

CONCURRENCE IN SENATE AMENDMENTS

AB 1085 (Stefani)

As Amended June 11, 2025

Majority vote

SUMMARY

Makes it an infraction with a fine of \$1,000 to manufacture in California a product or device that obscures, or is intended to obscure, the reading or recognition of a license plate by visual or electronic means.

- 1) Prohibits the use of a shade or tint that obstructs or impairs the reading or recognition of a license plate by an electronic device operated by state or local law enforcement, an electronic device operated in connection with a toll road, high-occupancy toll lane, toll bridge, or other toll facility.

Senate Amendments

- 1) Reduce the penalty fine from \$2,500 to \$1,000.

COMMENTS

AB 801 (Walters), Chapter 273, Statutes of 2008 made it an infraction to sell a product or device that obscures, or is intended to obscure, the reading or recognition of a license plate. The Transportation Corridor Agencies sponsored AB 801 to address toll revenue being lost due to obscured license plates. AB 2489 (Hall), Chapter 702, Statutes of 2012 made it an infraction to alter or cover a license plate to avoid law enforcement reading the license plate with a camera. The Los Angeles County Sheriff's Department sponsored AB 2489 to address the use of automated license plate readers (ALPRs) as a surveillance tool. AB 2111 (Wallis) Chapter 59, Statutes of 2024 updated AB 2458 to make it an infraction to alter or cover a license plate for any reason, not just to avoid law enforcement.

The current penalty for the violation this bill creates is \$250 (\$1105 after penalty assessments are made by the courts.) This bill increases the penalty to over \$10,000 with penalty assessments. Unlike most violations in the Vehicle Code, this violation provides for no judicial discretion to set a lower penalty.

The penalty in this bill will make this violation the second highest base fine in the Vehicle Code. The fine in this bill is more than twice as high as the minimum fine for a felony in the Vehicle Code.

According to the Author

"Illegal license plate covers, designed to purposefully obscure plates, are making it easier for bad actors to evade accountability. These tinted or shaded covers have been linked to vehicle thefts and robberies, preventing law enforcement from identifying and stopping offenders. They also allow drivers to dodge toll payments, costing the state's transportation system millions of lost revenue each year- undermining automated enforcement programs and diverting critical funding from road maintenance and improvements. AB 1085 strengthens existing laws by further clarifying which license plate covers are illegal and increasing penalties for manufacturers and sellers who enable their use. When drivers purposefully hide their plates, they aren't just

breaking the law- they're shifting financial burdens onto our toll agencies and putting public safety at risk."

ALPRs or other photo enforcement devices have become ubiquitous tools in transportation agencies to enforce transportation laws. Toll agencies and automated traffic enforcement systems like speed cameras and red light cameras increasingly use ALPR to capture violators more efficiently.

On January 1, 2021, the Bay Area Toll Authority converted all of its toll collection facilities to cashless facilities that rely on the use of FastTrack or ALPRs to collect tolls. As of 2022, there were about 473 lane-miles of high occupancy toll (HOT) lanes that rely on ALPRs for enforcement purposes on California's state highway system. Orange County Toll Authority (OCTA) has relied on ALPRs for enforcing their 18-mile toll road since 1995. Since 2007 San Francisco could ticket drivers parked in bus-only lanes using photo enforcement. This authority was expanded statewide in 2022. Finally, starting this year six cities will be able to install speed cameras to issue speeding tickets.

The number of individuals ticketed for attempting to obscure their license plates has grown significantly as reliance on ALPRs has increased as an enforcement tool for tolls. CHP issued 331 violations for tampering with the reflective coating or altering a license in 2021. That number grew to 781 citations in 2022 and 1,077 in 2023. According to the Bay Area Toll Authority (BATA), state-owned bridges had 946,740 unpaid crossings due to obstructed or defaced plates, resulting in loss revenue of \$6.8 million, or around 1% of total revenue. However, BATA notes that only a small percentage of that lost revenue is because of customers intentionally obscuring their plates. Most obstructed plates are due to bike racks, license plate frames, or unsecured temporary paper plates flapping in the wind.

Other states have seen a significant rise in plate obfuscation as they rely more and more on photo enforcement for tolls and other traffic violations. A January 2024 audit from the New York City Comptroller found that the use of illegally obscured, temporary, or ghost license plates to avoid fines cost the city more than \$100 million annually in lost fine revenue. In 2023, the New York City Triborough Bridge and Tunnel Authority reported it lost \$50 million annually to toll evaders obscuring license plates. A report done by *Inside Your World* investigated 17 states using electronic tolls and concluded they were losing as much as \$305 million each year in uncollected tolls.

Arguments in Support

Streets for All, writing in support states "AB 1085 is a necessary step to curb the widespread use of license plate obstruction devices, which are already illegal in California but remain readily available for purchase. Strengthening enforcement against the sale of these devices will close a dangerous loophole that facilitates lawbreaking, contributes to hit-and-runs, undermines public safety, and results in significant financial losses for the state."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, negligible state costs.

VOTES:**ASM TRANSPORTATION: 15-0-1**

YES: Wilson, Davies, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Hart, Hoover, Jackson, Lackey, Lowenthal, Macedo, Ransom, Rogers, Ward

ABS, ABST OR NV: Papan

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Sanchez, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 69-0-10

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Alanis, Arambula, Bennett, Caloza, Castillo, Jeff Gonzalez, Hart, Quirk-Silva, Ramos, Stefani

SENATE FLOOR: 35-0-5

YES: Allen, Archuleta, Arreguín, Ashby, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Alvarado-Gil, Becker, Padilla, Reyes, Umberg

UPDATED

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