

# Transportation bills change in Calif. Jan. 1

Several transportation related laws take effect Jan. 1 in California.

## Here are a few:

- Driving Under the Influence (SB 61, Hill): This law extends the existing Ignition Interlock Device (IID) pilot project to July 1, 2017 for Alameda, Los Angeles, Sacramento, and Tulare counties. The IID pilot project requires a person convicted of a DUI to install an IID for five months upon a first offense, 12 months for a second offense, 24 months for a third offense, and 36 months for a fourth or subsequent offense.
- Traffic Amnesty (SB 405, Hertzberg): Among other things, this law amends the criteria for a person to be eligible for the traffic citation amnesty program. The traffic amnesty program was approved through the 2015-16 Budget Act. A person is eligible for the traffic amnesty program if he or she has not made any payments after Sept. 30, 2015, to a collection program for fines or bail already due. The law also indicates that payment of bail, fines, penalties, fees, or a civil assessment is not required in order for the court to remove the civil assessment of up to \$300 against any defendant who fails, after notice and without good cause, to appear in court.
- Earbuds or Headsets (SB 491, Transportation Committee): This law, among other things, makes it unlawful to wear a headset covering, earplugs in, or earphones covering, resting on, or inserted in, both ears, while operating a motor vehicle or a bicycle. This prohibition does not apply to persons operating authorized emergency vehicles, construction equipment and refuse or waste

equipment while wearing a headset or safety earplugs.

- Pedal-Powered Vehicles (SB 530, Pan): This law expands the definition of pedicab to include a four-wheeled device that is pedal-powered, has a seating capacity for eight or more passengers, cannot travel in excess of 15 mph, and is being used for transporting passengers for hire. This law sets requirements related to local authorization, operator qualifications and training, financial responsibility, accident reporting, safety equipment, and inspections. The law establishes rules and standards for pedicabs that allow passengers to consume alcohol on board, if authorized by local ordinance or resolution
- Consumer Protection – Starter Interrupt Warning (AB 265, Holden): This law requires a “buy-here-pay-here” dealer to make certain disclosures and notices to a vehicle buyer when a vehicle is sold with tracking and starter interrupt technology installed. This law also requires advance warning be given to the purchaser prior to engagement of the starter interrupt technology, if the buyer fails to make timely vehicle payments. A “buy-here-pay-here” dealer is defined as a used car dealer that assigns less than 90 percent of their conditional sales and lease contracts to third party lenders; and therefore provide direct financing to car buyers.
- Electrically Motorized Skateboards (AB 604, Olsen): This law defines “electrically motorized board,” and restricts their operation on public facilities, requires boards to be equipped with safety equipment, and authorizes cities and counties to regulate their use. It also makes it a crime to operate an electrically motorized board while under the influence of drugs or alcohol. In addition, the law limits the board’s operation to individuals 16 years or older, requires operators to wear a bicycle helmet, wear safety equipment to increase visibility at night, and limits their operation to roads with a speed limit of 35 miles

per hour or less. A conviction for violating this law is punishable by a fine of up to \$250.

- **Electric Bicycles (AB 1096, Chiu):** This law adds an entirely new definition of an electric bicycle to the California Vehicle Code. An electric bicycle is defined as a bicycle with fully operable pedals and an electric motor of less than 750 watts. The law creates three classes of electric bicycles. Manufacturers will also need to certify the electric bicycles comply with specified requirements. Electric bicycle riders will be able to use roads similar to other bicycle riders, while providing a measure of local control if safety concerns arise on specific paths or public trails.
- **Transportation Network Companies (AB 1422, Cooper):** This new law requires a transportation network company (TNC) to participate in the DMV's Employer Pull Notice (EPN) Program. TNCs provide prearranged transportation services for compensation using an online-enabled application or platform, to connect drivers using their personal vehicles with passengers. The program will provide each TNC with a report showing a driver's current public record, as recorded by the department, and immediate notifications of moving violations, accidents, driver license suspensions, revocations, and other actions taken against the driving privilege. The DMV's EPN program provides employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records.
- **California New Motor Voter Program (AB 1461, Gonzalez),** creates an automatic voter registration process for qualified individuals who apply for a driver's license or identification card, or submit a change of address to the DMV. The law will require that DMV implement the New Motor Voter Act no later than one year after the Secretary of State certifies all of the following: the state has a statewide voter registration database that complies with the requirements of the federal Help

America Vote Act of 2002 (52 U.S.C. Section 20901 et seq.), the Legislature, has appropriated the funds necessary for the Secretary of State and DMV to implement and maintain the program, and the secretary of State has adopted regulations to implement the law.

- California Residency Requirement (AB 1465, Gordon): This law will require an applicant for an original driver license or identification card to provide proof of California state residency, starting July 1, 2016, and it will bring DMV into compliance with a federal law requirement. The DMV will need to adopt regulations relating to the procedures for verifying that the applicant is a California resident.