



# MEMORANDUM

August 14, 2014

From: OCTAP Administrator

To: All Permitted Taxicab Companies

Re: Vehicle Inspection Criteria/Vehicle Inspection Scoring System

Vehicle inspection criteria, a vehicle inspection template, and a vehicle inspection scoring system template was first presented to the OCTAP Steering Committee and Safety Committee on October 17, 2013.

The purpose of the inspection template is to perform taxicab inspections that are objective and consistent, based on inspection criteria that is more formally defined. The purpose of the scoring system is to assure consistency between inspections and inspectors, by utilizing a points-based system for determining inspection outcomes. Both have been modeled after manual processes and forms previously used by OCTAP staff. All vehicle inspections will be based on the inspection template and scoring system.

Soon company owners or designees will receive emailed reports of failed inspections immediately following the inspection. This will allow company designees to efficiently respond to any deficiencies, without having to wait for notification or a report from the vehicle driver or lease holder.

Attached is a copy of the inspection template and scoring values. A copy of the inspection criteria and values will also be available at any time by requesting a copy from OCTAP. Please review the vehicle inspection criteria and ensure that all vehicles meet or exceed minimum standards at all times.

While we do not anticipate any immediate changes to the template or score values, periodic adjustments may be necessary as vehicle technologies and other conditions change. We will notify company owners of any changes to the inspection template or scoring values.

Please feel free to call OCTAP staff at 949-654-8295 if you have any questions.

# Vehicle Inspection Scoring System: Inspection Results

## Legend

Inspection Result	Total Points	Required Re-inspection Trigger	Note
PASS	0-3 total points AND	Reinspection Required = NO	(for any and all noted defects). <b>Vehicle in service.</b>
FAIL-IN SERVICE	1-3 total points AND	Reinspection Required = YES	(for any noted defect where a re-inspection is required, regardless if total points are under 3). Vehicle must be presented to OCTAP for re-inspection within 10 business days from the original inspection date. <b>Vehicle in service.</b>
FAIL-IN SERVICE	4-6 total points	Not Applicable	Vehicle must be presented to OCTAP for re-inspection within 10 business days from the original inspection date. <b>Vehicle in service.</b>
FAIL- OUT OF SERVICE	7 or more total points	Not Applicable	Vehicle may be presented to OCTAP for re-inspection within 1 year from original inspection date. <b>Vehicle out of service.</b>

# OCTAP Taxicab Inspection Scoring System

DVR 20140613

<b>Section 2.11 Interior Seating Capacity</b>				
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>	7			
Seating is available for more than nine total passengers (including the driver) as determined by the number of seats installed.				
<b>Section 7.2 Valid Vehicle Permit</b>				
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>	7		YES	YES
Vehicle Permit not present or is not valid (expired/revoked/suspended) if no "NOT IN SERVICE" signs are installed in the required windows. RANDOM ONLY.				
<b>Section 8.2 Body Condition</b>				
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>	1			
Minor dents, distortions, depressions, bulges, holes, disfigurements, loose trim, or misalignments in one to two body part(s).				
<b>Moderate</b>	2	YES		
Minor dents, distortions, depressions, bulges, holes, disfigurements, hanging trim, or misalignments in three to four body part(s).				
<b>Major</b>	7			
Frame damage, loose or hanging body parts, body tears. <b>Major</b> dents, distortions, depressions, bulges, holes, disfigurements in one or more body part(s) or Minor dents, distortions, depressions, bulges, holes, disfigurements, or misalignments in five or more body part(s). Any condition that poses a safety hazard to the public.				
<b>Section 8.2 Paint</b>				
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES		
Paint is faded, blistered, cracked, chipped, peeled, or scratched in three or more body parts. Any paint mismatch (excluding minor touch-ups) in one or more body parts that does not closely match the vehicle's paint scheme.				
<b>Major</b>				
Not Applicable				
<b>Section 8.2 Exterior Cleanliness</b>				
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES	YES (Scheduled)	YES (Random)
Obvious neglect to wash. Rust holes, oil on two or more body parts. Tar stains located on two or more body parts (other than normal amounts on vehicle bottom near wheel wells).				
<b>Major</b>				
Not Applicable				

<b>Section 8.3</b>		<b>Brake System</b>		
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>	7		YES	YES
Brakes are in such a condition as to pose a public safety risk.				
<b>Section 8.4</b>		<b>Climate Control</b>		
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>	1			
Missing knobs on driver controls.				
<b>Moderate</b>	2	YES		
Air Conditioner not working or not continuously cool (but blowing and cooling some). Heater not working (no heat).				
<b>Major</b>	7			
Front Window Defroster not working (not blowing).				
<b>Section 8.5</b>		<b>Exhaust System</b>		
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>	7		YES	YES
Excessive smoke exiting system. Exhaust entering passenger compartment.				
<b>Section 8.6</b>		<b>Fuel Tank Cap</b>		
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES	YES	YES
Fuel tank cap is present but broken (includes improper fit).				
<b>Major</b>	7		YES	YES
Fuel tank cap is missing if gasoline or diesel fuel (if required/OEM).				
<b>Section 8.7</b>		<b>Horn</b>		
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES		
Horn does not work, is of a weak sound, or emits unreasonably loud or harsh sounds.				
<b>Major</b>				
Not Applicable				
<b>Section 8.8</b>		<b>Hubcaps or Wheel Caps</b>		
	Defect Point(s)	Re-inspection Required (In Service Fail Only)	Administrative Action Required - Company	Administrative Action Required - Driver
<b>Minor</b>	1			
One or more mismatched, missing, damaged, or dirty wheel or hub cover(s). One or more mismatched, damaged, or dirty rim(s).				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>				
Not Applicable				

<b>Section 8.9</b>		<b>Interior Condition</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	1			
Dashboard is dirty, has minor damage to include cracks and small holes, or loose articles. Driver, passenger and or trunk/luggage areas are littered (minor) or have foreign matter. Small holes or rips or tears in upholstery. Ceiling or carpet is dirty. Interior panels, including door panels, that are dirty (minor). Passenger vehicle seats are dirty. Foul odor (minor) inside taxicab (including cigarette smoke).				
<b>Moderate</b>	2	YES		
Large holes or rips or tears in passenger vehicle seats or carpet. Carpet is stained. Three or more passenger vehicle seats that are stained. Broken interior components that pose a safety hazard to passengers. Driver, passenger, and or trunk/luggage areas are severely littered or foreign matter. Foul odor inside taxicab (including cigarette smoke) that is severe enough to cause discomfort or that could potentially pose a health risk.				
<b>Major</b>	7		YES	YES
Any door that does not unlock from the inside (which includes missing interior locking knobs). Any door which is not operational.				
<b>Section 8.10</b>		<b>Interior Information</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	1			
Information cards are worn and hard to read. Information cards are not 4x6. Driver permit not posted/in possession and no NOT IN SERVICE signs installed (scheduled inspections only). Fleet number(s) are not one inch in height.				
<b>Moderate</b>	2	YES		
Missing either front or rear information card or fleet numbers. Information cards are missing required information.				
<b>Major</b>	7		YES	YES
Driver permit expired. Driver not affiliated with company. Driver permit not in possession (random inspections only)				
<b>Section 8.11</b>		<b>License Plates</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES		
Missing front plate (rear plate must be present and with current tags).				
<b>Major</b>	7		YES	YES
Missing rear plate. One or both plates attached to vehicle do no match vehicle registration. Tags not current.				
<b>Section 8.12</b>		<b>Lights</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	1			
Third brake light out. Single high beam out. Single reverse light out (if two equipped). Interior dome light out. Interior dome light does not auto-activate. License plate lights out.				
<b>Moderate</b>	2	YES		
Single low beam out. Left and right high beams out. Single turn signal or hazard light out. Single main brake light out (not 3rd brake light). Single tail light out.				
<b>Major</b>	7		YES	YES
Two or more headlamps out. Left and right brake lights out. Left and right tail lights out. Tail lights which are not red in color. Brake lights are not red in color. Two or more turn signals out. Two or more hazard lights out. All reverse lights out.				

<b>Section 8.12</b>		<b>Lenses</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	1			
Exterior lenses that do not match. Large crack on any single exterior lens (small cracks not considered a defect). Small hole on any single exterior lens.				
<b>Moderate</b>	2	YES		
Large cracks on two or more exterior lenses. Holes on two or more exterior lenses.				
<b>Major</b>	7			
Any single missing exterior safety lens (except license plate lenses). Any safety lens which is hanging from its install location.				
NOTE: (safety lenses: any headlamp lens, any turn signal lens, any hazard light lens, any driving (running) lamp lens, any brake light lens (except 3rd brake light)).				
<b>Section 8.13</b>		<b>Exterior Markings</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES		
One or two required external markings are missing. Fleet numbers and telephone reservation numbers are not the minimum three inches in height.				
<b>Major</b>	7			
Three or more required external markings are missing. Any permanent or temporary auxiliary hardware, device, decal, or other marking that obscures, blocks, or interferes with required markings. External markings not permanently affixed to the taxicab.				
<b>Section 8.14</b>		<b>Mirrors</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES		
Equipped mirrors with major cracks or not properly mounted or tightly secured.				
<b>Major</b>	7			
Missing left side mirror. No rear view mirror and no right side mirror. Mirrors with missing or broken glass. Mirrors that are hanging and not operable.				
<b>Section 8.15</b>		<b>Muffler</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES		
Excessive noise.				
<b>Major</b>	7			
No muffler. Altered exhaust system.				
<b>Section 8.16</b>		<b>Parking Brake</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>	7			
Parking brake does not operate pursuant to CVC 26451.				

<b>Section 8.17</b>		<b>Insurance</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	<b>2</b>	<b>YES</b>		<b>YES</b>
No current proof of insurance in vehicle but vehicle is listed on master insurance roster.				
<b>Major</b>	<b>7</b>			
Vehicle not listed on the master insurance roster.				
<b>Section 8.18</b>		<b>Radio</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	<b>1</b>			
Taxicab is equipped with a two way radio, cell phone, computer, or other device by which dispatch calls and notices are received but that is not functioning.				
<b>Moderate</b>	<b>2</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>
Taxicab is not equipped with a two way radio, cell phone, computer, or other device by which dispatch calls and notices are received.				
<b>Major</b>				
Not Applicable				
<b>Section 8.19</b>		<b>Seat Belts</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>	<b>7</b>			
Any seat belt not operational or is missing. Any one seat belt not secured to OEM location and by OEM means. Any one seat belt strap that is defective/badly frayed so as to compromise the integrity of the belt.				
<b>Section 8.20</b>		<b>Steering and Suspension System</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	<b>2</b>	<b>YES</b>		
Power steering is binding or is harder than normal to operate.				
<b>Major</b>	<b>7</b>			
Steering system is not operating as originally designed. Power steering is not working (complete failure). Steering column and or associated mechanisms are defective to the point that allows excessive movement of the steering column and or wheel. Suspension system is in an obvious state of failure that would cause on-the-road traction failure.				
<b>Section 8.21</b>		<b>Taximeter and Meter Seals</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	<b>1</b>			
Valid paper meter seal that is in vehicle but not attached to the taxicab meter.				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>	<b>7</b>		<b>YES</b>	<b>YES</b>
Taximeter is not working. Any one taximeter seal that is broken or not present. Taximeter is not certified and sealed by the County Sealer of Weights and Measures (for scheduled inspections). The date on the paper seal is missing or is more than 13 months old. Taximeter is not charging the authorized fare. Temporary meter seals are present (for scheduled inspections) or temporary meter seals that are more than 30 days old (for random inspections; temporary meter seals are valid for no more 30 days but are not accepted for scheduled inspections).				

<b>Section 8.22</b>		<b>Tires</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	1			
Any tire that has an embedded nail, screw, or similar object.				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>	7		YES	YES
One or more tires are below the minimum tread depth is any two adjacent grooves, showing metal or fabric chords due to extreme tire wear, or having severe sidewall damage. Severe sidewall damage is determined as cuts, large tears, missing rubber, or any other condition determined by the inspector to pose a safety risk to the public and vehicle inhabitants.				
<b>Section 8.23</b>		<b>Windows</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES		
Any window which is not operable from its respective control.				
<b>Major</b>	7		YES	YES
Two or more windows which are not operable from their respective controls. Any one window which has been broken (blown out) and or is missing. The front or rear windshields are defective and hinders the driver's vision to the front or to the rear. Non-OEM (after-market) window tint applied to any window. Any window not safety glass.				
<b>Section 8.24</b>		<b>Windshield Wipers</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	1			
Wiper blade(s) slightly torn and peeling but still able to sufficiently clear the window.				
<b>Moderate</b>				
Not Applicable				
<b>Major</b>	7		YES	YES
Wiper system does not sufficiently clear the window. The wiper motor, when turned off, parks the arms in driver's view.				
<b>Section 8.25</b>		<b>Foot Pedal Pads</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES		
Rubber foot control pad(s) not properly fitted and or securely affixed to the foot control(s). Rubber foot control pad(s) cut and showing metal. Rubber foot control pad(s) are missing.				
<b>Major</b>				
Not Applicable				
<b>Section 8.26</b>		<b>Vehicle Registration</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	1			
Registrant address is incorrect.				
<b>Moderate</b>	2	YES		
No proof of valid registration in vehicle (rear plate tags must be current). Red Temporary Operating Permit (TOP) not accompanied by required DMV receipt.				
<b>Major</b>	7		YES	YES
No proof of valid registration in vehicle (rear plate tags not current). Rear plate tags not current. Not registered as a commercial vehicle. Not registered to a permitted company or permitted driver.				
<b>Note: Vehicles newly purchased and have Temporary Registration (Temporary Vehicle IDs) may not display commercial plates or current tags.</b>				



<b>Section 9.2</b>		<b>Receipt</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>	1		YES	YES
Receipt does not contain the required information. Section 9.2. Driver shall give a receipt for the amount charged upon the request of the person paying the fare. The receipt shall identify the driver's name, Taxicab number, Permittee name, date and time of issuance.				
<b>Moderate</b>	2	YES	YES	YES
Receipt cannot be provided.				
<b>Major</b>				
Not Applicable				
<b>Section 9.8</b>		<b>Credit Card Payment</b>		
	<b>Defect Point(s)</b>	<b>Re-inspection Required (In Service Fail Only)</b>	<b>Administrative Action Required - Company</b>	<b>Administrative Action Required - Driver</b>
<b>Minor</b>				
Not Applicable				
<b>Moderate</b>	2	YES	YES	YES
Company and or driver does not have the ability to electronically process a customer's credit card, in vehicle.				
<b>Major</b>			YES	YES
Not Applicable				

# OCTAP Vehicle Inspectors Guide

## Vehicle Code Definitions for Clarification – Inspection Items

### Evidence of Financial Responsibility

16020. (a) All drivers and all owners of a motor vehicle shall at all times be able to establish financial responsibility pursuant to Section 16021, and shall at all times carry in the vehicle evidence of the form of financial responsibility in effect for the vehicle.

(b) "Evidence of financial responsibility" means any of the following:

(1) A form issued by an insurance company or charitable risk pool, as specified by the department pursuant to Section 4000.37.

(3) An insurance covering note or binder pursuant to Section 382 or 382.5 of the Insurance Code.

(c) For purposes of this section, "evidence of financial responsibility" also may be obtained by a law enforcement officer and court personnel from an electronic reporting system when that system becomes available for use by law enforcement officers.

(d) For purposes of this section, "evidence of financial responsibility" also includes any of the following:

(1) The name of the insurance company and the number of an insurance policy or surety bond that was in effect at the time of the accident or at the time that evidence of financial responsibility is required to be provided pursuant to Section 16028, if that information is contained in the vehicle registration records of the department.

(2) The identifying motor carrier of property permit number issued by the Department of the California Highway Patrol to the motor carrier of property as defined in Section 34601, and displayed on the motor vehicle in the manner specified by the Department of the California Highway Patrol.

(e) Evidence of financial responsibility does not include an identification number in paragraph (1), (2), or (3) of subdivision (d) if the carrier is currently suspended by the issuing agency for lack or lapse of insurance or other form of financial responsibility.

16021. Financial responsibility of the driver or owner is established if the driver or owner of the vehicle involved in an accident described in Section 16000 is:

(a) A self-insurer under the provisions of this division.

(b) An insured or obligee under a form of insurance or bond that complies with the requirements of this division and that covers the driver for the vehicle involved in the accident.

(c) The United States of America, this state, any municipality or subdivision thereof, or the lawful agent thereof.

(d) A depositor in compliance with subdivision (a) of Section 16054.2.

(e) An obligee under a policy issued by a charitable risk pool that complies with subdivision (b) of Section 16054.2.

(f) In compliance with the requirements authorized by the department by any other manner which effectuates the purposes of this chapter.

16025. (a) Every driver involved in the accident shall, unless rendered incapable, exchange with any other driver or property owner involved in the accident and present at the scene, all of the following information:

(1) Driver's name and current residence address, driver's license number, vehicle identification number, and current residence address of registered owner.

(2) Evidence of financial responsibility, as specified in Section 16020. If the financial responsibility of a person is a form of insurance, then that person shall supply the name and address of the insurance company and the number of the insurance policy

(b) Any person failing to comply with all of the requirements of this section is guilty of an infraction punishable by a fine not to exceed two hundred fifty dollars (\$250).

16028. (a) Upon the demand of a peace officer pursuant to subdivision (b) or upon the demand of a peace officer or traffic collision investigator pursuant to subdivision (c), every person who drives a motor vehicle upon a highway shall provide evidence of financial responsibility for the vehicle that is in effect at the time the demand is made. However, a peace officer shall not stop a vehicle for the sole purpose of determining whether the vehicle is being driven in violation of this subdivision.

(c) Whenever a peace officer, or a regularly employed and salaried employee of a city or county who has been trained as a traffic collision investigator, is summoned to the scene of an accident described in Section 16000, the driver of any motor vehicle that is in any manner involved in the accident shall furnish written evidence of financial responsibility upon the request of the peace officer or traffic collision investigator. If the driver fails to provide evidence of financial responsibility when requested, the peace officer may issue the driver a notice to appear for violation of this subdivision. A traffic collision investigator may cause a notice to appear to be issued for a violation of this subdivision, upon review of that citation by a peace officer.

(d) (1) If, at the time a notice to appear for a violation of subdivision (a) is issued, the person is driving a motor vehicle owned or leased by the driver's employer, and the vehicle is being driven with the permission of the employer, this section shall apply to the employer rather than the driver. In that case, a notice to appear shall be issued to the employer rather than the driver, and the driver may sign the notice on behalf of the employer.

(2) The driver shall notify the employer of the receipt of the notice issued pursuant to paragraph (1) not later than five days after receipt.

(e) A person issued a notice to appear for a violation of subdivision (a) may personally appear before the clerk of the court, as designated in the notice to appear, and provide written evidence of financial responsibility in a form consistent with Section 16020, showing that the driver was in compliance with that section at the time the notice to appear for violating subdivision (a) was issued. In lieu of the personal appearance, the person may submit by mail to the court written evidence of having had financial responsibility at the time the notice to appear was issued. Upon receipt by the clerk of that written evidence of financial responsibility in a form consistent with Section 16020, further proceedings on the notice to appear for the violation of subdivision (a) shall be dismissed.

#### **Presentation of Evidence of Registration:**

##### **Vehicle Identification Documents: Unlawful Use or Possession**

4462. (a) The driver of a motor vehicle shall present the registration or identification card or other evidence of registration of any or all vehicles under his or her immediate control for examination upon demand of any peace officer.

(b) No person shall display upon a vehicle, nor present to any peace officer, any registration card, identification card, temporary receipt, license plate, device issued pursuant to Section 4853, or permit not issued for that vehicle or not otherwise lawfully used thereon under this code.

#### **Commercial Vehicle**

260. (a) A "commercial vehicle" is a motor vehicle of a type required to be registered under this code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property.

(b) Passenger vehicles and house cars that are not used for the transportation of persons for hire, compensation, or profit are not commercial vehicles. This

subdivision shall not apply to Chapter 4 (commencing with Section 6700) of Division 3.

(c) Any vanpool vehicle is not a commercial vehicle.

(d) The definition of a commercial vehicle in this section does not apply to Chapter 7 (commencing with Section 15200) of Division 6.

### **Period of Display**

5202. Every license plate issued by this State or any other jurisdiction within or without the United States shall remain attached during the period of its validity to the vehicle for which it is issued while being operated within this State or during the time the vehicle is being held for sale in this State, or until such time as a vehicle with special or identification plates is no longer entitled to such plates and no person shall operate, nor shall an owner knowingly permit to be operated, upon any highway any vehicle unless the license plate is so attached. Special permits issued in lieu of plates shall be attached and displayed on the vehicle for which issued during the period of their validity.

### **Defective Windshields and Rear Windows**

26710. It is unlawful to operate any motor vehicle upon a highway when the windshield or rear window is in such a defective condition as to impair the driver's vision either to the front or rear.

In the event any windshield or rear window fails to comply with this code the officer making the inspection shall direct the driver to make the windshield and rear window conform to the requirements of this code within 48 hours. The officer may also arrest the driver and give him notice to appear and further require the driver or the owner of the vehicle to produce in court satisfactory evidence that the windshield or rear window has been made to conform to the requirements of this code.

### **Material Obstructing or Reducing Driver's View**

26708. (a) (1) A person shall not drive any motor vehicle with any object or material placed, displayed, installed, affixed, or applied upon the windshield or side or rear windows.

(2) A person shall not drive any motor vehicle with any object or material placed, displayed, installed, affixed, or applied in or upon the vehicle that obstructs or reduces the driver's clear view through the windshield or side windows.

(3) This subdivision applies to a person driving a motor vehicle with the driver's clear vision through the windshield, or side or rear windows, obstructed by snow or ice.

(b) This section does not apply to any of the following:

(1) Rearview mirrors.

(2) Adjustable nontransparent sunvisors that are mounted forward of the side windows and are not attached to the glass.

(3) Signs, stickers, or other materials that are displayed in a 7-inch square in the lower corner of the windshield farthest removed from the driver, signs, stickers, or other materials that are displayed in a 7-inch square in the lower corner of the rear window farthest removed from the driver, or signs, stickers, or other materials that are displayed in a 5-inch square in the lower corner of the windshield nearest the driver.

(4) Side windows that are to the rear of the driver.

(5) Direction, destination, or ( )<sup>1</sup> **terminus** signs upon a passenger common carrier motor vehicle or a schoolbus, if those signs do not interfere with the driver's clear view of approaching traffic.

(6) Rear window wiper motor.

(7) Rear trunk lid handle or hinges.

(8) The rear window or windows, if the motor vehicle is equipped with outside mirrors on both the left- and righthand sides of the vehicle that are so located as to reflect to

the driver a view of the highway through each mirror for a distance of at least 200 feet to the rear of the vehicle.

(9) A clear, transparent lens affixed to the side window opposite the driver on a vehicle greater than 80 inches in width and that occupies an area not exceeding 50 square inches of the lowest corner toward the rear of that window and that provides the driver with a wide-angle view through the lens.

(10) Sun screening devices meeting the requirements of Section 26708.2 installed on the side windows on either side of the vehicle's front seat, if the driver or a passenger in the front seat has in his or her possession a letter or other document signed by a licensed physician and surgeon certifying that the person must be shaded from the sun due to a medical condition, or has in his or her possession a letter or other document signed by a licensed optometrist certifying that the person must be shaded from the sun due to a visual condition. The devices authorized by this paragraph shall not be used during darkness.

(11) An electronic communication device affixed to the center uppermost portion of the interior of a windshield within an area that is not greater than 5 inches square, if the device provides either of the following:

(A) The capability for enforcement facilities of the Department of the California Highway Patrol to communicate with a vehicle equipped with the device.

(B) The capability for electronic toll and traffic management on public or private roads or facilities.

(12) A portable Global Positioning System (GPS), which may be mounted in a 7-inch square in the lower corner of the windshield farthest removed from the driver or in a 5-inch square in the lower corner of the windshield nearest to the driver **and outside of an airbag deployment zone**, if the system is used only for door-to-door navigation while the motor vehicle is being operated ( )<sup>2</sup>.

(c) Notwithstanding subdivision (a), transparent material may be installed, affixed, or applied to the topmost portion of the windshield if the following conditions apply:

(1) The bottom edge of the material is at least 29 inches above the undepressed driver's seat when measured from a point 5 inches in front of the bottom of the backrest with the driver's seat in its rearmost and lowermost position with the vehicle on a level surface.

(2) The material is not red or amber in color.

(3) There is no opaque lettering on the material and any other lettering does not affect primary colors or distort vision through the windshield.

(4) The material does not reflect sunlight or headlight glare into the eyes of occupants of oncoming or following vehicles to any greater extent than the windshield without the material.

(d) Notwithstanding subdivision (a), clear, colorless, and transparent material may be installed, affixed, or applied to the front side windows, located to the immediate left and right of the front seat if the following conditions are met:

(1) The material has a minimum visible light transmittance of 88 percent.

(2) The window glazing with the material applied meets all requirements of Federal Motor Vehicle Safety Standard No. 205 (49 C.F.R. 571.205), including the specified minimum light transmittance of 70 percent and the abrasion resistance of AS-14 glazing, as specified in that federal standard.

(3) The material is designed and manufactured to enhance the ability of the existing window glass to block the sun's harmful ultraviolet A rays.

(4) The driver has in his or her possession, or within the vehicle, a certificate signed by the installing company certifying that the windows with the material installed meet the requirements of this subdivision and **the certificate** identifies the installing company and the material's manufacturer by full name and street address, or, if the material was installed by the vehicle owner, a certificate signed by the material's manufacturer certifying that the windows with the material installed according to manufacturer's instructions ( )<sup>3</sup> **meet** the requirements of this subdivision and **the certificate** identifies the material's manufacturer by full name and street address.

(5) If the material described in this subdivision tears or bubbles, or is otherwise worn to prohibit clear vision, it shall be removed or replaced.

### **Mirrors**

26709. (a) Every motor vehicle registered in a foreign jurisdiction and every motorcycle subject to registration in this state shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.

Every motor vehicle subject to registration in this state, except a motorcycle, shall be equipped with not less than two such mirrors, including one affixed to the left-hand side.

(b) The following described types of motor vehicles, of a type subject to registration, shall be equipped with mirrors on both the left-and right-hand sides of the vehicle so located as to reflect to the driver a view of the highway through each mirror for a distance of at least 200 feet to the rear of such vehicle:

(1) A motor vehicle so constructed or loaded as to obstruct the driver's view to the rear.

(2) A motor vehicle towing a vehicle and the towed vehicle or load thereon obstructs the driver's view to the rear.

(3) A bus or trolley coach.

(c) The provisions of subdivision (b) shall not apply to a passenger vehicle when the load obstructing the driver's view consists of passengers.

### **Fuel Tank Caps**

27155. No motor vehicle shall be operated or parked upon any highway unless the filling spout for the fuel tank is closed by a cap or cover of noncombustible material.

### **Adequate Muffler Required**

27150. (a) Every motor vehicle subject to registration shall at all times be equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise, and no muffler or exhaust system shall be equipped with a cutout, bypass, or similar device.

### **Exhaust Products**

27153. No motor vehicle shall be operated in a manner resulting in the escape of excessive smoke, flame, gas, oil, or fuel residue.

The provisions of this section apply to motor vehicles of the United States or its agencies, to the extent authorized by federal law.

### **Condition and Use of Windshield Wipers**

26707. Windshield wipers required by this code shall be maintained in good operating condition and shall provide clear vision through the windshield for the driver. Wipers shall be operated under conditions of fog, snow, or rain and shall be capable of effectively clearing the windshield under all ordinary storm or load conditions while the vehicle is in operation.

### **Tread Depth of Pneumatic Tires**

27465. (b) No person shall use on a highway a pneumatic tire on a vehicle axle when the tire has less than the following tread depth, except when temporarily installed on a disabled vehicle as specified in subdivision (a):

(1) One thirty-second ( $1/32$ ) of an inch tread depth in any two adjacent grooves at any location of the tire, except as provided in paragraphs (2) and (3).

### **Headlamps on Motor Vehicles**

24400. (a) A motor vehicle, other than a motorcycle, shall be:

(1) Equipped with at least two headlamps, with at least one on each side of the front of the vehicle, and, except as to vehicles registered prior to January 1, 1930, they shall be located directly above or in advance of the front axle of the vehicle. The headlamps and every light source in any headlamp unit shall be located at a height of not more than 54 inches nor less than 22 inches.

(2) Operated during darkness, or inclement weather, or both, with at least two lighted headlamps that comply with paragraph (1).

(b) As used in paragraph (2) of subdivision (a), "inclement weather" is a weather condition that is either of the following:

(1) A condition that prevents a driver of a motor vehicle from clearly discerning a person or another motor vehicle on the highway from a distance of 1,000 feet.

(2) A condition requiring the windshield wipers to be in continuous use due to rain, mist, snow, fog, or other precipitation or atmospheric moisture.

### **Turn Signal System**

24951. (b) The following vehicles shall be equipped with a lamp-type turn signal system meeting the requirements of this chapter.

(1) Motor trucks, truck tractors, buses and passenger vehicles, other than motorcycles, manufactured and first registered on or after January 1, 1958.

### **Lighting Equipment Requirements**

24252. (a) All lighting equipment of a required type installed on a vehicle shall at all times be maintained in good working order. Lamps shall be equipped with bulbs of the correct voltage rating corresponding to the nominal voltage at the lamp socket.

(b) The voltage at any tail, stop, license plate, side marker or clearance lamp socket on a vehicle shall not be less than 85 percent of the design voltage of the bulb. Voltage tests shall be conducted with the engine operating.

(c) Two or more lamp or reflector functions may be combined, provided each function subject to requirements established by the department meets such requirements.

(1) No turn signal lamp may be combined optically with a stoplamp unless the stoplamp is extinguished when the turn signal is flashing.

(2) No clearance lamp may be combined optically with any taillamp or identification lamp.

### **Taillamps**

24600. During darkness every motor vehicle which is not in combination with any other vehicle and every vehicle at the end of a combination of vehicles shall be equipped with lighted taillamps mounted on the rear as follows:

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

(b) Every vehicle, other than a motorcycle, manufactured and first registered on or after January 1, 1958, shall be equipped with not less than two taillamps, except that trailers and semitrailers manufactured after July 23, 1973, which are less than 30 inches wide, may be equipped with one taillamp which shall be mounted at or near the vertical centerline of the vehicles. If a vehicle is equipped with two taillamps, they shall be mounted as specified in subdivision (d).

(c) Every vehicle or vehicle at the end of a combination of vehicles, subject to subdivision (a) of Section 22406 shall be equipped with not less than two taillamps.

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

(e) Taillamps shall be red in color and shall be plainly visible from all distances within 500 feet to the rear except that taillamps on vehicles manufactured after January 1, 1969, shall be plainly visible from all distances within 1,000 feet to the rear.

(f) Taillamps 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, in addition to being equipped with the required taillamps, may also be equipped with two taillamps 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. The additional taillamps on a tow truck shall be lighted whenever the headlamps are lighted.

### **Backup Lamps**

24606. (a) Every motor vehicle, other than a motorcycle, of a type subject to registration and manufactured on and after January 1, 1969, shall be equipped with one or more backup lamps either separately or in combination with another lamp. Any vehicle may be equipped with backup lamps.

### **Stoplamps**

24603. (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).

### **License Plate Lamp**

24601. Either the taillamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear license plate during darkness and render it clearly legible from a distance of 50 feet to the rear. When the rear license plate is illuminated by a lamp other than a required taillamp, the two lamps shall be turned on or off only by the same control switch at all times.

### **Defroster Required**

26712. Every passenger vehicle used or maintained for the transportation of persons for hire, compensation, or profit shall be equipped with a defrosting device which is adequate to remove snow, ice, frost, fog, or internal moisture from the windshield.

### **Mandatory Seat Belt Law**

27315. (a) The Legislature finds that a mandatory seatbelt law will contribute to reducing highway deaths and injuries by encouraging greater usage of existing manual seatbelts, that automatic crash protection systems which require no action by vehicle occupants offer the best hope of reducing deaths and injuries, and that encouraging the use of manual safety belts is only a partial remedy for addressing this major cause of death and injury. The Legislature declares that the enactment of this section is intended to be compatible with support for federal safety standards requiring automatic crash protection systems and should not be used in any manner to rescind federal requirements for installation of automatic restraints in new cars.

(b) This section shall be known and may be cited as the Motor Vehicle Safety Act.

(c) (1) As used in this section, "motor vehicle" means a passenger vehicle, a motortruck, or a truck tractor, but does not include a motorcycle.

(2) ) For purposes of this section, a "motor vehicle" also means a farm labor vehicle, regardless of the date of certification under Section 31401.

(d) (1) ) A person shall not operate a motor vehicle on a highway unless that person and all passengers 16 years of age or over are properly restrained by a safety belt. This paragraph does not apply to the operator of a taxicab, as defined in Section 27908, when the taxicab is driven on a city street and is engaged in the transportation of a fare-paying passenger. The safety belt requirement established by this paragraph is the minimum safety standard applicable to employees being transported in a motor vehicle. This paragraph does not preempt more stringent or restrictive standards imposed by the Labor Code or another state or federal regulation regarding the transportation of employees in a motor vehicle.

(2) The operator of a limousine for hire or the operator of an authorized emergency vehicle, as defined in subdivision (a) of Section 165, shall not operate the limousine for hire or authorized emergency vehicle unless the operator and any passengers six



years of age or over or weighing 60 pounds or more in the front seat are properly restrained by a safety belt.

(3) The operator of a taxicab shall not operate the taxicab unless any passengers six years of age or over or weighing 60 pounds or more in the front seat are properly restrained by a safety belt.

(e) A person 16 years of age or over shall not be a passenger in a motor vehicle on a highway unless that person is properly restrained by a safety belt. This subdivision does not apply to a passenger in a sleeper berth, as defined in subdivision (x) of Section 1201 of Title 13 of the California Code of Regulations.

(f) ) An owner of a motor vehicle, including an owner or operator of a taxicab, as defined in Section 27908, or a limousine for hire, operated on a highway shall maintain safety belts in good working order for the use of occupants of the vehicle. The safety belts shall conform to motor vehicle safety standards established by the United States Department of Transportation. This subdivision, however, does not require installation or maintenance of safety belts if not required by the laws of the United States applicable to the vehicle at the time of its initial sale.

(g) This section does not apply to a passenger or operator with a physically disabling condition or medical condition that would prevent appropriate restraint in a safety belt, if the condition is duly certified by a licensed physician and surgeon or by a licensed chiropractor who shall state the nature of the condition, as well as the reason the restraint is inappropriate. This section also does not apply to a public employee, when in an authorized emergency vehicle as defined in paragraph (1) of subdivision (b) of Section 165, or to a passenger in a seat behind the front seat of an authorized emergency vehicle as defined in paragraph (1) of subdivision (b) of Section 165 operated by the public employee, unless required by the agency employing the public employee.

(h) Notwithstanding subdivision (a) of Section 42001, a violation of subdivision (d), (e), or (f) is an infraction punishable by a fine of not more than twenty dollars (\$20) for a first offense, and a fine of not more than fifty dollars (\$50) for each subsequent offense. In lieu of the fine and any penalty assessment or court costs, the court, pursuant to Section 42005, may order that a person convicted of a first offense attend a school for traffic violators or another court-approved program in which the proper use of safety belts is demonstrated.

(i) In a civil action, a violation of subdivision (d), (e), or (f) or information of a violation of subdivision (h) does not establish negligence as a matter of law or negligence per se for comparative fault purposes, but negligence may be proven as a fact without regard to the violation.

(j) If the United States Secretary of Transportation fails to adopt safety standards for manual safety belt systems by September 1, 1989, a motor vehicle manufactured after that date for sale or sold in this state shall not be registered unless it contains a manual safety belt system that meets the performance standards applicable to automatic crash protection devices adopted by the United States Secretary of Transportation pursuant to Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. 571.208) as in effect on January 1, 1985.

(k) A motor vehicle offered for original sale in this state which has been manufactured on or after September 1, 1989, shall comply with the automatic restraint requirements of Section S4.1.2.1 of Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. 571.208), as published in Volume 49 of the Federal Register, No. 138, page 29009. An automobile manufacturer that sells or delivers a motor vehicle subject to this subdivision, and fails to comply with this subdivision, shall be punished by a fine of not more than five hundred dollars (\$500) for each sale or delivery of a noncomplying motor vehicle.

(l) Compliance with subdivision (j) or (k) by a manufacturer shall be made by self-certification in the same manner as self-certification is accomplished under federal law.

(m) This section does not apply to a person actually engaged in delivery of newspapers to customers along the person's route if the person is properly restrained by a safety belt prior to commencing and subsequent to completing delivery on the route.

(n) This section does not apply to a person actually engaged in collection and delivery activities as a rural delivery carrier for the United States Postal Service if the person is properly restrained by a safety belt prior to stopping at the first box and subsequent to stopping at the last box on the route.

(o) This section does not apply to a driver actually engaged in the collection of solid waste or recyclable materials along that driver's collection route if the driver is properly restrained by a safety belt prior to commencing and subsequent to completing the collection route.

(p) Subdivisions (d), (e), (f), (g), and (h) shall become inoperative immediately upon the date that the United States Secretary of Transportation, or his or her delegate, determines to rescind the portion of the Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. 571.208) which requires the installation of automatic restraints in new motor vehicles, except that those subdivisions shall not become inoperative if the secretary's decision to rescind that Standard No. 208 is not based, in any respect, on the enactment or continued operation of those subdivisions.

#### **Condition of Brakes**

26453. All brakes and component parts thereof shall be maintained in good condition and in good working order. The brakes shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

#### **Parking Brake System**

26451. The parking brake system of every motor vehicle shall comply with the following requirements:

(a) The parking brake shall be adequate to hold the vehicle or combination of vehicles stationary on any grade on which it is operated under all conditions of loading on a surface free from snow, ice or loose material. In any event the parking brake shall be capable of locking the braked wheels to the limit of traction.

(b) The parking brake shall be applied either by the driver's muscular efforts, by spring action, or by other energy which is isolated and used exclusively for the operation of the parking brake or the combination parking brake and emergency stopping system.

(c) The parking brake shall be held in the applied position solely by mechanical means.

#### **Vehicle Not Equipped or Unsafe**

24002. (a) It is unlawful to operate any vehicle or combination of vehicles which is in an unsafe condition, or which is not safely loaded, and which presents an immediate safety hazard.

(b) It is unlawful to operate any vehicle or combination of vehicles which is not equipped as provided in this code.

#### **Horns or Warning Devices**

27000. (a) A motor vehicle, when operated upon a highway, shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn shall emit an unreasonably loud or harsh sound. An authorized emergency vehicle may be equipped with, and use in conjunction with the siren on that vehicle, an air horn that emits sounds that do not comply with the requirements of this section.