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AB-2038 Transportation: omnibus bill. (2019-2020)

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Assembly Bill No. 2038

CHAPTER 70

An act to amend Section 76000.3 of the Government Code, to amend Section 36633 of the Streets and Highways Code, and to amend Section 2422 of, and to repeal Section 2430 of, the Vehicle Code, relating to transportation.

[Approved by Governor September 11, 2020. Filed with Secretary of State September 11, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2038, Committee on Transportation. Transportation: omnibus bill.

(1) Existing law makes a violation of any regulation governing the standing or parking of a vehicle that is not a misdemeanor punishable with a civil penalty. Existing law adds an additional \$3 penalty to any parking offense where a parking penalty, fine, or forfeiture is imposed. Existing law requires this penalty, when it is collected in the courts of the county for an infraction parking violation, to be transmitted to the Treasurer for deposit in the Trial Court Trust Fund.

This bill would require this penalty to be transmitted to the Treasurer for deposit in the Trial Court Trust Fund when it is collected in the courts of the county for a parking offense.

(2) Existing law requires the Department of the California Highway Patrol to determine and implement the basic level of emergency medical dispatcher training for dispatchers employed by the department. Existing law requires the department to report to the Legislature on the progress in the implementation of an emergency medical dispatch training program no later than January 1, 1988.

This bill would delete that obsolete reporting requirement.

(3) Existing law created a 2-year pilot project, commencing on July 1, 1992, to develop recommendations for requiring emergency road service organizations and their employees, within the state, to be certified and receive specified training in the interest of public safety. Existing law required the Department of the California Highway Patrol to submit a report on the pilot project to the Legislature no later than September 1, 1994.

This bill would repeal the provisions relating to that 2-year pilot program.

(4) This bill would additionally correct an obsolete cross-reference.

(5) This bill would provide that any section of any act enacted by the Legislature during the 2020 calendar year that takes effect on or before January 1, 2021, and affects any section of this act, would prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act.

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

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

SECTION 1. Section 76000.3 of the Government Code is amended to read:

76000.3. (a) Notwithstanding any other law, for each parking offense for which a parking penalty, fine, or forfeiture is imposed, an added penalty of three dollars (\$3) shall be imposed in addition to the penalty, fine, or forfeiture set by the city, district, or other issuing agency.

(b) For each parking offense for which a penalty or fine is collected in the courts of the county, the county treasurer shall transmit the penalty imposed pursuant to subdivision (a) to the Treasurer for deposit in the Trial Court Trust Fund established by Section 68085. These moneys shall be taken from the penalties, fines, and forfeitures deposited with the county treasurer prior to any division pursuant to Section 1463.009 of the Penal Code. The judges of the county shall increase the bail schedule amounts as appropriate for parking offenses to reflect the added penalty provided for by subdivision (a).

(c) In those cities, districts, or other issuing agencies that elect to accept parking penalties, and otherwise process parking offenses pursuant to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle Code, that city, district, or issuing agency shall collect the added penalty imposed by this section. Each agency that elects to process parking offenses shall pay to the Treasurer for deposit in the Trial Court Trust Fund three dollars (\$3) for each civil parking penalty collected on each offense. Those payments to the Treasurer shall be made monthly.

SEC. 2. Section 36633 of the Streets and Highways Code is amended to read:

36633. The validity of an assessment levied under this part shall not be contested in an action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36625. An appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

SEC. 3. Section 2422 of the Vehicle Code is amended to read:

2422. The department shall determine and implement the basic level of emergency medical dispatcher training for dispatchers employed by the department based on guidelines developed by the Emergency Medical Services Authority with the concurrence of the department. The commissioner may adopt a higher level of training for department dispatchers where appropriate.

SEC. 4. Section 2430 of the Vehicle Code is repealed.

SEC. 5. Any section of any act enacted by the Legislature during the 2020 calendar year that takes effect on or before January 1, 2021, and that amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, amended and renumbered, added, repealed and added, or repealed by this act, shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act.