Department within 30 days following oral or written acceptance by the owner of an offer of an amount in settlement of a total loss.

Vehicle Parking Fees (AB 2401, Karnette)

This law prohibits the Department or a processing agency from collecting outstanding parking fees and penalties from the registered owner of a vehicle if that owner was not the registered owner, lessee, or person in control of the vehicle when a parking citation was issued.

Recreational Vehicle Agreements (AB 2436, Emmerson)

This law requires a written and signed agreement between Recreation Vehicle Dealers and manufactures prior to selling vehicles in California.

Online Voter Registration (SB 381, Calderon)

This bill requires the Secretary of State to obtain the digitized signatures from the DMV for verifying online voter registration.