

Definitions

Specially Constructed Vehicle. A vehicle that is built for private use, not for resale, and is not constructed by a licensed manufacturer or remanufacturer. A specially constructed vehicle may be built from (1) a kit; (2) new or used, or a combination of new and used, parts; or (3) a vehicle reported for dismantling (junked), as required by Section 5500 or 11520, which, when reconstructed, does not resemble the original make of the vehicle dismantled. A specially constructed vehicle is not a vehicle which has been repaired or restored to its original design by replacing parts.

Street rod vehicle. A motor vehicle, other than a motorcycle, manufactured in, or prior to, 1948 that is individually modified in its body style or design, including through the use of nonoriginal or reproduction components, and may include additional modifications to other components, including, but not limited to, the engine, drivetrain, suspension, and brakes in a manner that does not adversely affect its safe performance as a motor vehicle or render it unlawful for highway use. (not used for registration purposes)

Remanufactured vehicle. A vehicle that has been constructed by a licensed remanufacturer and consists of any used or reconditioned integral parts, including, but not limited to, frame, engine, transmission, axles, brakes, or suspension. Remanufactured vehicles may be sold under a distinctive trade name. An existing vehicle which is incidentally repaired, restored, or modified by replacing or adding parts or accessories is not a remanufactured vehicle.

Horseless Carriages. A motor vehicle with an engine of 16 or more cylinders manufactured prior to 1965 and any motor vehicle manufactured in the year 1922 and prior thereto. The special identification plates assigned to these vehicles shall run in a separate numerical series, commencing with "**Horseless Carriage** No. 1".

Historical Vehicle. A vehicle which was manufactured after 1922, is at least 25 years old, and is of historic interest. The special identification plates assigned to these vehicles shall run in a separate numerical series, commencing with "**Historical Vehicle** No. 1".

Essential parts. All integral and body parts of a vehicle of a type required to be registered under this code, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance.

Bonded Title. A motor vehicle bond is required when proof of ownership cannot be obtained for parts valued a \$5,000 or more.

Vehicle Verification. A vehicle verification by the California Highway Patrol (CHP) must be obtained before the California DMV can title and register a specially constructed vehicle, however, the application process must be started at the DMV before the CHP will do a vehicle verification.

Statement of Construction. A form required by the DMV for titling and registration of a specially constructed, home-made, or kit vehicle which is used to provide information on the major component parts used in these vehicles. Proof of ownership, including invoices, receipts, manufacturers' certificates of origin, bills of sale, or junk receipts for the major component parts (engine, frame, transmission, and body) used in the construction of the vehicle must also be presented to the DMV.

Official brake and light adjustment certificates. A certificate issued by an official brake and light station certifying that a specially constructed, home-made, or kit vehicle has brakes and lights that are in proper working order. When an official brake and light station is not located within a reasonable distance, DMV will accept a Statement of Facts form from a repair shop attesting that the brakes and lights are in proper working order.

SPCNS Certificates of Sequence. Specially constructed, home-made, and kit vehicles must undergo an emissions process at a Bureau of Automotive Repair (BAR) referee station before they can be titled and registered. A SPCNS certificate of sequence identifies a vehicle as one for which the owner may choose the emission control inspection to be based on the model-year of the vehicle's engine or the model-year of

that the vehicle's body most closely resembles. The certificate is issued by DMV Headquarters and is mailed 7-10 working days after the application is accepted by the local DMV at which the application is submitted. The certificate must be presented to the BAR Referee Station at the time of inspection. Only 500 certificates are issued per year.

Titling & Registration

From California Department of Motor Vehicles:

What is the Specially Constructed Vehicle Emission Control Program?

Existing law requires most 1976 and newer model year vehicles to pass an emissions control inspection (smog check) prior to original registration, transfer of ownership, and every second annual renewal. Since Specially Constructed Vehicles (SPCNS) are homemade and do not have a manufacturer-assigned model year, they must be taken to a Bureau of Automotive Repair (BAR) Referee Station for the original inspection. Upon completion of the inspection, the referee will affix a tamper-resistant label to the vehicle and issue a certificate that establishes the model-year for future inspection purposes.

Per California Vehicle Code §4750.1, the first 500 program applicants in each calendar year may choose whether the inspection is based on the model-year of the engine used in the vehicle or the vehicle model-year. If the engine or the vehicle does not sufficiently resemble one previously manufactured, the referee will assign 1960 as the model-year.

After the first 500 vehicles have been registered in any calendar year, all others will be assigned the same model-year as the calendar year in which the application is submitted.

Previously registered vehicles may be included as one of the first 500 applicants in a calendar year and apply for a different model-year determination.

What is an SPCNS Certificate of Sequence?

An SPCNS Certificate of Sequence identifies a vehicle as one for which the owner may choose emission control inspection based on the model-year of the engine used in the vehicle or the vehicle model-year. The certificate is issued by DMV Headquarters and will be mailed 7-10 working days after the application is accepted by your local DMV. The certificate must be presented to the BAR Referee Station at the time of inspection.

Per statute, only 500 certificates can be issued in a calendar year. Once the yearly allotment has been issued, applicants must wait until the following year to apply for a certificate.

SPCNS Certificates of Sequence **cannot** be transferred to a different vehicle or reissued in someone else's name. The seller of a vehicle must provide the buyer with the SPCNS Certificate of Sequence along with the bill of sale and any additional registration documents. In addition, fees deposited in one year cannot be held over for the next year's allocation of certificates.

Note: Due to the limited number of SPCNS Certificates of Sequence available, you may wish to submit your application for registration in person at a local DMV office.

Registration Requirements for Home Made Specially Constructed or Kit Vehicles

A "home-made, specially constructed, or kit vehicle" is a vehicle that is built for private use, **not** for resale, and is **not** constructed by a licensed manufacturer or remanufacturer. These vehicles may be built from a kit, new or used parts, a combination of new and used parts, or a vehicle reported for dismantling (junked) that, when reconstructed, does not resemble the original make of the vehicle that was dismantled.

A specially constructed vehicle (SPCNS) **does not** include a vehicle that has been repaired or restored to its original design by replacing parts or a vehicle modified from its original design.

Example: A Volkswagen "Beetle" with modified fenders, engine compartment lid, and front end, but still recognizable as a Volkswagen is not considered a specially constructed vehicle.

NOTE: The registration requirements for kit commercial vehicles are the same as for specially constructed vehicles.

The Registration Requirements are:

- A completed Application for Title or Registration (REG 343).
- A vehicle verification done by the California Highway Patrol (CHP). You must start your application process with the DMV prior to contacting the CHP for a vehicle verification. DMV verifies trailers with an unladen weight of 6,000 pounds or less.
- A completed Statement of Construction (REG 5036).
- Proof of ownership, such as invoices, receipts, manufacturers' certificates of origin, bills of sale, or junk receipts for the major component parts (engine, frame, transmission, and body).

NOTE: A motor vehicle bond is required when proof of ownership cannot be obtained for parts valued a \$5,000 or more.

- Official brake and light adjustment certificates. When an official brake and light station that inspects specific vehicles such as motorcycles and large commercial vehicles is not located within a reasonable distance, DMV will accept a Statement of Facts (REG 256) from a repair shop attesting that the brakes and lights are in proper working order. Brake and light certificates are not required for off-highway vehicles or trailers weighing **less than** 3,000 pounds gross vehicle weight.
- A weight certificate for commercial vehicles weighing 10,000 pounds or less.
- An emission control inspection (smog check) by a Bureau of Automotive Repair (BAR) Referee Station. Click here for information on SPCNS Certificates of Sequence . To make an appointment at a BAR Referee Station, call 1-800-622-7733.
- All fees due.
- Visit your local DMV to begin the application process, make an Appointment(s) for faster service.

Vehicle Registration Amnesty Program

Vehicle Code Section 4750.1 was amended to add a vehicle registration amnesty program for qualified owners of specially constructed vehicles (SPCNS), for which the value was under-reported and/or the vehicle make was incorrectly reported. The amnesty program provides waiver from prosecution, in return for the immediate reporting and payment of previously under-reported vehicle value and/or vehicle make. This program is effective January 1, 2016, through December 31, 2016. The program will resume July 1, 2011 and run through June 30, 2012.

You will need:

- The Certificate of Title or an Application for Duplicate Title (REG 277) **unless** there is a lienholder/legal owner.
- Complete a Statement of Facts (REG 256) stating the correct vehicle value, date the vehicle was purchased/acquired, that incorrect information was provided when originally registering the vehicle, and that you are eligible to participate in the vehicle registration amnesty program.
- You must contact the Bureau of Automotive Repair at 800-622-7733 to determine the smog emissions requirements.

CHP Inspection Appointment Scheduling

Inspections will not be conducted without an appointment. The addresses are for appointment scheduling only and may not be the actual inspection site. Contact one of the offices listed in the following section to make an appointment.

For an Appointment Contact:

Northern Division

2485 Sonoma Street
Redding, CA 96001-3026
Phone: 530-225-2120

Valley Division

11336 Trade Center Drive
Rancho Cordova, CA 95742-6233
Phone: 916-464-1480

Golden Gate Division

1551 Benicia Road
Vallejo, CA 94991-7568
Phone: 510-622-4611

Central Division

5179 N. Gates Avenue
Fresno, CA 93722-6414
Phone: 559-488-4053

Coastal Division

4115 Broad Street #B-10
San Luis Obispo, CA 93401-7963
Phone: 805-549-3006

Inland Division

847 E. Brier Drive
San Bernardino, CA 92408-2820
Phone: 909-383-4247
Phone: 909-806-2437

Border Division

1722 East Main Street
El Cajon, CA 92021
Phone: 858-492-1745

2335 Enrico Fermi Drive
San Diego, CA 92154
Phone: 858-492-1745

13200 Golden West Street
Westminster, CA 92683
Phone: 714-892-4426

Southern Division

411 N. Central Avenue Ste. 410
Glendale, CA 91203
Altadena Phone: 626-296-8100
Monterey Park Phone: 323-980-4600
Torrance Phone: 310-516-3355
Valencia Phone: 661-294-5540
Woodland Hills Phone: 818-888-0980

CA Department of Motor Vehicles Special License Plates

Historical Vehicles



These special plates are issued, upon request, for motor vehicles manufactured after 1922 which are at least 25 years old and of historic interest. Statutory Authority: VC §5004

Horseless Carriages



These special plates are issued, upon request, for motor vehicles with an engine of 16 or more cylinders manufactured prior to 1965, or any motor vehicle manufactured in 1922 or before. Statutory Authority: VC §5004

From California Administrative Code:

13 CA ADC § 152.00

§ 152.00. Motor Vehicle Bond Requirements.

13 CCR § 152.00

Cal. Admin. Code tit. 13, § 152.00

Barclays Official California Code of Regulations Currentness

Title 13. Motor Vehicles

Division 1. Department of Motor Vehicles

Chapter 1. Department of Motor Vehicles

Article 3. Vehicle Registration and Titling (Refs & Annos)

§ 152.00. Motor Vehicle Bond Requirements.

(a) A motor vehicle owner applying for a California certificate of title without the required supporting evidence of ownership may submit a bond as authorized under Vehicle Code section 4157. The bond shall be executed by an admitted surety insurer on a Motor Vehicle Ownership Surety Bond, form REG 5057 (REV. 12/2004), which is hereby incorporated by reference. The bond shall be subject to chapter 2 (commencing with Section 995.010), title 14, of part 2 of the Code of Civil Procedure.

(b) The penal sum of the bond shall be in the amount of the fair market value of the motor vehicle.

(1) The fair market value shall be determined by either:

(A) A written appraisal provided by a California licensed or other state licensed motor vehicle dealer or motor vehicle insurance representative; or

(B) Identification of the motor vehicle and its price variations based on information provided in a recognized industry motor vehicle valuation and pricing handbook, such as the Kelly Blue Book. The highest and lowest price variations shall be added together and then divided by two; the result is the average price of the vehicle. The average price shall be the fair market value.

(c) A motor vehicle owner applying for a California certificate of title without the required supporting evidence of ownership may submit a deposit equal to the monetary amount appraised in Section 152.00(b)(1)(A) or calculated in Section 152.00(b)(1)(B) in lieu of the bond as provided in Section 995.710 of the Code of Civil Procedure. The deposit in lieu of a surety bond shall be executed on a Vehicle, Vessel or Off-Highway Vehicle Title Deposit Agreement and Assignment, form REG 5059 (NEW 10/2009), which is hereby incorporated by reference. The form shall meet the guidelines identified in the Code of Civil Procedure section 995.710. The form shall also identify the deposit method authorized by the Code of Civil Procedure section 995.710 that is chosen by the depositor.

Note: Authority cited: Section 1651, Vehicle Code. Reference: Sections 995.010 and 995.710, Code of Civil Procedure; and Sections 4157 and 4307, Vehicle Code.

HISTORY

1. New section filed 2-14-2006; operative 3-16-2006 (Register 2006, No. 7).

2. Amendment of subsection (c) filed 6-7-2010; operative 7-7-2010 (Register 2010, No. 24).

13 CCR § 152.00, 13 CA ADC § 152.00

This database is current through 11/5/10 Register 2016, No. 45

From California Vehicle Code:

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VEHICLE CODE

Division 1. Words and Phrases Defined

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 580 (2009)

§ 580. "Specially constructed vehicle"

A "**specially** constructed **vehicle**" is a vehicle which is built for private use, not for resale, and is not constructed by a licensed manufacturer or remanufacturer. A **specially** constructed **vehicle** may be built from (1) a kit; (2) new or used, or a combination of new and used, parts; or (3) a vehicle reported for dismantling, as required by Section 5500 or 11520, which, when reconstructed, does not resemble the original make of the **vehicle** dismantled. A **specially** constructed **vehicle** is not a vehicle which has been repaired or restored to its original design by replacing parts.

HISTORY:

Enacted Stats 1959 ch 3. Amended Stats 1983 ch 1286 § 13.

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VEHICLE CODE

Division 3. Registration of Vehicles and Certificates of Title
Chapter 1. Original and Renewal of Registration; Issuance of Certificates of Title
Article 6. Refusal of Registration

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 4750.1 (2009)

§ 4750.1. Application for model year determination; Referee station inspection; Fee

(a) If the department receives an application for registration of a specially constructed passenger vehicle or pickup truck after it has registered 500 specially constructed vehicles during that calendar year pursuant to Section 44017.4 of the Health and Safety Code, and the vehicle has not been previously registered, the vehicle shall be assigned the same model-year as the calendar year in which the application is submitted, for purposes of determining emissions inspection requirements for the vehicle.

(b)

(1) If the department receives an application for registration of a specially constructed passenger vehicle or pickup truck that has been previously registered after it has registered 500 specially constructed vehicles during that calendar year pursuant to Section 44017.4 of the Health and Safety Code, and the application requests a model-year determination different from the model-year assigned in the previous registration, the application for registration shall be denied and the vehicle owner is subject to the emission control and inspection requirements applicable to the model-year assigned in the previous registration.

(2) For a vehicle participating in the amnesty program in effect from July 1, 2011, to June 30, 2012, pursuant to Section 9565, the model-year of the previous registration shall be the calendar year of the year in which the vehicle owner applied for amnesty. However, a denial of an application for registration issued pursuant to this paragraph does not preclude the vehicle owner from applying for a different model-year determination and application for registration under Section 44017.4 of the Health and Safety Code in a subsequent calendar year.

(c)

(1) The Bureau of Automotive Repair may charge the vehicle owner who applies to participate in the amnesty program a fee for each referee station inspection conducted pursuant to Section 9565. The fee shall be one hundred sixty dollars (\$160) and shall be collected by the referee station performing the inspection.

(2) A contract to perform referee services may authorize direct compensation to the referee contractor from the inspection fees collected pursuant to paragraph (1). The referee contractor shall deposit the inspection fees collected from the vehicle owner into a separate trust account that the referee contractor shall account for and manage in accordance with generally accepted accounting standards and principles. Where the department conducts the inspections pursuant to Section 9565, the inspection fees collected by the department shall be deposited into the Vehicle Inspection and Repair Fund.

HISTORY:

Added Stats 2002 ch 693 § 2 (SB 1578). Amended Stats 2008 ch 420 § 2 (AB 619), effective January 1, 2009; Stats 2009 ch 235 § 1 (AB 318), effective January 1, 2016; Stats 2010 ch 388 § 1, (AB 2461), effective January 1, 2011.

NOTES:

Amendments:

2008 Amendment:

(1) Deleted "control equipment and" after "purposes of determining emissions" in subd (a); and (2) added the second sentence of subd (b).

2009 Amendment:

(1) Added subdivision designations (b)(1) and (b)(2); (2) amended the first sentence of subd (b)(2) by (a) substituting "participating" for "that participated"; and (b) adding "in effect from January 1, 2010, until December 31, 2010,"; (3) substituted "paragraph" for "subdivision" in the second sentence of subd (b)(2); and (4) added subd (c).

Note

Stats 2008 ch 420 provides:

SECTION 1. The Legislature finds and declares all of the following: (a) It is the intent of the Legislature in enacting a vehicle registration amnesty program to improve compliance with state vehicle registration laws and accelerate and increase collections of certain owed state fees and taxes.

(b) The Legislature finds and declares that a public purpose is served by the waiver of criminal prosecution in return for the immediate reporting and payment of previously underreported, nonreported, or certain nonpaid vehicle registration fees and taxes. The benefits gained by an amnesty program include, among other things, accelerated receipt of certain owed fees and taxes, permanently bringing into the vehicle registration system vehicles that have been previously misidentified to avoid appropriative state taxes and fees, and providing an opportunity for vehicle owners to correct their vehicle registration requirements and satisfy tax and fee obligations before stepped-up vehicle registration enforcement programs take effect.

(c) Further, the legislative intent of enacting this amnesty program is that the program is a one-time occurrence that shall not be repeated in the future, because any expectations of future amnesty programs could have a counterproductive effect on current compliance.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 9565 (2009)

§ 9565. (Repealed January 1, 2011) Vehicle registration amnesty program; Applicability; Conditions; Fee allocation

(a)

(1) The department shall develop and administer a vehicle registration amnesty program, which shall be in effect from January 1, 2016, until December 31, 2016, for vehicles that have been previously registered or classified incorrectly and that are correctly registered in accordance with this section.

(2) Except as provided in subdivision (b), a criminal action for false statements relating to the value, make, model, or a failure to register the vehicle shall not be brought against a current vehicle owner who has been granted amnesty under this section.

(b) This section does not apply to violations of this code for which, as of January 1, 2010, either of the following applies:

(1) The current vehicle owner is on notice of a criminal investigation by a complaint having been filed against him or her, or by written notice having been mailed to him or her, that he or she is under criminal investigation.

(2) A criminal court proceeding involving the vehicle has already been initiated against the current vehicle owner.

(c) The department shall grant amnesty to a vehicle owner if all of the following conditions have been met by December 31, 2010:

(1) The vehicle owner has filed a completed amnesty application with the department attesting, under penalty of perjury, to the owner's eligibility to participate in the vehicle registration amnesty program.

(2) **Specially** constructed **vehicles** participating in the amnesty program shall be assigned the model year of the calendar year in which the vehicle owner applied for amnesty under this section.

(3) The vehicle owner has correctly registered the vehicle or has been issued a certificate of ownership without registration, pursuant to Section 4452.

(d) Vehicle license fee revenue derived from the vehicle registration amnesty program shall be allocated in the same manner as required by Section 11001.5 of the Revenue and Taxation Code.

(e) **Specially** constructed **vehicles** that apply for amnesty under this section shall not be exempted from the requirement to obtain a certificate of compliance as provided in subparagraph (B) of paragraph (4) of subdivision (a) of Section 44011 of the Health and Safety Code.

(f)

(1) This section shall not become operative until July 1, 2009.

(2) This section shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2011, deletes or extends that date.

(g) For the purposes of this section, "correctly registered" means that all of the following have been completed:

(1) The vehicle owner has disclosed to the department the make, model, and the true cost of the vehicle including parts and labor.

(2) The vehicle owner has paid to the department all fees and penalties owed for the underreporting of the vehicle's value and the nonpayment of taxes or fees previously determined or proposed to be determined.

(3) The vehicle has been issued a certificate of compliance in accordance with [Section 44015 of the Health and Safety Code](#), as appropriate.

HISTORY:

Added Stats 2008 ch 420 § 3 (AB 619), effective January 1, 2009, operative July 1, 2009, repealed January 1, 2011.

NOTES:

Note

Stats 2008 ch 420 provides:

SECTION 1. (a) It is the intent of the Legislature in enacting a vehicle registration amnesty program to improve compliance with state vehicle registration laws and accelerate and increase collections of certain owed state fees and taxes.

(b) The Legislature finds and declares that a public purpose is served by the waiver of criminal prosecution in return for the immediate reporting and payment of previously underreported, nonreported, or certain nonpaid vehicle registration fees and taxes. The benefits gained by an amnesty program include, among other things, accelerated receipt of certain owed fees and taxes, permanently bringing into the vehicle registration system vehicles that have been previously misidentified to avoid appropriative state taxes and fees, and providing an opportunity for vehicle owners to correct their vehicle registration requirements and satisfy tax and fee obligations before stepped-up vehicle registration enforcement programs take effect.

(c) Further, the legislative intent of enacting this amnesty program is that the program is a one-time occurrence that shall not be repeated in the future, because any expectations of future amnesty programs could have a counterproductive effect on current compliance.

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Division 3. Registration of Vehicles and Certificates of Title
Chapter 1. Original and Renewal of Registration; Issuance of Certificates of Title
Article 2. Original Registration

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 4153 (2009)

§ 4153. Specially constructed or remanufactured vehicles

If the vehicle to be registered is a specially constructed or remanufactured vehicle, the application shall also state that fact and contain additional information as may reasonably be required by the department to enable it properly to register the vehicle.

HISTORY:

Enacted Stats 1959 ch 3. Amended Stats 1983 ch 1286 § 18.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 5004 (2009)

§ 5004. Vehicles of historic value

(a) Notwithstanding any other provision of this code, any owner of a vehicle described in paragraph (1), (2), or (3) which is operated or moved over the highway primarily for the purpose of historical exhibition or other similar purpose shall, upon application in the manner and at the time prescribed by the department, be issued special identification plates for the vehicle:

(1) A motor vehicle with an engine of 16 or more cylinders manufactured prior to 1965.

(2) A motor vehicle manufactured in the year 1922 or prior thereto.

(3) A vehicle which was manufactured after 1922, is at least 25 years old, and is of historic interest.

(b) The special identification plates assigned to motor vehicles with an engine of 16 or more cylinders manufactured prior to 1965 and to any motor vehicle manufactured in the year 1922 and prior thereto shall run in a separate numerical series, commencing with "**Horseless Carriage** No. 1".

The special identification plates assigned to vehicles specified in paragraph (3) of subdivision (a) shall run in a separate numerical series, commencing with "**Historical Vehicle** No. 1".

Each series of plates shall have different and distinguishing colors.

(c) A fee of twenty-five dollars (\$25) shall be charged for the initial issuance of the special identification plates. Such plates shall be permanent and shall not be required to be replaced. If such special identification plates become damaged or unserviceable in any manner, replacement for the plates may be obtained from the department upon proper application and upon payment of such fee as is provided for in Section 9265.

(d) All funds received by the department in payment for such identification plates or the replacement thereof shall be deposited in the California Environmental License Plate Fund.

(e) These vehicles shall not be exempt from the equipment provisions of Sections 26709, 27150, and 27600.

(f) As used in this section, a vehicle is of historic interest if it is collected, restored, maintained, and operated by a collector or hobbyist principally for purposes of exhibition and historic vehicle club activities.

HISTORY:

Enacted Stats 1959 ch 3. Amended Stats 1961 ch 1285 § 2, operative January 1, 1962; Stats 1965 ch 1389 § 1; Stats 1971 ch 1437 § 4, ch 1448 § 4, operative January 1, 1972; Stats 1974 ch 1012 § 5; Stats 1981 ch 415 § 2 (ch 415 prevails), ch 714 § 438; Stats 1984 ch 918 § 1.

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VEHICLE CODE

Division 3. Registration of Vehicles and Certificates of Title

Chapter 6. Registration and Weight Fees

Article 3. Weight Fees

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 9401 (2009)

§ 9401. Exemption for **vehicle manufactured prior to 1936**

(a) Motor **vehicles manufactured** in or **prior** to 1936, are exempted from the payment of the weight fees provided for in Section 9400.

(b) Notwithstanding subdivision (a), any person who owns and operates a commercial **vehicle manufactured** in or **prior** to 1936 which is registered to such person, may pay the appropriate weight fees, and the department shall issue license plates of the same type as are issued to vehicles which are required to pay weight fees for such vehicles.

HISTORY:

Added Stats 1980 ch 622 § 3.

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Division 3. Registration of Vehicles and Certificates of Title
Chapter 1. Original and Renewal of Registration; Issuance of Certificates of Title
Article 8. Special Plates

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 5004.1 (2009)

§ 5004.1. Model year date license plates

(a) (1) An owner of a **vehicle** that is a 1969 or **older** model-year **vehicle** or the owner of a commercial vehicle or a pickup truck that is a 1972 or older model-year may, after the requirements for the registration of the vehicle are complied with and with the approval of the department, utilize license plates of this state with the date of year corresponding to the model-year date when the vehicle was manufactured, if the model-year date license plate is legible and serviceable, as determined by the department, in lieu of the license plates otherwise required by this code.

(2) The department may consult with an organization of old car hobbyists in determining whether the date of year of the license plate corresponds to the model-year date when the vehicle was manufactured.

(b) A fee of forty-five dollars (\$45) shall be charged for the application for the use of the special plates.

(c) In addition to the regular renewal fee for the vehicle for which the plates are authorized, the applicant for a renewal of the plates shall be charged an additional fee of ten dollars (\$10). If payment of a regular vehicle renewal fee is not required by this code, the holder of license plates with a date corresponding to the model-year may retain the plates upon payment of an annual fee of twenty dollars (\$20) that shall be due at the expiration of the registration year of the vehicle to which the plates were last assigned under this section.

(d) If a person who is authorized to utilize the special license plates applies to the department for transfer of the plates to another vehicle, a transfer fee of twelve dollars (\$12) shall be charged in addition to all other appropriate fees.

HISTORY:

Added Stats 1982 ch 721 § 1. Amended Stats 1984 ch 918 § 2; Stats 1987 ch 280 § 1; Stats 1988 ch 645 § 1, operative July 1, 1989; Stats 1993 ch 1292 § 5 (SB 274); Stats 2007 ch 497 § 1 (AB 462), effective January 1, 2008, operative July 1, 2009; Stats 2008 ch 179 § 216 (SB 1498), effective January 1, 2009.

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Division 3. Registration of Vehicles and Certificates of Title
Chapter 1. Original and Renewal of Registration; Issuance of Certificates of Title
Article 8. Special Plates

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 5004.6 (2009)

§ 5004.6. [Section repealed 2004.]

HISTORY:

Added Stats 1990 ch 929 § 1 (AB 3449). Repealed Stats 2003 ch 594 § 19 (SB 315). The repealed section related to issuance of special identification plates for street rod vehicles.

NOTES:

Hierarchy Notes:

Veh Code Note

Div. 3 Note

Div. 3, Ch. 1 Note

Div. 3, Ch. 1, Art. 8 Note

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VEHICLE CODE

Division 3. Registration of Vehicles and Certificates of Title

Chapter 6. Registration and Weight Fees

Article 4. Payment of Fees

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 9563 (2009)

§ 9563. Rebuilt and restored vehicle; Registration application and fees

Notwithstanding any other provisions of this code, when a **vehicle is rebuilt** and restored to operation after it has been reported to be dismantled pursuant to Section 11520, the application shall be deemed to be an application for original registration of a new vehicle for determination of fees.

HISTORY:

Added Stats 1971 ch 1353 § 4. Amended Stats 1973 ch 889 § 50, effective September 26, 1973.

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VEHICLE CODE

Division 3. Registration of Vehicles and Certificates of Title
Chapter 1. Original and Renewal of Registration; Issuance of Certificates of Title
Article 12. Surrender of Registration Documents and License Plates

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 5505 (2009)

§ 5505. Application for registration of salvage or dismantled vehicle

(a) This section applies to any vehicle reported to be a total loss salvage vehicle pursuant to Section 11515 and to any vehicle reported for dismantling pursuant to Section 5500 or 11520.

(b) Whenever an application is made to the Department of Motor Vehicles to register a vehicle described in subdivision (a), that department shall inspect the vehicle to determine its proper identity or request that the inspection be performed by the Department of the California Highway Patrol. An inspection by the Department of Motor Vehicles shall not preclude that department from referring the vehicle to the Department of the California Highway Patrol for an additional inspection if deemed necessary.

(c) The Department of the California Highway Patrol shall inspect, on a random basis, those vehicles described in subdivision (a) that have been presented to the Department of Motor Vehicles for registration after completion of the reconstruction process to determine the proper identity of those vehicles. The vehicle being presented for inspection shall be a complete vehicle, in legal operating condition. If the vehicle was originally manufactured with a "supplemental restraint system" as defined in Section 593, the **reconstructed vehicle** shall also be equipped with a supplemental restraint system in good working order that meets applicable federal motor vehicle safety standards and conforms to the manufacturer's specifications for that vehicle. The inspection conducted pursuant to this subdivision shall be a comprehensive, vehicle identification number inspection.

(d) A salvage vehicle rebuilder, as defined in Section 543.5, or other individual in possession of a vehicle described in subdivision (a), who is submitting the vehicle for registration as described in subdivision (b), shall have available, and shall present upon demand of the Department of the California Highway Patrol, bills of sale, invoices, or other acceptable proof of ownership of component parts, and invoices for minor component parts. Additionally, bills of sale and invoices shall include the year, make, model, and the vehicle identification number of the vehicle from which the parts were removed or sold, the name and signature of the person from whom the parts were acquired, and his or her address, and telephone number. To assist in the identification of the seller of new or used parts, the number of the seller's driver's license, identification card, social security card, or Federal Employer Identification Number shall be provided by the seller to the buyer on the bills of sale and invoice. The seller of a salvage vehicle, or the agent of the seller, shall inform the purchaser of the vehicle that ownership documentation for certain replacement parts used in the repair of the vehicle will be required in the inspection required under this section.

(e) As used in this section, the term "component parts for passenger motor vehicles" includes supplemental restraint systems, the cowl or firewall, front-end assembly, rear clip, including the roof panel, the roof panel when installed separately, and the frame or any portion thereof, or in the case of a unitized body, the supporting structure that serves as the frame, each door, the hood, each fender or quarter panel, deck lid or hatchback, each bumper, both T-tops, replacement transmissions or transaxles, and a replacement motor.

(1) As used in this subdivision, "front-end assembly" includes all of the following: hood, fenders, bumper, and radiator supporting members for these items. For vehicles with a unitized body, the front-end assembly also includes the frame support members.

(2) As used in this subdivision, "rear clip" includes the roof, quarter panels, trunk lid, floor pan, and the support members for each item.

(f) As used in this section, "major component parts for trucks, truck-type or bus-type vehicles" includes the cab, the frame or any portion thereof, and, in the case of a unitized body, the supporting structure which serves as a frame, the cargo compartment floor panel or passenger compartment floor pan, roof panel, and replacement transmissions or transaxles, and replacement motors, each door, hood, each fender or quarter panel, each bumper, and the tailgate. All component parts identified in subdivision (e), common to a truck, truck-type or bus-type vehicle, not listed in this section, shall be considered as included in this section if the part is replaced.

(1) "Major component parts for motorcycles" includes the engine or motor, transmission or transaxle, frame, front fork, and crankcase.

(2) "Minor component parts for motorcycles" includes the fairing and any other body molding.

(g) If the vehicle identification number, year, make, or model required under subdivision (d) cannot be determined, the Department of the California Highway Patrol may accept, in lieu of that information, a certification on a form provided by that department, signed by the person submitting the vehicle for inspection, that the part was not obtained by means of theft or fraud.

HISTORY:

Added Stats 1995 ch 684 § 2 (SB 549), effective October 10, 1995, operative January 1, 1997.

Amended Stats 1996 ch 450 § 1 (SB 1713), operative until January 1, 2003. Amended Stats 2002 ch 670 § 7 (SB 1331).

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VEHICLE CODE

Division 4. Special Antitheft Laws
Chapter 3. Alteration or Removal of Numbers

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 10750 (2009)

10750.

(a) No person shall intentionally deface, destroy, or alter the motor number, other distinguishing number, or identification mark of a vehicle required or employed for registration purposes without written authorization from the department, nor shall any person place or stamp any serial, motor, or other number or mark upon a vehicle, except one assigned thereto by the department.

(b) This section does not prohibit the restoration by an owner of the original vehicle identification number when the restoration is authorized by the department, nor prevent any manufacturer from placing in the ordinary course of business numbers or marks upon new motor vehicles or new parts thereof.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 10751 (2009)

§ 10751. Seizure and disposition of vehicles in violation of serial or identification number requirement; Notice of impoundment

(a) No person shall knowingly buy, sell, offer for sale, receive, or have in his or her possession, any vehicle, or component part thereof, from which any serial or identification number, including, but not limited to, any number used for registration purposes, that is affixed by the manufacturer to the vehicle or component part, in whatever manner deemed proper by the manufacturer, has been removed, defaced, altered, or destroyed, unless the vehicle or component part has attached thereto an identification number assigned or approved by the department in lieu of the manufacturer's number.

(b) Whenever a vehicle described in subdivision (a), including a **vehicle assembled** with any component part which is in violation of subdivision (a), comes into the custody of a peace officer, it shall be destroyed, sold, or otherwise disposed of under the conditions as provided in an order by the court having jurisdiction. No court order providing for disposition shall be issued unless the person from whom the property was seized, and all claimants to the property whose interest or title is on registration records in the Department of Motor Vehicles, are provided a postseizure hearing by the court having jurisdiction within 90 days after the seizure. This subdivision shall not apply with respect to a seized vehicle or component part used as evidence in any criminal action or proceeding. Nothing in this section shall, however, preclude the return of a seized vehicle or a component part to the owner by the seizing agency following presentation of satisfactory evidence of ownership and, if determined necessary, upon the assignment of an identification number to the vehicle or component part by the department.

(c) Whenever a vehicle described in subdivision (a) comes into the custody of a peace officer, the person from whom the property was seized, and all claimants to the property whose interest or title is on registration records in the Department of Motor Vehicles, shall be notified within five days, excluding Saturdays, Sundays, and holidays, after the seizure, of the date, time, and place of the hearing required in subdivision (b). The notice shall contain the information specified in subdivision (d).

(d) Whenever a peace officer seizes a vehicle described in subdivision (a), the person from whom the property was seized shall be provided a notice of impoundment of the vehicle which shall serve as a receipt and contain the following information:

(1) Name and address of person from whom the property was seized.

(2) A statement that the vehicle seized has been impounded for investigation of a violation of Section 10751 of the California Vehicle Code and that the property will be released upon a determination that the serial or identification number has not been removed, defaced, altered, or destroyed, or upon the presentation of satisfactory evidence of ownership of the vehicle or a component part, if no other person claims an interest in the property; otherwise, a hearing regarding the disposition of the vehicle shall take place in the proper court.

(3) A statement that the person from whom the property was seized, and all claimants to the property whose interest or title is on registration records in the Department of Motor Vehicles, will receive written notification of the date, time, and place of the hearing within five days, excluding Saturdays, Sundays, and holidays, after the seizure.

(4) Name and address of the law enforcement agency where evidence of ownership of the vehicle or component part may be presented.

(5) A statement of the contents of Section 10751 of the Vehicle Code.

(e) A hearing on the disposition of the property shall be held by the superior court within 90 days after the seizure. The hearing shall be before the court without a jury. A proceeding under this section is a limited civil case.

(1) If the evidence reveals either that the serial or identification number has not been removed, defaced, altered, or destroyed or that the number has been removed, defaced, altered, or destroyed but satisfactory evidence of ownership has been presented to the seizing agency or court, the property shall be released to the person entitled thereto. Nothing in this section precludes the return of the vehicle or a component part to a good faith purchaser following presentation of satisfactory evidence of ownership thereof upon the assignment of an identification number to the vehicle or component part by the department.

(2) If the evidence reveals that the identification number has been removed, defaced, altered, or destroyed, and satisfactory evidence of ownership has not been presented, the vehicle shall be destroyed, sold, or otherwise disposed of as provided by court order.

(3) At the hearing, the seizing agency has the burden of establishing that the serial or identification number has been removed, defaced, altered, or destroyed and that no satisfactory evidence of ownership has been presented.

(f) This section does not apply to a scrap metal processor engaged primarily in the acquisition, processing, and shipment of ferrous and nonferrous scrap, and who receives dismantled vehicles from licensed dismantlers, licensed junk collectors, or licensed junk dealers as scrap metal for the purpose of recycling the dismantled vehicles for their metallic content, the end product of which is the production of material for recycling and remelting purposes for steel mills, foundries, smelters, and refiners.

HISTORY:

Added Stats 1981 ch 599 § 2, operative January 1, 1988. Amended Stats 1990 ch 481 § 1 (SB 2809); Stats 1991 ch 13 § 25 (AB 37), effective February 13, 1991; Stats 1998 ch 931 § 455 (SB 2139), effective September 28, 1998. Amended Stats 2002 ch 784 § 596 (SB 1316).

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VEHICLE CODE

Division 4. Special Antitheft Laws
Chapter 3. Alteration or Removal of Numbers

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 10752 (2009)

- **§ 10752. Possession or sale of serial or identification numbers**
 - (a) No person shall, with intent to prejudice, damage, injure, or defraud, acquire, possess, sell, or offer for sale any genuine or counterfeit manufacturer's serial or identification number from or for, or purporting to be from or for, a vehicle or component part thereof.
 - **(b)** No person shall, with intent to prejudice, damage, injure, or defraud, acquire, possess, sell, or offer for sale any genuine or counterfeit serial or identification number issued by the department, the Department of the California Highway Patrol, or the vehicle registration and titling agency of any foreign jurisdiction which is from or for, or purports to be from or for, a vehicle or component part thereof.
 - **(c)** Every person convicted of a violation of subdivision (a) or (b) shall be punished by imprisonment pursuant to subdivision (h) of [Section 1170 of the Penal Code](#), or in the county jail for not less than 90 days nor more than one year, and by a fine of not less than two hundred fifty dollars (\$250) nor more than five thousand dollars (\$5,000).

HISTORY:

Added Stats 1980 ch 608 § 4. Amended Stats 1985 ch 623 § 2; Stats 2011 ch 15 § 602 (AB 109), effective April 4, 2011, operative October 1, 2011.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 4453 (2009)

§ 4453. Contents of registration card

(a) The registration card shall contain upon its face, the date issued, the name and residence or business address or mailing address of the owner and of the legal owner, if any, the registration number assigned to the vehicle, and a description of the vehicle as complete as that required in the application for registration of the vehicle.

(b) The following motor vehicles shall be identified as such on the face of the registration card whenever the department is able to ascertain that fact at the time application is made for initial registration or transfer of ownership of the vehicle:

(1) A motor **vehicle rebuilt** and **restored** to operation that was previously declared to be a total loss salvage vehicle because the cost of repairs exceeds the retail value of the vehicle.

(2) A motor **vehicle rebuilt** and **restored** to operation that was previously reported to be dismantled pursuant to Section 11520.

(3) A motor vehicle previously registered to a law enforcement agency and operated in law enforcement work.

(4) A motor vehicle formerly operated as a taxicab.

(5) A motor vehicle manufactured outside of the United States and not intended by the manufacturer for sale in the United States.

(6) A park trailer, as described in Section 18009.3 of the Health and Safety Code, that when moved upon the highway is required to be moved under a permit pursuant to Section 35780.

(7) A motor vehicle that has been reacquired under circumstances described in subdivision (c) of Section 1793.23 of the Civil Code, a vehicle with out-of-state titling documents reflecting a warranty return, or a vehicle that has been identified by an agency of another state as requiring a warranty return title notation, pursuant to the laws of that state. The notation made on the face of the registration and pursuant to this subdivision shall state "Lemon Law Buyback."

(c) The director may modify the form, arrangement, and information appearing on the face of the registration card and may provide for standardization and abbreviation of fictitious or firm names on the registration card whenever the director finds that the efficiency of the department will be promoted by so doing.

HISTORY:

Enacted Stats 1959 ch 3. Amended Stats 1965 ch 1715 § 4, effective January 1, 1966, Stats 1967 ch 474 § 1; Stats 1980 ch 856 § 1, operative October 1, 1981; Stats 1985 ch 1235 § 5; Stats 1986 ch 1078 § 7, effective September 24, 1986, operative January 1, 1987; Stats 1989 ch 862 § 2; Stats 1993 ch 272 § 13 (AB 301), effective July 30, 1993; Stats 1995 ch 503 § 5 (AB 1381); Stats 2000 ch 566 § 4 (AB 1912). Amended Stats 2003 ch 451 § 17 (AB 1718).

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VEHICLE CODE

Division 3. Registration of Vehicles and Certificates of Title
Chapter 1. Original and Renewal of Registration; Issuance of Certificates of Title
Article 2. Original Registration

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 4161 (2009)

§ 4161.

(a) Whenever a motor vehicle engine or motor is installed, except temporarily, in a motor vehicle which is identified on the ownership and registration certificates by motor or engine number or by both the motor and frame numbers and subject to registration under this code, the owner of the motor vehicle shall, within 10 days thereafter, give notice to the department upon a form furnished by it containing a description of the motor vehicle engine or motor installed, including any identifying number thereon and the date of the installation. The owner of the motor vehicle shall also submit to the department with the notice the certificate of ownership and registration card covering the motor vehicle in which the motor vehicle engine or motor is installed and evidence of ownership covering the new or used motor vehicle engine or motor installed and such other documents as may be required by the department.

(b) Upon receipt of motor vehicle engine or motor change notification and other required documents, the department shall assign a distinguishing vehicle identification number to motor vehicles, other than motorcycles or motor-driven cycles registered under a motor number or motor and frame numbers. When the distinguishing vehicle identification number is placed on the vehicle as authorized, the vehicle shall thereafter be identified by the distinguishing identification number assigned.

(c) Notwithstanding any other provision of this section or any other provision of law, whenever an application is made to the department to register a replacement engine case for any motorcycle, the department shall request the Department of the California Highway Patrol to inspect the motorcycle to determine its proper identity. If the replacement engine case bears the same identifying numbers as the engine case being replaced, the original engine case shall be destroyed. A determination verifying proof of destruction shall be made by the Department of the California Highway Patrol.

From California Tax Code:

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REVENUE AND TAXATION CODE

Division 2. Other Taxes

Part 5. Vehicle License Fee

Chapter 2. Imposition of Fee

Article 1. Computation of Fee

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Rev & Tax Code § 10753.5 (2009)

§ 10753.5. Historic vehicles

Notwithstanding any other provisions of this part, the annual amount of the license fee for a vehicle that has been assigned a special identification plate or plates as described in Section 5004 of the Vehicle Code shall be two dollars (\$2).

HISTORY:

Added Stats 1971 ch 1448 § 1. Amended Stats 2002 ch 528 § 1 (AB 1906).

From California Insurance Code:

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INSURANCE CODE

Division 1. General Rules Governing Insurance

Part 1. The Contract

Chapter 10.25. Automobile Collision and Comprehensive Coverage

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Ins Code § 671 (2009)

§ 671. Refusal to issue policy based on age of automobile

No insurer issuing an automobile collision policy, as defined in Section 660, or a policy for comprehensive coverage for an automobile, as defined in Section 11580.07, shall refuse to issue the policy of insurance, or the policy in combination with other coverages, when the refusal is based solely on the age of the automobile to be insured, if the market value of the automobile exceeds two thousand five hundred dollars (\$2,500).

This section does not apply to any policy which includes coverage for losses resulting from wear and tear or from normal deterioration of an automobile or its component parts, nor to any policy which provides coverage for an **antique or classic automobile**.

HISTORY:

Added Stats 1988 ch 1290 § 1.

Equipment Exemptions

From California Vehicle Code:

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VEHICLE CODE

Division 12. Equipment of Vehicles

Chapter 2. Lighting Equipment

Article 14. Vehicles Exempted

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 25804 (2009)

§ 25804. Lighting equipment on **historical vehicles**

Notwithstanding any other provision of this code, original lighting equipment installed on a vehicle manufactured prior to January 1, 1946, need not meet the requirements established by the department when the vehicle is used primarily for the purpose of historical exhibition.

HISTORY:

Added Stats 1967 ch 594 § 1. Amended 1973 ch 706 § 1; Stats 1979 ch 723 § 24.

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HEALTH AND SAFETY CODE

Division 26. Air Resources

Part 5. Vehicular Air Pollution Control

Chapter 1. General Provisions

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Health & Saf Code § 43002 (2009)

§ 43002. Vehicles of historic interest

No motor **vehicle of historic** interest shall be required to have any motor vehicle pollution control device, except for such devices that were required by this part for such vehicles prior to the time that special identification plates were issued for that vehicle pursuant to Section 5004 of the Vehicle Code.

HISTORY:

Added Stats 1975 ch 957 § 12.

VEHICLE CODE

Division 12. Equipment of Vehicles

Chapter 2. Lighting Equipment

Article 2. Headlamps and Auxiliary Lamps

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 24410 (2009)

§ 24410. Single beams

Headlamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps are permitted on motor **vehicles manufactured** and sold **prior** to September 19, 1940, in lieu of multiple-beam road lighting equipment if the single distribution of light complies with the following requirements and limitations:

(a) The headlamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of 25 feet ahead project higher than a level of five inches below the level of the center of the lamp from which it comes, and in no case higher than 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead.

(b) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet.

HISTORY:

Enacted Stats 1959 ch 3.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 25100 (2009)

§ 25100. Clearance and side-marker lamps

(a) Except as provided in subdivisions (b) and (d), every vehicle 80 inches or more in overall width shall be equipped during darkness as follows:

(1) At least one amber clearance lamp on each side mounted on a forward-facing portion of the vehicle and visible from the front and at least one red clearance lamp on each side mounted on a rearward-facing portion of the vehicle and visible from the rear.

(2) At least one amber side-marker lamp on each side near the front and at least one red side-marker lamp on each side near the rear.

(3) At least one amber side-marker lamp on each side at or near the center on trailers and semitrailers 30 feet or more in length and which are manufactured and first registered after January 1, 1962. Any such **vehicle manufactured** and first registered **prior** to January 1, 1962, may be so equipped.

(4) At least one amber side-marker lamp mounted at approximate midpoint of housecars, motortrucks, and buses 30 or more feet in length and **manufactured** on or after January 1, 1969. Any such **vehicle manufactured prior** to January 1, 1969, may be so equipped.

(5) Combination clearance and side-marker lamps mounted as side-marker lamps and meeting the visibility requirements for both types of lamps may be used in lieu of required individual clearance or side-marker lamps.

(b) The following vehicles when 80 inches or more in overall width and not equipped as provided in subdivision (a) shall be equipped during darkness as follows:

(1) Truck tractors shall be equipped with at least one amber clearance lamp on each side on the front of the cab or sleeper and may be equipped with amber side-marker lamps on each side.

(2) Truck tractors manufactured on or after January 1, 1969, shall be equipped with one amber side-marker lamp on each side near the front.

(3) Pole or pipe dollies, or logging dollies, shall be equipped with at least one combination clearance and side-marker lamp on each side showing red to the front, side, and rear.

(4) Vehicles, except truck tractors, which are 80 inches or more in width over a distance not exceeding three feet from front to rear shall be equipped with at least one amber combination clearance lamp and side-marker lamp on each side visible from the front, side, and rear if the projection is near the front of the vehicle and at least one red lamp if the projection is near the rear of the vehicle.

(5) Towing motor vehicles engaged in driveaway-towaway operations shall be equipped with at least one amber clearance lamp at each side on the front and at least one amber side-marker lamp on each side near the front.

(6) Towed motor vehicles engaged in driveaway-towaway operations shall be equipped with at least one amber side-marker lamp on each side of intermediate vehicles, and the rearmost vehicle shall be equipped

with at least one red side-marker lamp on each side and at least one red clearance lamp on each side on the rear.

(7) Trailers and semitrailers designed for transporting single boats in a cradle-type mounting and for launching the boat from the rear of the trailer need not be equipped with front and rear clearance lamps provided amber clearance lamps showing to the front and red clearance lamps showing to the rear are located on each side at or near the midpoint between the front and rear of the trailer to indicate the extreme width of the trailer.

(c) Loads extending beyond the side of a vehicle where the overall width of the vehicle and load is 80 inches or more shall be equipped with an amber combination clearance and side-marker lamp on the side at the front and a red combination clearance and side-marker lamp on the side at the rear. In lieu of the foregoing requirement, projecting loads not exceeding three feet from front to rear at the extreme width shall be equipped with at least one amber combination clearance and side-marker lamp on the side visible from the front, side, and rear if the projection is near the front of the vehicle and at least one red lamp if the projection is near the rear of the vehicle.

(d) Clearance and side-marker lamps are not required on auxiliary dollies or on passenger vehicles other than a housecar.

(e) Clearance lamps shall be visible from all distances between 500 feet and 50 feet to the front or rear of the vehicle, and side-marker lamps shall be visible from all distances between 500 feet and 50 feet to the side of the vehicle.

(f) Clearance lamps shall, so far as is practicable, be mounted to indicate the extreme width of the vehicle. Side-marker lamps shall be mounted not lower than 15 inches on vehicles manufactured on and after January 1, 1968. Combination clearance and side-marker lamps required on loads shall be mounted so the lenses project to the outer extremity of the vehicle or load.

HISTORY:

Added Stats 1961 ch 1989 § 4. Amended Stats 1963 ch 78 § 1, ch 292 § 5; Stats 1965 ch 1313 § 9; Stats 1968 ch 980 § 15; Stats 1970 ch 422 § 3; Stats 1975 ch 854 § 3; Stats 1976 ch 900 § 1; Stats 1981 ch 714 § 446.

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VEHICLE CODE

Division 12. Equipment of Vehicles
Chapter 2. Lighting Equipment
Article 9. Commercial and Common Carrier Vehicles

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 25351 (2009)

§ 25351. Identification lamps

(a) A commercial vehicle and, except as provided in subdivision (d), any other vehicle 80 or more inches in width may be equipped with identification lamps mounted on the front or rear. No part of any such lamps or their mountings on the front of a motor vehicle shall extend below the top of the windshield.

(b) Identification lamps on such **vehicles manufactured prior** to January 1, 1968, may exhibit either amber, green, or white light to the front and red light to the rear.

(c) Identification lamps on such vehicles manufactured on or after January 1, 1968, may exhibit only amber light to the front and red light to the rear.

(d) Identification lamps are not permitted on passenger vehicles, except housecars and ambulances, regardless of width.

HISTORY:

Enacted 1959 ch 3. Amended Stats 1963 ch 152 § 2; Stats 1968 ch 980 § 17; Stats 1970 ch 422 § 5; Stats 1975 ch 616 § 2, ch 854 § 6.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 24603 (2009)

§ 24603. Stoplamp requirements

Every motor vehicle that is not in combination with any other vehicle and every vehicle at the end of a combination of vehicles shall at all times be equipped with stoplamps mounted on the rear as follows:

(a) Every such vehicle shall be equipped with one or more stoplamps.

(b) Every such vehicle, other than a motorcycle, manufactured and first registered on or after January 1, 1958, shall be equipped with two stoplamps, except that trailers and semitrailers manufactured after July 23, 1973, which are less than 30 inches wide, may be equipped with one stoplamp which shall be mounted at or near the vertical centerline of the trailer. If such vehicle is equipped with two stoplamps, they shall be mounted as specified in subdivision (d).

(c) Except as provided in subdivision (h), stoplamps on vehicles manufactured on or after January 1, 1969, shall be mounted not lower than 15 inches nor higher than 72 inches, except that a tow truck or a repossessor's tow vehicle, in addition to being equipped with the required stoplamps, may also be equipped with two stoplamps which may be mounted not lower than 15 inches nor higher than the maximum allowable vehicle height and as far forward as the rearmost portion of the driver's seat in the rearmost position.

(d) Where two stoplamps are required, at least one shall be mounted at the left and one at the right side, respectively, at the same level.

(e) Stoplamps on vehicles manufactured on or after January 1, 1979, shall emit a red light. Stoplamps on **vehicles manufactured before** January 1, 1979, shall emit a red or yellow light. All stoplamps shall be plainly visible and understandable from a distance of 300 feet to the rear both during normal sunlight and at nighttime, except that stoplamps on a vehicle of a size required to be equipped with clearance lamps shall be visible from a distance of 500 feet during those times.

(f) Stoplamps shall be activated upon application of the service (foot) brake and the hand control head for air, vacuum, or electric brakes. In addition, all stoplamps may be activated by a mechanical device designed to function only upon sudden release of the accelerator while the vehicle is in motion. Stoplamps on vehicles equipped with a manual transmission may be manually activated by a mechanical device when the vehicle is downshifted if the device is automatically rendered inoperative while the vehicle is accelerating.

(g) Any vehicle may be equipped with supplemental stoplamps mounted to the rear of the rearmost portion of the driver's seat in its rearmost position in addition to the lamps required to be mounted on the rear of the vehicle. Supplemental stoplamps installed after January 1, 1979, shall be red in color and mounted not lower than 15 inches above the roadway. The supplemental stoplamp on that side of a vehicle toward which a turn will be made may flash as part of the supplemental turn signal lamp.

A supplemental stoplamp may be mounted inside the rear window of a vehicle, if it is mounted at the centerline of the vehicle and is constructed and mounted so as to prevent any light, other than a monitorial indicator emitted from the device, either direct or reflected, from being visible to the driver.

(h) Any supplemental stoplamp installed after January 1, 1987, shall comply with Federal Motor Vehicle Safety Standard No. 108 (49 C.F.R. 571.108). Any vehicle equipped with a stoplamp that complies with the federal motor vehicle safety standards applicable to that make and model vehicle shall conform to that applicable safety standard unless modified to comply with the federal motor vehicle safety standard designated in this subdivision.

HISTORY:

Added Stats 1968 ch 980 § 7. Amended Stats 1969 ch 341 § 3; Stats 1973 ch 774 § 3, effective September 25, 1973; Stats 1974 ch 635 § 3; Stats 1976 ch 154 § 3; Stats 1977 ch 287 § 2; Stats 1978 ch 252 § 3, effective June 16, 1978; Stats 1979 ch 723 § 13; Stats 1981 ch 738 § 1; Stats 1984 ch 64 § 1; Stats 1986 ch 1184 § 1; Stats 1988 ch 924 § 12; Stats 2009 ch 307 § 108 (SB 821), effective January 1, 2016.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 25950 (2009)

§ 25950. Color of lamps and reflectors; Exceptions

This section applies to the color of lamps and to any reflector exhibiting or reflecting perceptible light of 0.05 candela or more per foot-candle of incident illumination. Unless provided otherwise, the color of lamps and reflectors upon a vehicle shall be as follows:

(a) The emitted light from all lamps and the reflected light from all reflectors, visible from in front of a vehicle, shall be white or yellow, except as follows:

(1) Rear side marker lamps required by Section 25100 may show red to the front.

(2) The color of foglamps described in Section 24403 may be in the color spectrum from white to yellow.

(3) An illuminating device, as permitted under Section 24255, shall emit radiation predominantly in the infrared region of the electromagnetic spectrum. Any incidental visible light projecting to the front of the vehicle shall be predominantly yellow to white. Any incidental visible light projecting to the rear of the vehicle shall be predominantly red. Any incidental visible light from an illuminating device, as permitted under Section 24255, shall not resemble any other required or permitted lighting device or official traffic control device.

(b) The emitted light from all lamps and the reflected light from all reflectors, visible from the rear of a vehicle, shall be red except as follows:

(1) Stoplamps on **vehicles manufactured before** January 1, 1979, may show yellow to the rear.

(2) Turn signal lamps may show yellow to the rear.

(3) Front side marker lamps required by Section 25100 may show yellow to the rear.

(4) Backup lamps shall show white to the rear.

(5) The rearward facing portion of a front-mounted double-faced turn signal lamp may show amber to the rear while the headlamps or parking lamps are lighted, if the intensity of the light emitted is not greater than the parking lamps and the turn signal function is not impaired.

(6) A reflector meeting the requirements of, and installed in accordance with, Section 24611 shall be red or white, or both.

(c) All lamps and reflectors visible from the front, sides, or rear of a vehicle, except headlamps, may have any unlighted color, provided the emitted light from all lamps or reflected light from all reflectors complies with the required color. Except for backup lamps, the entire effective projected luminous area of lamps visible from the rear or mounted on the sides near the rear of a vehicle shall be covered by an inner lens of the required color when the unlighted color differs from the required emitted light color. Taillamps, stoplamps, and turn signal lamps that are visible to the rear may be white when unlighted on **vehicles manufactured before** January 1, 1974.

HISTORY:

Added Stats 1979 ch 723 § 24.5. Amended Stats 1980 ch 399 § 7, effective July 11, 1980; Stats 1994 ch 1220 § 66 (AB 3132), effective September 30, 1994; Stats 1995 ch 766 § 38 (SB 726). Amended Stats 2004 ch 198 § 4 (SB 1236).

VEHICLE CODE

Division 12. Equipment of Vehicles

Chapter 3. Brakes

Article 1. Brake Requirements

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 26311 (2009)

• **§ 26311. Service brakes on all wheels; Exceptions**

(a) Every motor vehicle shall be equipped with service brakes on all wheels in contact with the roadway, except as follows:

- **(1)** Trucks and truck tractors manufactured before July 25, 1980, having three or more axles need not have brakes on the front wheels, except when such vehicles are equipped with at least two steerable axles, the wheels of one such axle need not be equipped with brakes.
 - **(2)** The final towed vehicle in a triple saddle-mount driveaway-towaway operation.
 - **(3)** Any vehicle manufactured prior to 1930.
 - **(4)** Any two-axle truck tractor manufactured prior to 1964.
 - **(5)** Any sidecar attached to a motorcycle.
 - **(6)** Any motorcycle manufactured prior to 1966. Such motorcycle shall be equipped with brakes on at least one wheel.
- **(b)** Any bus, truck, or truck tractor may be equipped with a manual or automatic means for reducing the braking effort on the front wheels. The manual means shall be used only when operating under adverse road conditions, such as wet, snowy, or icy roads.
 - **(c)** Vehicles and combinations of vehicles exempted in subdivisions (a) and (b) from the requirements of brakes on all wheels shall comply with the stopping distance requirements of Section 26454.

HISTORY:

Added Stats 1963 ch 208 § 2. Amended Stats 1965 ch 439 § 2; Stats 1981 ch 774 § 7; Stats 2015 ch 451 § 53 (SB 491), effective January 1, 2016.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 26508 (2009)

§ 26508. Emergency stopping system

Every vehicle or combination of vehicles using compressed air at the wheels for applying the service brakes shall be equipped with an emergency stopping system meeting the requirements of this section and capable of stopping the vehicle or combination of vehicles in the event of failure in the service brake air system as follows:

(a) Every motor vehicle operated either singly or in a combination of vehicles and every towed vehicle shall be equipped with an emergency stopping system.

(b) Motor vehicles used to tow vehicles which use compressed air at the wheels for applying the service brakes shall be equipped with a device or devices with both a manual and automatic means of actuating the emergency stopping system on the towed vehicle as follows:

(1) The automatic device shall operate automatically in the event of reduction of the service brake air supply of the towing vehicle to a fixed pressure which shall be not lower than 20 pounds per square inch nor higher than 45 pounds per square inch.

(2) The manual device shall be readily operable by a person seated in the driver's seat, with its emergency position or method of operation clearly indicated. In no instance may the manual means be so arranged as to permit its use to prevent operation of the automatic means.

(c) Motor **vehicles manufactured prior** to 1964 shall be deemed to be in compliance with subdivisions (e) and (f) when equipped with axle-by-axle protected airbrakes using a separate air tank system for each of at least two axles, provided that each system independently meets all other requirements of this section. Each system shall be capable of being manually applied, released, and reapplied from the driver's seat but shall not be capable of being released from the driver's seat after any reapplication unless there is available a means which can be applied from the driver's seat to stop and hold the vehicle or combination of vehicles.

(d) Towed vehicles shall be deemed to be in compliance with this section when:

(1) The towed vehicle is equipped with a no-bleed-back relay-emergency valve or equivalent device, so designed that the supply reservoir used to provide air for the brakes is safeguarded against backflow of air from the reservoir through the supply line,

(2) The brakes are applied automatically and promptly upon breakaway from the towing vehicle and maintain application for at least 15 minutes, and

(3) The combination of vehicles is capable of stopping within the distance and under the conditions specified in subdivisions (k) and (l).

(e) If the service brake system and the emergency stopping system are connected in any way, they shall be so constructed that a failure or malfunction in any one part of either system, including brake chamber diaphragm failure but not including failure in the drums, brakeshoes, or other mechanical parts of the wheel brake assemblies, shall not leave the vehicle without one operative stopping system capable of complying with the performance requirements in subdivision (k).

(f) Every emergency stopping system shall be designed so that it is capable of being manually applied, released, and reapplied by a person seated in the driver's seat. The system shall be designed so that it cannot be released from the driver's seat after any reapplication unless immediate further application can be made from the driver's seat to stop and hold the vehicle or combination of vehicles. The emergency stopping system may also be applied automatically.

(g) No vehicle or combination of vehicles upon failure of the service brake air system shall be driven on a highway under its own power except to the extent necessary to move the vehicles off the roadway to the nearest place of safety.

(h) No vehicle or combination of vehicles shall be equipped with an emergency stopping system that creates a hazard on the highway, or increases the service brake stopping distance of a vehicle or combination of vehicles, or interferes in any way with the application of the service brakes on any vehicle or combination of vehicles.

(i) Any energy-storing device which is a part of the emergency stopping system shall be designed so that it is recharged or reset from the source of compressed air or other energy produced by the vehicle, except that energy to release the emergency stopping system may be produced by the driver's muscular effort from the driver's seat. No device shall be used which can be set to prevent automatic delivery of air to protected air supply reservoirs of motor vehicle emergency stopping systems when air is available in the service brake air supply system.

(j) Any vehicle manufactured on or after January 1, 1964, which uses axle-by-axle protected airbrakes as the emergency stopping system shall use a separate air tank system for each axle, except that motor vehicles equipped with a dual or tandem treadle valve system need have no more than two protected air tanks in such system, one for each valve.

(k) Every motor vehicle or combination of vehicles, at all times and under all conditions of loading, upon application of the emergency stopping system, shall be capable of:

(1) Developing a stopping force that is not less than the percentage of its gross weight tabulated herein for its classification.

(2) Decelerating in a stop from 20 miles per hour at not less than the feet per second per second tabulated herein for its classification, and

(3) Stopping from a speed of 20 miles per hour in not more than the distance tabulated herein for its classification, such distance to be measured from the point at which movement of the emergency stopping system control begins.

(l) Tests for deceleration and stopping distance shall be made on a substantially level, dry, smooth, hard surface that is free from loose material and where the grade does not exceed plus or minus 1 percent. No test of emergency stopping system performance shall be made upon a highway at a speed in excess of 25 miles per hour.

(m) The provisions of this section shall not apply to:

(1) Auxiliary dollies, special mobile equipment, or special construction equipment.

(2) Motor vehicles which are operated in a driveaway-towaway operation and not registered in this state.

(3) Disabled vehicles when being towed.

(4) Vehicles which are operated under a one-trip permit as provided in Section 4003.

(5) Vehicles which because of unladen width, length, height or weight may not be moved upon the highway without the permit specified in Section 35780.

(n) The emergency stopping system requirements specified in subdivision (k) shall not apply to a vehicle or combination of vehicles being operated under a special weight permit nor to any overweight authorized emergency vehicle operated under the provisions of Section 35002.

(o) Every owner or lessee shall instruct and require that the driver be thoroughly familiar with the requirements of this section. The driver of a vehicle or combination of vehicles required to comply with the requirements of this section shall be able to demonstrate the application and release of the emergency system on the vehicle and each vehicle in the combination.

HISTORY:

Added Stats 1964 ch 496 § 2. Amended Stats 1965 ch 594 § 1; Stats 1967 ch 1578 § 4.

VEHICLE CODE

Division 12. Equipment of Vehicles

Chapter 3. Brakes

Article 4. Vacuum Brakes

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 26521 (2009)

§ 26521. Warning device

Motor vehicles required to be equipped with power brakes and equipped with vacuum or vacuum-assisted brakes and motor vehicles used to tow vehicles equipped with vacuum brakes or vacuum-assisted brakes shall be equipped with either an audible or visible warning signal to indicate readily to the driver when the vacuum drops to eight inches of mercury and less. A vacuum gauge shall not be deemed to meet this requirement.

This section shall not apply to a two-axle motor truck operated singly nor to any motor **vehicle manufactured prior** to 1964.

HISTORY: Added Stats 1963 ch 386 § 1.

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VEHICLE CODE

Division 12. Equipment of Vehicles
Chapter 4. Windshields and Mirrors

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 26700 (2009)

§ 26700. Windshields

(a) Except as provided in subdivision (b), a passenger vehicle, other than a motorcycle, and every bus, motortruck or truck tractor, and every firetruck, fire engine or other fire apparatus, whether publicly or privately owned, shall be equipped with an adequate windshield.

(b) Subdivision (a) does not apply to any vehicle issued identification plates pursuant to Section 5004 (§ 5004. **Vehicles** of **historic** value) which was not required to be equipped with a windshield at the time it was first sold or registered under the laws of this state, another state, or foreign jurisdiction.

HISTORY: Enacted Stats 1959 ch 3. Amended Stats 1959 ch 1635 § 1; Stats 1963 ch 2149 § 18; Stats 1967 ch 379 § 1; Stats 1983 ch 222 § 1.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 26701 (2009)

§ 26701. Safety glazing material

(a) No person shall sell, offer for sale, or operate any motor **vehicle**, except a motorcycle, **manufactured after** January 1, 1936, unless it is equipped with safety glazing material wherever glazing materials are used in interior partitions, doors, windows, windshields, auxiliary wind deflectors or openings in the roof.

(b) No person shall sell or offer for sale any camper manufactured after January 1, 1968, nor shall any person operate a motor vehicle registered in this state which is equipped with that camper, unless the camper is equipped with safety glazing materials wherever glazing materials are used in outside windows and doors, interior partitions, and openings in the roof.

(c) No person shall operate a motorcycle manufactured after January 1, 1969, equipped with a windshield containing glazing material unless it is safety glazing material.

(d) No person shall sell, offer for sale, or operate any motor vehicle equipped with red, blue, or amber translucent aftermarket material in any partitions, windows, windshields, or wind deflectors.

(e) No person shall sell, offer for sale, or operate any trailer coach manufactured after January 1, 1977, that is capable of being towed with a fifth-wheel device unless the trailer coach is equipped with safety glazing materials wherever glazing materials are used in windows or doors, interior partitions, and openings in the roof.

HISTORY:

Enacted Stats 1959 ch 3. Amended Stats 1965 ch 335 § 1; Stats 1967 ch 1268 § 3; Stats 1968 ch 980 § 20, ch 1469 § 5; Stats 1976 ch 900 § 2; Stats 1993 ch 540 § 2 (AB 1849).

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VEHICLE CODE

Division 14.9. Motor Vehicle Damage Control
Chapter 2. General Provisions and Definitions

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 34715 (2009)

§ 34715. Energy absorption systems

No new passenger vehicle, except a passenger **vehicle** certified by its manufacturer as having been **manufactured prior** to September 1, 1973, shall be sold or registered on and after September 1, 1973, unless it has a manufacturer's warranty that it is equipped with an appropriate energy-absorption system that meets the requirement for energy absorption systems set by the National Highway Traffic Safety Administration.

HISTORY:

Added Stats 1971 ch 598 § 1. Amended Stats 1977 ch 880 § 2.

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 35101 (2009)

§ 35101. Vehicle equipped with pneumatic tires; Stabilization of wide vehicles; Dynamic stability tests and standards

When any vehicle is equipped with pneumatic tires, the maximum width from the outside of one wheel and tire to the outside of the opposite outer wheel and tire shall not exceed 108 inches, but the outside width of the body of the vehicle or the load thereon shall not exceed 102 inches.

Vehicles manufactured, **reconstructed, or modified** after the effective date of amendments to this section enacted during the 1983 portion of the 1983-84 Regular Session of the Legislature, to utilize the 102 inch maximum width dimension, shall be equipped with axles, tires, and wheels of sufficient width to adequately and safely stabilize the vehicle. The Department of the California Highway Patrol shall conduct tests relating to the dynamic stability of vehicles utilizing body widths over 96 inches, up to and including 102 inches, to determine the necessity for establishing performance standards under the authority of Section 34500. Such standards if established shall be consistent with width standards established by or under the authority of the United States Department of Transportation.

HISTORY:

Enacted Stats 1959 ch 3. Amended Stats 1983 ch 145 § 2, effective June 28, 1983.

Emissions Exemptions

Emissions (smog) inspections are required for all vehicles registered in the state of California, with vehicles registered in areas subject to the biennial smog certification program required to undergo testing for every other registration renewal. Vehicles in these areas are exempted for the newest six registration MYs (excepting diesels), but are required to pay an annual "smog abatement fee" during those years.

Diesel Vehicles:

Diesel vehicles MY 1998 and newer with a GVWR of 14,000 lbs or less are required to be tested, and are not provided with the same "new car" exemption as gasoline powered vehicles.

Exemptions:

1. New vehicles for the newest six (6) MYs
2. Pre-1976 MY vehicles
3. Vehicles with collector motor vehicles insurance policies that are at least 35 MYs years old
4. Vehicles registered as "specially constructed" that have received an emissions waiver

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VEHICLE CODE

Division 3. Registration of Vehicles and Certificates of Title
Chapter 1. Original and Renewal of Registration; Issuance of Certificates of Title
Article 1. Vehicles Subject to Registration

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 4000.1 (2009)

§ 4000.1. Pollution control device; Certificate or statement

(a) Except as otherwise provided in subdivision (b), (c), or (d) of this section, or subdivision (b) of Section 43654 of the Health and Safety Code, the department shall require upon initial registration, and upon transfer of ownership and registration, of any motor vehicle subject to Part 5 (commencing with Section 43000) of Division 26 of the Health and Safety Code, a valid certificate of compliance or a certificate of noncompliance, as appropriate, issued in accordance with Section 44015 of the Health and Safety Code.

(b) With respect to new motor vehicles certified pursuant to Chapter 2 (commencing with Section 43100) of Part 5 of Division 26 of the Health and Safety Code, the department shall accept a statement completed pursuant to subdivision (b) of Section 24007 in lieu of the certificate of compliance.

(c) For purposes of determining the validity of a certificate of compliance or noncompliance submitted in compliance with the requirements of this section, the definitions of new and used motor vehicle contained in Chapter 2 (commencing with Section 39010) of Part 1 of Division 26 of the Health and Safety Code shall control.

(d) Subdivision (a) does not apply to a transfer of ownership and registration under any of the following circumstances:

(1) The initial application for transfer is submitted within the 90-day validity period of a smog certificate as specified in Section 44015 of the Health and Safety Code.

(2) The transferor is the parent, grandparent, sibling, child, grandchild, or spouse of the transferee.

(3) A motor vehicle registered to a sole proprietorship is transferred to the proprietor as owner.

(4) The transfer is between companies the principal business of which is leasing motor vehicles, if there is no change in the lessee or operator of the motor vehicle or between the lessor and the person who has been, for at least one year, the lessee's operator of the motor vehicle.

(5) The transfer is between the lessor and lessee of the motor vehicle, if there is no change in the lessee or operator of the motor **vehicle**.

(6) The motor **vehicle** was **manufactured prior** to the 1976 **model-year**.

(7) Except for diesel-powered vehicles, the transfer is for a motor vehicle that is four or less model-years old. The department shall impose a fee of eight dollars (\$8) on the transferee of a motor vehicle that is four or less model-years old. Revenues generated from the imposition of that fee shall be deposited into the Vehicle Inspection and Repair Fund.

(e) The State Air Resources Board, under Part 5 (commencing with Section 43000) of Division 26 of the Health and Safety Code, may exempt designated classifications of motor vehicles from subdivision (a) as it deems necessary, and shall notify the department of that action.

(f) Subdivision (a) does not apply to a motor vehicle when an additional individual is added as a registered owner of the motor vehicle.

(g) For purposes of subdivision (a), any collector motor vehicle, as defined in Section 259, is exempt from those portions of the test required by subdivision (f) of Section 44012 of the Health and Safety Code, if the collector motor vehicle meets all of the following criteria:

(1) Submission of proof that the motor vehicle is insured as a collector motor vehicle, as shall be required by regulation of the bureau.

(2) The motor vehicle is at least 35 model-**years old**.

(3) The motor **vehicle** complies with the exhaust emissions standards for that motor vehicle's class and model year as prescribed by the department, and the motor vehicle passes a functional inspection of the fuel cap and a visual inspection for liquid fuel leaks.

HISTORY:

Added Stats 1963 ch 2028 § 1. Amended Stats 1965 ch 2031 § 10.5, effective July 23, 1965; Stats 1968 ch 49 § 8, effective April 25, 1968, ch 764 § 12.5, ch 1160 § 2; Stats 1969 ch 622 § 2, effective July 28, 1969; Stats 1970 ch 766 § 1; Stats 1971 ch 1073 § 4, ch 1488 § 3; Stats 1974 ch 637 § 1; Stats 1975 ch 957 § 22; Stats 1976 ch 231 § 4, ch 1206 § 15; Stats 1977 ch 1038 § 3, effective September 23, 1977, ch 1083 § 3, effective September 27, 1977; Stats 1982 ch 664 § 5, ch 892 § 3.5; Stats 1984 ch 246 § 4, ch 631 § 2; Stats 1985 ch 904 § 1; Stats 1988 ch 1544 § 58; Stats 1989 ch 1154 § 17; Stats 1993 ch 958 § 1 (SB 575); Stats 1995 ch 292 § 1 (AB 100); Stats 1996 ch 112 § 1 (SB 1528); Stats 1997 ch 801 § 2 (SB 42); Stats 2002 ch 127 § 1 (AB 2303); Stats 2004 ch 230 § 18 (SB 1107), effective August 16, 2004, ch 702 § 12 (AB 2104), effective September 23, 2004, ch 704 § 3 (AB 2683), operative April 1, 2005, effective January 1, 2006; Stats 2005 ch 22 § 194 (SB 1108); Stats 2009 ch 200 § 7 (SB 734), effective January 1, 2010.

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HEALTH AND SAFETY CODE

Division 26. Air Resources

Part 5. Vehicular Air Pollution Control

Chapter 1. General Provisions

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Health & Saf Code § 43002 (2009)

§ 43002. Vehicles of historic interest

No motor **vehicle of historic** interest shall be required to have any motor vehicle pollution control device, except for such devices that were required by this part for such vehicles prior to the time that special identification plates were issued for that vehicle pursuant to Section 5004 of the Vehicle Code.

HISTORY:

Added Stats 1975 ch 957 § 12.