

AMENDED IN ASSEMBLY AUGUST 20, 2010

AMENDED IN ASSEMBLY JUNE 30, 2010

AMENDED IN SENATE MAY 11, 2010

AMENDED IN SENATE APRIL 22, 2010

SENATE BILL

No. 949

Introduced by Senator Oropeza

February 4, 2010

An act to amend Sections 21 and 21100 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 949, as amended, Oropeza. Vehicles: local authority: assessing penalties.

Existing

(1) *Existing* law prohibits a local authority from enacting or enforcing an ordinance on matters covered by the Vehicle Code unless expressly authorized by the Vehicle Code.

This bill would prohibit a local authority from enacting or enforcing an ordinance or resolution on matters covered by the Vehicle Code, and would expressly include an ordinance or resolution that establishes regulations or procedures for, or assesses a fine, penalty, assessment, or fee for a violation of, matters covered by this code unless expressly authorized by this code ~~or any other code~~, *except as specified*.

This bill would provide that its provisions become operative on July 1, 2011.

(2) *This bill would incorporate additional changes in Section 21100 of the Vehicle Code proposed by AB 2294, or AB 2756, or both, to be operative only if AB 2294, or AB 2756, or both, and this bill are*

chaptered and become effective on or before January 1, 2011, and this bill is chaptered last.

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

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

1 SECTION 1. Section 21 of the Vehicle Code is amended to
2 read:

3 21. (a) Except as otherwise expressly provided, the provisions
4 of this code are applicable and uniform throughout the state and
5 in all counties and municipalities therein, and a local authority
6 shall not enact or enforce any ordinance or resolution on the matters
7 covered by this code, including ordinances or resolutions that
8 establish regulations or procedures for, or assess a fine, penalty,
9 assessment, or fee for a violation of, matters covered by this code,
10 unless expressly authorized by this code ~~or any other code~~.

11 (b) *To the extent permitted by current state law, this section*
12 *does not impair the current lawful authority of the Mountains*
13 *Recreation and Conservation Authority, a joint powers authority,*
14 *or any member agency constituted therein as of July 1, 2010, to*
15 *enforce an ordinance or resolution relating to the management of*
16 *public lands within its jurisdiction.*

17 SEC. 2. Section 21100 of the Vehicle Code is amended to read:
18 21100. Local authorities may adopt rules and regulations by
19 ordinance or resolution regarding the following matters:

20 (a) Regulating or prohibiting processions or assemblages on the
21 highways.

22 (b) Licensing and regulating the operation of vehicles for hire
23 and drivers of passenger vehicles for hire.

24 (c) Regulating traffic by means of traffic officers.

25 (d) Regulating traffic by means of official traffic control devices
26 meeting the requirements of Section 21400.

27 (e) (1) Regulating traffic by means of a person given temporary
28 or permanent appointment for that duty by the local authority
29 whenever official traffic control devices are disabled or otherwise
30 inoperable, at the scenes of accidents or disasters, or at locations
31 as may require traffic direction for orderly traffic flow.

32 (2) A person shall not be appointed pursuant to this subdivision
33 unless and until the local authority has submitted to the

1 commissioner or to the chief law enforcement officer exercising
2 jurisdiction in the enforcement of traffic laws within the area in
3 which the person is to perform the duty, for review, a proposed
4 program of instruction for the training of a person for that duty,
5 and unless and until the commissioner or other chief law
6 enforcement officer approves the proposed program. The
7 commissioner or other chief law enforcement officer shall approve
8 a proposed program if he or she reasonably determines that the
9 program will provide sufficient training for persons assigned to
10 perform the duty described in this subdivision.

11 (f) Regulating traffic at the site of road or street construction or
12 maintenance by persons authorized for that duty by the local
13 authority.

14 (g) (1) Licensing and regulating the operation of tow truck
15 service or tow truck drivers whose principal place of business or
16 employment is within the jurisdiction of the local authority,
17 excepting the operation and operators of any auto dismantlers' tow
18 vehicle licensed under Section 11505 or any tow truck operated
19 by a repossessing agency licensed under Chapter 11 (commencing
20 with Section 7500) of Division 3 of the Business and Professions
21 Code and its registered employees.

22 (2) The Legislature finds that the safety and welfare of the
23 general public is promoted by permitting local authorities to
24 regulate tow truck service companies and operators by requiring
25 licensure, insurance, and proper training in the safe operation of
26 towing equipment, thereby ensuring against towing mistakes that
27 may lead to violent confrontation, stranding motorists in dangerous
28 situations, impeding the expedited vehicle recovery, and wasting
29 state and local law enforcement's limited resources.

30 (3) Nothing in this subdivision shall limit the authority of a city
31 or city and county pursuant to Section 12111.

32 (h) Operation of bicycles, and, as specified in Section 21114.5,
33 electric carts by physically disabled persons, or persons 50 years
34 of age or older, on the public sidewalks.

35 (i) Providing for the appointment of nonstudent school crossing
36 guards for the protection of persons who are crossing a street or
37 highway in the vicinity of a school or while returning thereafter
38 to a place of safety.

1 (j) Regulating the methods of deposit of garbage and refuse in
2 streets and highways for collection by the local authority or by
3 any person authorized by the local authority.

4 (k) (1) Regulating cruising.

5 (2) The ordinance or resolution adopted pursuant to this
6 subdivision shall regulate cruising, which is the repetitive driving
7 of a motor vehicle past a traffic control point in traffic that is
8 congested at or near the traffic control point, as determined by the
9 ranking peace officer on duty within the affected area, within a
10 specified time period and after the vehicle operator has been given
11 an adequate written notice that further driving past the control
12 point will be a violation of the ordinance or resolution.

13 (3) A person is not in violation of an ordinance or resolution
14 adopted pursuant to this subdivision unless both of the following
15 apply:

16 (A) That person has been given the written notice on a previous
17 driving trip past the control point and then again passes the control
18 point in that same time interval.

19 (B) The beginning and end of the portion of the street subject
20 to cruising controls are clearly identified by signs that briefly and
21 clearly state the appropriate provisions of this subdivision and the
22 local ordinance or resolution on cruising.

23 (l) Regulating or authorizing the removal by peace officers of
24 vehicles unlawfully parked in a fire lane, as described in Section
25 22500.1, on private property. A removal pursuant to this
26 subdivision shall be consistent, to the extent possible, with the
27 procedures for removal and storage set forth in Chapter 10
28 (commencing with Section 22650).

29 (m) (1) This section does not authorize a local authority to enact
30 or enforce an ordinance or resolution that establishes a violation
31 if a violation for the same or similar conduct is provided in this
32 code, nor does it authorize a local authority to enact or enforce an
33 ordinance or resolution that assesses a fine, penalty, assessment,
34 or fee for a violation if a fine, penalty, assessment, or fee for a
35 violation involving the same or similar conduct is provided in this
36 code.

37 (2) This section does not preclude a local authority from enacting
38 parking ordinances pursuant to existing authority in Chapter 9
39 (commencing with Section 22500) of Division 11.

1 *SEC. 2.3. Section 21100 of the Vehicle Code is amended to*
2 *read:*

3 21100. Local authorities may adopt rules and regulations by
4 ordinance or resolution regarding the following matters:

5 (a) Regulating or prohibiting processions or assemblages on the
6 highways.

7 (b) Licensing and regulating the operation of vehicles for hire
8 and drivers of passenger vehicles for hire.

9 (c) Regulating traffic by means of traffic officers.

10 (d) Regulating traffic by means of official traffic control devices
11 meeting the requirements of Section 21400.

12 (e) (1) Regulating traffic by means of a person given temporary
13 or permanent appointment for that duty by the local authority
14 whenever official traffic control devices are disabled or otherwise
15 inoperable, at the scenes of accidents or disasters, or at locations
16 as may require traffic direction for orderly traffic flow.

17 A

18 (2) A person shall not be appointed pursuant to this subdivision
19 unless and until the local authority has submitted to the
20 commissioner or to the chief law enforcement officer exercising
21 jurisdiction in the enforcement of traffic laws within the area in
22 which the person is to perform the duty, for review, a proposed
23 program of instruction for the training of a person for that duty,
24 and unless and until the commissioner or other chief law
25 enforcement officer approves the proposed program. The
26 commissioner or other chief law enforcement officer shall approve
27 a proposed program if he or she reasonably determines that the
28 program will provide sufficient training for persons assigned to
29 perform the duty described in this subdivision.

30 (f) Regulating traffic at the site of road or street construction or
31 maintenance by persons authorized for that duty by the local
32 authority.

33 (g) (1) Licensing and regulating the operation of tow truck
34 service or tow truck drivers whose principal place of business or
35 employment is within the jurisdiction of the local authority,
36 excepting the operation and operators of any auto dismantlers' tow
37 vehicle licensed under Section 11505 or any tow truck operated
38 by a repossessing agency licensed under Chapter 11 (commencing
39 with Section 7500) of Division 3 of the Business and Professions
40 Code and its registered employees.

(2) The Legislature finds that the safety and welfare of the general public is promoted by permitting local authorities to regulate tow truck service companies and operators by requiring licensure, insurance, and proper training in the safe operation of towing equipment, thereby ensuring against towing mistakes that may lead to violent confrontation, stranding motorists in dangerous situations, impeding the expedited vehicle recovery, and wasting state and local law enforcement's limited resources.

~~(3) Nothing in this subdivision shall~~ *This subdivision does not* limit the authority of a city or city and county pursuant to Section 12111.

(h) Operation of bicycles, and, as specified in Section 21114.5, electric carts by physically disabled persons, or persons 50 years of age or older, on the public sidewalks.

(i) Providing for the appointment of nonstudent school crossing guards for the protection of persons who are crossing a street or highway in the vicinity of a school or while returning thereafter to a place of safety.

(j) Regulating the methods of deposit of garbage and refuse in streets and highways for collection by the local authority or by any person authorized by the local authority.

(k) (1) Regulating cruising.

(2) The ordinance or resolution adopted pursuant to this subdivision shall regulate cruising, which is the repetitive driving of a motor vehicle past a traffic control point in traffic that is congested at or near the traffic control point, as determined by the ranking peace officer on duty within the affected area, within a specified time period and after the vehicle operator has been given an adequate written notice that further driving past the control point will be a violation of the ordinance or resolution.

(3) A person is not in violation of an ordinance or resolution adopted pursuant to this subdivision unless both of the following apply:

(A) That person has been given the written notice on a previous driving trip past the control point and then again passes the control point in that same time interval.

(B) The beginning and end of the portion of the street subject to cruising controls are clearly identified by signs that briefly and clearly state the appropriate provisions of this subdivision and the local ordinance or resolution on cruising.

1 (l) Regulating or authorizing the removal by peace officers of
2 vehicles unlawfully parked in a fire lane, as described in Section
3 22500.1, on private property. A removal pursuant to this
4 subdivision shall be consistent, to the extent possible, with the
5 procedures for removal and storage set forth in Chapter 10
6 (commencing with Section 22650).

7 (m) *Licensing and regulating the operation of pedicabs for hire,*
8 *as defined in Section 467.5, and operators of pedicabs for hire,*
9 *including requiring one or more of the following documents:*

10 (1) *A valid California driver's license.*

11 (2) *Proof of successful completion of a bicycle safety training*
12 *course certified by the League of American Bicyclists or an*
13 *equivalent organization as determined by the local authority.*

14 (3) *A valid California identification card and proof of successful*
15 *completion of the written portion of the California driver's license*
16 *examination administered by the department. The department shall*
17 *administer, without charging a fee, the original driver's license*
18 *written examination on traffic laws and signs to a person who*
19 *states that he or she is, or intends to become, a pedicab operator,*
20 *and who holds a valid California identification card or has*
21 *successfully completed an application for a California*
22 *identification card. If the person achieves a passing score on the*
23 *examination, the department shall issue a certificate of successful*
24 *completion of the examination, bearing the person's name and*
25 *identification card number. The certificate shall not serve in lieu*
26 *of successful completion of the required examination administered*
27 *as part of any subsequent application for a driver's license. The*
28 *department is not required to enter the results of the examination*
29 *into the computerized record of the person's identification card*
30 *or otherwise retain a record of the examination or results.*

31 (n) (1) *This section does not authorize a local authority to enact*
32 *or enforce an ordinance or resolution that establishes a violation*
33 *if a violation for the same or similar conduct is provided in this*
34 *code, nor does it authorize a local authority to enact or enforce*
35 *an ordinance or resolution that assesses a fine, penalty, assessment,*
36 *or fee for a violation if a fine, penalty, assessment, or fee for a*
37 *violation involving the same or similar conduct is provided in this*
38 *code.*

1 (2) *This section does not preclude a local authority from*
2 *enacting parking ordinances pursuant to existing authority in*
3 *Chapter 9 (commencing with Section 22500) of Division 11.*

4 (o) *This section shall become operative on July 1, 2011.*

5 SEC. 2.5. *Section 21100 of the Vehicle Code is amended to*
6 *read:*

7 21100. Local authorities may adopt rules and regulations by
8 ordinance or resolution regarding the following matters:

9 (a) Regulating or prohibiting processions or assemblages on the
10 highways.

11 (b) Licensing and regulating the operation of vehicles for hire
12 and drivers of passenger vehicles for hire.

13 (c) Regulating traffic by means of traffic officers.

14 (d) Regulating traffic by means of official traffic control devices
15 meeting the requirements of Section 21400.

16 (e) (1) Regulating traffic by means of a person given temporary
17 or permanent appointment for that duty by the local authority
18 ~~whenever~~ *when* official traffic control devices are disabled or
19 otherwise inoperable, at the scenes of accidents or disasters, or at
20 locations as may require traffic direction for orderly traffic flow.

21 A

22 (2) A person shall not be appointed pursuant to this subdivision
23 unless and until the local authority has submitted to the
24 commissioner or to the chief law enforcement officer exercising
25 jurisdiction in the enforcement of traffic laws within the area in
26 which the person is to perform the duty, for review, a proposed
27 program of instruction for the training of a person for that duty,
28 and unless and until the commissioner or other chief law
29 enforcement officer approves the proposed program. The
30 commissioner or other chief law enforcement officer shall approve
31 a proposed program if he or she reasonably determines that the
32 program will provide sufficient training for persons assigned to
33 perform the duty described in this subdivision.

34 (f) Regulating traffic at the site of road or street construction or
35 maintenance by persons authorized for that duty by the local
36 authority.

37 (g) (1) Licensing and regulating the operation of tow truck
38 service or tow truck drivers whose principal place of business or
39 employment is within the jurisdiction of the local authority,
40 excepting the operation and operators of any auto dismantlers' tow

1 vehicle licensed under Section 11505 or any tow truck operated
2 by a repossessing agency licensed under Chapter 11 (commencing
3 with Section 7500) of Division 3 of the Business and Professions
4 Code and its registered employees.

5 (2) The Legislature finds that the safety and welfare of the
6 general public is promoted by permitting local authorities to
7 regulate tow truck service companies and operators by requiring
8 licensure, insurance, and proper training in the safe operation of
9 towing equipment, thereby ensuring against towing mistakes that
10 may lead to violent confrontation, stranding motorists in dangerous
11 situations, impeding the expedited vehicle recovery, and wasting
12 state and local law enforcement's limited resources.

13 (3) ~~Nothing in this subdivision shall~~ *This subdivision shall not*
14 limit the authority of a city or city and county pursuant to Section
15 12111.

16 (h) Operation of bicycles, and, as specified in Section 21114.5,
17 electric carts by physically disabled persons, or persons 50 years
18 of age or older, on the public sidewalks.

19 (i) Providing for the appointment of nonstudent school crossing
20 guards for the protection of persons who are crossing a street or
21 highway in the vicinity of a school or while returning thereafter
22 to a place of safety.

23 (j) Regulating the methods of deposit of garbage and refuse in
24 streets and highways for collection by the local authority or by
25 any person authorized by the local authority.

26 (k) (1) Regulating cruising.

27 (2) The ordinance or resolution adopted pursuant to this
28 subdivision shall regulate cruising, which is the repetitive driving
29 of a motor vehicle past a traffic control point in traffic that is
30 congested at or near the traffic control point, as determined by the
31 ranking peace officer on duty within the affected area, within a
32 specified time period and after the vehicle operator has been given
33 an adequate written notice that further driving past the control
34 point will be a violation of the ordinance or resolution.

35 (3) A person is not in violation of an ordinance or resolution
36 adopted pursuant to this subdivision unless both of the following
37 apply:

38 (A) That person has been given the written notice on a previous
39 driving trip past the control point and then again passes the control
40 point in that same time interval.

(B) The beginning and end of the portion of the street subject to cruising controls are clearly identified by signs that briefly and clearly state the appropriate provisions of this subdivision and the local ordinance or resolution on cruising.

(l) Regulating or authorizing the removal by peace officers of vehicles unlawfully parked in a fire lane, as described in Section 22500.1, on private property. A removal pursuant to this subdivision shall be consistent, to the extent possible, with the procedures for removal and storage set forth in Chapter 10 (commencing with Section 22650).

(m) *Regulating mobile billboard advertising displays, as defined in Section 395.5, including the establishment of penalties, which may include, but are not limited to, removal of the mobile billboard advertising display and misdemeanor criminal penalties, for a violation of the ordinance or resolution.*

(n) (1) *This section does not authorize a local authority to enact or enforce an ordinance or resolution that establishes a violation if a violation for the same or similar conduct is provided in this code, nor does it authorize a local authority to enact or enforce an ordinance or resolution that assesses a fine, penalty, assessment, or fee for a violation if a fine, penalty, assessment, or fee for a violation involving the same or similar conduct is provided in this code.*

(2) *This section does not preclude a local authority from enacting parking ordinances pursuant to existing authority in Chapter 9 (commencing with Section 22500) of Division 11.*

(o) *This section shall become operative on July 1, 2011.*

SEC. 2.7. *Section 21100 of the Vehicle Code is amended to read:*

21100. Local authorities may adopt rules and regulations by ordinance or resolution regarding the following matters:

(a) Regulating or prohibiting processions or assemblages on the highways.

(b) Licensing and regulating the operation of vehicles for hire and drivers of passenger vehicles for hire.

(c) Regulating traffic by means of traffic officers.

(d) Regulating traffic by means of official traffic control devices meeting the requirements of Section 21400.

(e) (1) Regulating traffic by means of a person given temporary or permanent appointment for that duty by the local authority

1 ~~whenever~~ *when* official traffic control devices are disabled or
2 otherwise inoperable, at the scenes of accidents or disasters, or at
3 locations as may require traffic direction for orderly traffic flow.

4 **A**

5 (2) A person shall not be appointed pursuant to this subdivision
6 unless and until the local authority has submitted to the
7 commissioner or to the chief law enforcement officer exercising
8 jurisdiction in the enforcement of traffic laws within the area in
9 which the person is to perform the duty, for review, a proposed
10 program of instruction for the training of a person for that duty,
11 and unless and until the commissioner or other chief law
12 enforcement officer approves the proposed program. The
13 commissioner or other chief law enforcement officer shall approve
14 a proposed program if he or she reasonably determines that the
15 program will provide sufficient training for persons assigned to
16 perform the duty described in this subdivision.

17 (f) Regulating traffic at the site of road or street construction or
18 maintenance by persons authorized for that duty by the local
19 authority.

20 (g) (1) Licensing and regulating the operation of tow truck
21 service or tow truck drivers whose principal place of business or
22 employment is within the jurisdiction of the local authority,
23 excepting the operation and operators of any auto dismantlers' tow
24 vehicle licensed under Section 11505 or any tow truck operated
25 by a repossessing agency licensed under Chapter 11 (commencing
26 with Section 7500) of Division 3 of the Business and Professions
27 Code and its registered employees.

28 (2) The Legislature finds that the safety and welfare of the
29 general public is promoted by permitting local authorities to
30 regulate tow truck service companies and operators by requiring
31 licensure, insurance, and proper training in the safe operation of
32 towing equipment, thereby ensuring against towing mistakes that
33 may lead to violent confrontation, stranding motorists in dangerous
34 situations, impeding the expedited vehicle recovery, and wasting
35 state and local law enforcement's limited resources.

36 (3) ~~Nothing in this subdivision shall~~ *This subdivision does not*
37 limit the authority of a city or city and county pursuant to Section
38 12111.

1 (h) Operation of bicycles, and, as specified in Section 21114.5,
2 electric carts by physically disabled persons, or persons 50 years
3 of age or older, on the public sidewalks.

4 (i) Providing for the appointment of nonstudent school crossing
5 guards for the protection of persons who are crossing a street or
6 highway in the vicinity of a school or while returning thereafter
7 to a place of safety.

8 (j) Regulating the methods of deposit of garbage and refuse in
9 streets and highways for collection by the local authority or by
10 any person authorized by the local authority.

11 (k) (1) Regulating cruising.

12 (2) The ordinance or resolution adopted pursuant to this
13 subdivision shall regulate cruising, which is the repetitive driving
14 of a motor vehicle past a traffic control point in traffic that is
15 congested at or near the traffic control point, as determined by the
16 ranking peace officer on duty within the affected area, within a
17 specified time period and after the vehicle operator has been given
18 an adequate written notice that further driving past the control
19 point will be a violation of the ordinance or resolution.

20 (3) A person is not in violation of an ordinance or resolution
21 adopted pursuant to this subdivision unless both of the following
22 apply:

23 (A) That person has been given the written notice on a previous
24 driving trip past the control point and then again passes the control
25 point in that same time interval.

26 (B) The beginning and end of the portion of the street subject
27 to cruising controls are clearly identified by signs that briefly and
28 clearly state the appropriate provisions of this subdivision and the
29 local ordinance or resolution on cruising.

30 (l) Regulating or authorizing the removal by peace officers of
31 vehicles unlawfully parked in a fire lane, as described in Section
32 22500.1, on private property. A removal pursuant to this
33 subdivision shall be consistent, to the extent possible, with the
34 procedures for removal and storage set forth in Chapter 10
35 (commencing with Section 22650).

36 (m) *Regulating mobile billboard advertising displays, as defined*
37 *in Section 395.5, including the establishment of penalties, which*
38 *may include, but are not limited to, removal of the mobile billboard*
39 *advertising display and misdemeanor criminal penalties, for a*
40 *violation of the ordinance or resolution.*

1 (n) *Licensing and regulating the operation of pedicabs for hire,*
2 *as defined in Section 467.5, and operators of pedicabs for hire,*
3 *including requiring one or more of the following documents:*

4 (1) *A valid California driver's license.*

5 (2) *Proof of successful completion of a bicycle safety training*
6 *course certified by the League of American Bicyclists or an*
7 *equivalent organization as determined by the local authority.*

8 (3) *A valid California identification card and proof of successful*
9 *completion of the written portion of the California driver's license*
10 *examination administered by the department. The department shall*
11 *administer, without charging a fee, the original driver's license*
12 *written examination on traffic laws and signs to a person who*
13 *states that he or she is, or intends to become, a pedicab operator,*
14 *and who holds a valid California identification card or has*
15 *successfully completed an application for a California*
16 *identification card. If the person achieves a passing score on the*
17 *examination, the department shall issue a certificate of successful*
18 *completion of the examination, bearing the person's name and*
19 *identification card number. The certificate shall not serve in lieu*
20 *of successful completion of the required examination administered*
21 *as part of any subsequent application for a driver's license. The*
22 *department is not required to enter the results of the examination*
23 *into the computerized record of the person's identification card*
24 *or otherwise retain a record of the examination or results.*

25 (o) (1) *This section does not authorize a local authority to enact*
26 *or enforce an ordinance or resolution that establishes a violation*
27 *if a violation for the same or similar conduct is provided in this*
28 *code, nor does it authorize a local authority to enact or enforce*
29 *an ordinance or resolution that assesses a fine, penalty, assessment,*
30 *or fee for a violation if a fine, penalty, assessment, or fee for a*
31 *violation involving the same or similar conduct is provided in this*
32 *code.*

33 (2) *This section does not preclude a local authority from*
34 *enacting parking ordinances pursuant to existing authority in*
35 *Chapter 9 (commencing with Section 22500) of Division 11.*

36 (p) *This section shall become operative on July 1, 2011.*

37 SEC. 3. *Section 2.3 of this bill incorporates amendments to*
38 *Section 21100 of the Vehicle Code proposed by both this bill and*
39 *AB 2294. It shall only become operative if (1) both bills are enacted*
40 *and become effective on or before January 1, 2011, (2) each bill*

1 amends Section 21100 of the Vehicle Code, and (3) this bill is
2 enacted after AB 2294, in which case Section 21100 of the Vehicle
3 Code as amended by AB 2294, shall remain operative only until
4 the operative date of this bill, at which time Section 2.3 of this bill
5 shall become operative, and Sections 2, 2.5, and 2.7 of this bill
6 shall not become operative.

7 SEC. 4. Section 2.5 of this bill incorporates amendments to
8 Section 21100 of the Vehicle Code proposed by both this bill and
9 AB 2756. It shall only become operative if (1) both bills are enacted
10 and become effective on or before January 1, 2011, (2) each bill
11 amends Section 21100 of the Vehicle Code, and (3) this bill is
12 enacted after AB 2756, in which case Section 21100 of the Vehicle
13 Code as amended by AB 2756, shall remain operative only until
14 the operative date of this bill, at which time Section 2.5 of this bill
15 shall become operative, and Sections 2, 2.3, and 2.7 of this bill
16 shall not become operative.

17 SEC. 5. Section 2.7 of this bill incorporates amendments to
18 Section 21100 of the Vehicle Code proposed by this bill, AB 2294,
19 and AB 2756. It shall only become operative if (1) all three bills
20 are enacted and become effective on or before January 1, 2011,
21 (2) each bill amends Section 21100 of the Vehicle Code, and (3)
22 this bill is enacted after AB 2294 and AB 2756, in which case
23 Section 21100 of the Vehicle Code as amended by both AB 2294
24 and AB 2756, shall remain operative only until the operative date
25 of this bill, at which time Section 2.7 of this bill shall become
26 operative, and Sections 2, 2.3, and 2.5 of this bill shall not become
27 operative.

28 SEC. 6. Sections 1 and 2 of this act shall become operative on
29 July 1, 2011.