

## CONCURRENCE IN SENATE AMENDMENTS

AB 2956 (Committee on Transportation)

As Amended August 22, 2022

Majority vote

**SUMMARY**

Makes technical and noncontroversial changes to various provisions of law related to transportation.

**Senate Amendments**

Delete obsolete provisions of the Vehicle Code Section 3008 and make other technical changes, including chaptering amendments with AB 2496 (Petrie-Norris) of 2022.

**COMMENTS**

With the Senate amendments, this bill is substantially similar to the bill that was heard in the Assembly.

The Assembly Committee on Transportation is authoring this year's transportation omnibus bill as a cost-effective way of making a number of minor, non-controversial changes to statute at one time. There is no known opposition to any of the items in the bill. If issues arise that cannot be resolved, the provision of concern will be deleted from the bill.

This bill includes the following provisions, with the proponent of each provision noted in brackets:

- 1) Federal program references for the Active Transportation Program are out of date. The Transportation Alternatives Program (TAP) and Recreational Trails Program have been eliminated as individual programs and consolidated into the Surface Transportation Block Program under Section 133(h) of Title 23 of the U.S. Code. The entire TAP program (referred to in code as the "STP set-aside") is under Section 133(h) and the recreational trails portion of the program is under Section 133(h)(5). *This section updates the state highway code to reference Section 133(h) of Title 23 of the U.S. Code.* [Metropolitan Transportation Commission]
- 2) The California Motorcyclists Safety Program, administrated by the California Highway Patrol (CHP), is the only official range and street teaching motorcycle driving instruction certified by the State. *This section updates the required motorcycle range and street instruction and to be under the guidance of the Motorcycle Safety Foundation California Motorcyclists Safety Program.* [ABATE of California, Motorcyclists Rights & Safety Organization]
- 3) Numerous sections of the California Vehicle Code (CVC) contain outdated references to federal code. *To maintain consistency with federal mandates, this section:*
- 4) Amends Section 2400 of the CVC, which applies to size and weight certification.
- 5) Amends Section 2800 of the CVC, which relates to vehicle inspection requirements.

- 6) Amends Section 2813 of the CVC, which applies to vehicle inspection requirements (adding driver's license (DL) and hours-of-service compliance).
- 7) Amends Section 12505(g) of the CVC, which is applicable to foreign commercial driver licenses.
- 8) Amends Section 26710 of the CVC, which applies to windshield requirements.
- 9) Amends Section 27903(c) of the CVC, which applies to explosives transportation permits and regulatory exemptions.
- 10) Amends Section 34501(b) of the CVC, related to explosives transportation permits and regulatory exemptions.
- 11) Amends state statute applicable to vehicle equipment condition by adding new Section 34501.19 of the CVC.
- 12) Amends Section 34505.6 of the CVC, which applies to household goods carriers; and,
- 13) Amends Section 16028(b) of the CVC to mandate that a peace officer request and verify evidence of financial responsibility from the driver of a vehicle, and remove the nonessential mandate that a peace officer write the vehicle insurance policy number on a notice to appear. [California Highway Patrol]
- 14) Current statute requires the California Department of Motor Vehicles (DMV) to cancel a dealer license when a dealer voluntarily surrenders their seller's permit to CDTFA for cancellation. *This section closes a loophole that enables dealers to continue to sell vehicles as licensed dealers without remitting sales and use tax to CDTFA.* [California Department of Tax and Fee Administration]
- 15) AB 1343 (Chapter 768, Statutes of 2003), inadvertently exempts adults with an instruction permit from the requirement to drive under the supervision of an accompanying licensed driver. *This section amends subdivision (d) to include paragraph (5) of subdivision (a). This will restore adult drivers to subdivision (d).* The language is in print as AB 1898 (Fong) of 2022. [Republican Caucus]
- 16) CVC Sections 2810.1, 16020, 16560, 34505.6, 34507.5, 34601, 34603, 34622, 34264 contain outdated cross-references for the exemption related to household movers and the permit required, and outdated reference to "goods carrier" rather than "mover." *This section reflects the proper cross-reference, and updates the term "mover" rather than "goods carrier."* [California Moving and Storage Association]
- 17) California measures a motor vehicle's exhaust using a Society of Automotive Engineers' (SAE) methodology. SAE periodically updates the standard to reflect the latest best practices and to account for changing vehicle technology. As a result, the CVC must be updated to reflect these changes. *This section updates the California Vehicle Code to allow the Bureau of Automotive Repair to use the latest SAE testing standard when measuring a motor vehicle's exhaust noise.* [Specialty Equipment Market Association]

18) AB 179 (Reyes) Chapter 796, Statutes of 2019, in part, repealed Article 3 of Chapter 6 of the Vehicle Code Sections 3052-3058), which granted the New Motor Vehicle Board ("Board") the authority to hear appeals of decisions made by the Director of the Department of Motor Vehicles. Vehicle Code §3008 currently makes reference to the conduct of the Board in regard to hearing those appeals and must be deleted. In addition, Vehicle Code §3065.3 and 3065.4 were added to the Board's jurisdiction and therefore §3069.1 needs to be amended to incorporate these protests. Subdivisions (b) and (c) of Section 3008 must be removed to correct obsolete references. *The new protests added to the Board's jurisdiction in §§3065.3 and 3065.4 need to be incorporated into §3069.1 for consistency purposes.*

### According to the Author

"This bill is the Assembly Committee on Transportation bill to make noncontroversial changes to provisions of law related to transportation."

### Arguments in Support

None on file.

### Arguments in Opposition

None on file.

## FISCAL COMMENTS

According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

## VOTES:

### ASM TRANSPORTATION: 15-0-0

**YES:** Friedman, Fong, Berman, Chen, Daly, Davies, Gipson, Kalra, Lee, Medina, Nazarian, Nguyen, O'Donnell, Ward, Wicks

### ASM APPROPRIATIONS: 16-0-0

**YES:** Holden, Bigelow, Bryan, Calderon, Carrillo, Megan Dahle, Davies, Mike Fong, Fong, Gabriel, Eduardo Garcia, Jones-Sawyer, Quirk, Robert Rivas, Akilah Weber, Wilson

### ASSEMBLY FLOOR: 72-0-6

**YES:** Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Bigelow, Bloom, Boerner Horvath, Mia Bonta, Bryan, Calderon, Carrillo, Chen, Choi, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Mike Fong, Fong, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Haney, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Mullin, Muratsuchi, Nguyen, O'Donnell, Patterson, Petrie-Norris, Quirk, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Voepel, Waldron, Ward, Akilah Weber, Wicks, Wilson, Wood, Rendon

**ABS, ABST OR NV:** Berman, Cervantes, Medina, Nazarian, Quirk-Silva, Blanca Rubio

## UPDATED

VERSION: August 22, 2022