

**ASSEMBLY BILL**

**No. 3004**

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**Introduced by Assembly Member Houston**

February 24, 2006

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An act to amend Sections 1817 and 23111 of the Vehicle Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 3004, as introduced, Houston. Highways: flaming or glowing substance.

(1) Existing law prohibits a person in a vehicle and a pedestrian from throwing or discharging from, or upon, a road or highway or adjoining area, public or private, a lighted or nonlighted cigarette, cigar, match, or other flaming or glowing substance.

(2) This bill would make the above prohibition applicable to any person, thereby expanding the scope of an existing crime and imposing a state-mandated local program.

The bill would make a corresponding, clarification change in a related provision.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1817 of the Vehicle Code is amended to  
2 read:

3 1817. Written allegations received by the department from  
4 members of the public identifying ~~a motor-vehicle~~ *vehicle* or  
5 other ~~vehicles~~ *vehicle* by license *plate* number from which ~~any a~~  
6 flaming or glowing substance ~~has been~~ *was* thrown, or  
7 discharged, *including an alleged violation of Section 23111*, shall  
8 be forwarded to the Department of Forestry and Fire Protection  
9 together with ~~any~~ information as to the identity of the registered  
10 owner of the vehicle as shown by the records of the department.

11 SEC. 2. Section 23111 of the Vehicle Code is amended to  
12 read:

13 ~~23111. No person in any vehicle and no pedestrian~~ *A person*  
14 shall *not* throw or discharge from, or upon ~~any~~, *a* road or  
15 highway or adjoining area, public or private, ~~any a~~ lighted or  
16 nonlighted cigarette, cigar, match, or ~~any other~~ flaming or  
17 glowing substance. This section shall be known as the Paul  
18 Buzzo Act.

19 SEC. 3. No reimbursement is required by this act pursuant to  
20 Section 6 of Article XIII B of the California Constitution because  
21 the only costs that may be incurred by a local agency or school  
22 district will be incurred because this act creates a new crime or  
23 infraction, eliminates a crime or infraction, or changes the  
24 penalty for a crime or infraction, within the meaning of Section  
25 17556 of the Government Code, or changes the definition of a  
26 crime within the meaning of Section 6 of Article XIII B of the  
27 California Constitution.