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AB-902 Traffic violations: diversion programs. (2015-2016)

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Assembly Bill No. 902

CHAPTER 306

An act to amend Section 42005.3 of the Vehicle Code, relating to traffic violations.

[Approved by Governor September 21, 2015. Filed with Secretary of State September 21, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 902, Bloom. Traffic violations: diversion programs.

Existing law specifies the penalties for a violation of the Vehicle Code or an ordinance or resolution adopted under the Vehicle Code, including the imposition of fines, fees, and forfeitures, and imprisonment, as specified. Existing law also specifies procedures related to the imposition of those penalties and the disposition of fees, fines, and forfeitures. Existing law provides that a local authority may not allow a person who has committed a traffic violation under the Vehicle Code to participate in a driver awareness or education program as an alternative to the imposition of those penalties and procedures, unless the program is a diversion program for a minor who commits an infraction not involving a motor vehicle and for which no fee is charged.

This bill would instead allow any person of any age who commits an infraction not involving a motor vehicle to participate in a diversion program that is sanctioned by local law enforcement. The bill would eliminate the requirement that such a program charge no fee. The bill would make other technical, nonsubstantive changes.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 42005.3 of the Vehicle Code is amended to read:

42005.3. (a) A local authority shall not allow a person who is alleged to have committed a traffic offense in violation of this code, or an ordinance or resolution adopted under this code, to participate in a driver awareness or education program or in any other diversion program as an alternative to the procedure required to be followed under this code for alleged violations of this code.

(b) This section does not apply to a diversion program sanctioned by local law enforcement for a person who committed an infraction not involving a motor vehicle.