

8. TAXICAB INSPECTION STANDARDS

8.1. Minimum Standards.

The minimum Taxicab standards are those of the California Vehicle Code. All Taxicabs shall meet all applicable standards of the California Vehicle Code as well as the following in order to pass the OCTAP vehicle inspection. Certain equipment must be present and fully functional as OEM (original equipment manufacturer), as specified in this section. Taxicabs must be maintained to these standards at all times. OCTAP may administratively clarify and/or change the standards in the public interest. OCTAP will utilize the vehicle inspection form included in these regulations. A copy of the inspection form will be provided to the operators. This form will clearly delineate conditions which:

- Meet OCTAP standards and are therefore acceptable; or
- Do not meet OCTAP standards and must be repaired/re-inspected to OCTAP's approval prior to returning to revenue service (Major Items); or
- Do not meet OCTAP standards, but are sufficiently minor to allow the vehicle to remain in service for up to ten (10) business days while repairs are made and completion of the repairs is determined by an OCTAP re-inspection (subject to a re-inspection fee) (Minor Items).

8.2. Body Condition.

- 8.2.1. No body damage, frame damage, tears or rust holes in the Taxicab body and/or loose pieces hanging from the Taxicab body are permitted. Front and rear fenders, bumpers, hood, trunk, and trim shall be securely fixed and shall be in correct alignment to the Taxicab as OEM. Body damage shall include any un-repaired dents, distortions, depressions, bulges, tears, holes, or disfigurements.
- 8.2.2. The exterior of the Taxicab shall be maintained in a clean condition and shall be free of unsightly dirt, tar, oil, and rust.
- 8.2.3. The Taxicab paint shall not be mismatched, faded, blistered, cracked, chipped, peeled, or scratched.
- 8.2.4. Effective October 1, 2009, each OCTAP Permittee shall paint vehicles in one primary color scheme.
- 8.2.5. The color scheme, name, monogram, or insignia used upon Permittee Taxicabs shall not be in conflict with and shall not imitate any other color scheme, name, monogram, or insignia used by any other Permittee. The provisions of this subsection shall not be

applied to require any change or modification of any color scheme, name, monogram, or insignia on any vehicle continuously permitted and used by any Permittee authorized prior to October 1, 2009.

8.3. Brake System.

Pursuant to California Vehicle Code § 26453.

8.4. Climate Control.

8.4.1. The defroster must be operational pursuant to California Vehicle Code § 26712.

8.4.2. The air conditioning/heating units shall be functional at all times. The air discharged from the air conditioner interior vent system shall be continuously cool. All air conditioning temperature controls and functions shall operate as originally designed and manufactured with no knobs or components broken or missing. Systems shall operate on all OEM speeds with no excessive noise.

8.5. Exhaust System.

Pursuant to California Vehicle Code § 27153.

8.6. Fuel Tank Cap.

Pursuant to California Vehicle Code § 27155.

8.7. Horn.

Pursuant to California Vehicle Code § 27000.

8.8. Hubcaps or Wheel Covers.

Rims, hubcaps or wheel covers shall be of like style on all wheels. Also, hubcaps and wheel covers shall be on all wheels for which they are standard equipment.

8.9. Interior Condition.

8.9.1. Passenger compartment, driver compartment, and trunk or luggage area shall be clean and free of foreign matter, offensive odors and litter. Smoking in a taxicab vehicle will leave an odor that may be considered offensive to others, smoking of any kind, whether held by a passenger or driver inside or outside the vehicle, is prohibited inside any OCTAP permitted vehicle.

- 8.9.2. Seat upholstery shall be clean. Interior walls, carpet and/or flooring, and ceiling shall be kept reasonably clean. No rips or tears are permitted. All repairs shall be done so as to reasonably match the existing interior.
- 8.9.3. Door handles and doors shall be intact, clean and operational. Each door shall be capable of being unlocked and opened from the interior of the Taxicab.
- 8.9.4. Dashboards shall be maintained in a manner that is clean and free of loose articles. Dashboards shall be free of: cracks, holes, and tears.

8.10. Interior Information.

- 8.10.1. A 4" x 6" Information Card shall be displayed in both front and rear compartments and in plain view of all passengers at all times that the Taxicab is in operation.
- 8.10.2. The Information Card shall contain the following information on the Permittee: name, business address and telephone number. The Information Card must also include the name, address, website, and phone number of the regulating agency (OCTAP) and the authorized fare schedule, and a credit card acceptance statement, stating that credit cards are accepted. Accepted credit cards must, at minimum, include the acceptance of MasterCard® and Visa®.
- 8.10.3. A Driver must possess a valid Driver Permit in order to operate a taxicab. At all times that the Taxicab is in operation, and does not display an out of service sign as required in the OCTAP regulations, the Driver Permit must be displayed. The Driver Permit must be displayed in the passenger side dashboard area, no alterations or information covered or hidden, so that passengers and law enforcement officers can easily view the permit from inside or outside the vehicle if looking at the passenger side dashboard of the vehicle. The Driver's California Driver License number on the Driver Permit may be covered by a removable label if desired. The label must be removed to allow viewing by law enforcement/code enforcement officers or OCTAP staff when requested.

Note: OCTAP may indicate and mark an exact location inside each taxicab for the posted Driver Permit at the time a vehicle inspection is performed.

If any person is driving an out of service taxicab vehicle, "Not In Service" signs must be displayed. Signs must be a minimum size

of 8 ½" x 11" with lettering which is visible up to at least 50 feet. Window signs shall be used and must be placed in both left and right rear side windows and rear window. If magnet signs are also used, they must be placed on one door of each side of the car body. If equipped, a not in service top light may additionally be used.

- 8.10.4. Two OCTAP-issued customer information stickers shall be displayed in plain view of all passengers at all times that a Taxicab is in operation. The stickers shall be placed on the outside of both side rear windows. The stickers shall indicate that the Taxicab has been safety inspected and indicate a telephone number to call for information.
- 8.10.5. The taxicab fleet number shall be placed inside the taxicab with a minimum number/letter height of one inch and placed directly above or below (separate from or part of) the Interior Information Cards.

8.11. License Plates.

Pursuant to California Vehicle Code § 5202.

8.12. Lights and Lenses.

- 8.12.1. Headlights shall be operational on both high and low beams (California Vehicle Code § 24400).
- 8.12.2. Taillights shall be operational and the light emitted be red in color (California Vehicle Code § 24600).
- 8.12.3. Emergency flashers shall be operational (California Vehicle Code § 24252).
- 8.12.4. Reverse lights shall be operational (California Vehicle Code § 24606(a)).
- 8.12.5. Turn signal lights shall be operational (California Vehicle Code § 24951(b) (1)).
- 8.12.6. Brake lights shall be operational (California Vehicle Code § 24603(b)).
- 8.12.7. License plate light shall be operational (California Vehicle Code § 24601).

8.12.8. Interior lights shall be OEM, operational, and set to automatically activate when passengers are entering or exiting the taxicab.

8.12.9. Light lenses must be OEM, intact and contain no holes or large cracks.

8.13. Markings.

8.13.1. Exterior markings shall be permanently affixed to the taxicab and shall consist of Permittee's Company name, taxi reservation phone number, taxicab number, credit card acceptance statement, "Authorized fare posted inside taxicab" statement, and other OCTAP approved markings. Such exterior markings shall be properly and neatly placed and easy to read (in contrasting colors).

Note: A credit card acceptance statement must state that the credit cards are accepted. Accepted credit cards must, at minimum, include the acceptance of MasterCard® and Visa®.

8.13.2. Permittee's Company name shall be placed on each side of Taxicab in letters not less than 3 inches in height (in contrasting colors).

8.13.3. Taxicab number shall be placed on each side and rear of the Taxicab in numbers not less than 3 inches in height

8.14. Mirrors.

Pursuant to California Vehicle Code § 26709.

8.15. Muffler.

Pursuant to California Vehicle Code § 27150(a).

8.16. Parking Brake.

Pursuant to California Vehicle Code § 26451.

8.17. Proof of Insurance.

Pursuant to California Vehicle Code § 16020 through 16028.

8.18. Radio.

8.18.1. Taxicabs shall be equipped with a two-way radio or cellular phone in working order.

8.19. Seat Belts.

Pursuant to California Vehicle Code § 27315. Additionally, Taxicab restraint system shall be maintained to OEM specifications and shall be in good working order.

8.20. Steering and Suspension System.

Steering and suspension system shall be in good mechanical order. (California Vehicle Code § 24002(a) (b)).

8.21. Taximeter and Meter Seals.

- 8.21.1. A taximeter in working order.
- 8.21.2. All taximeter seals shall be intact.
- 8.21.3. Taximeter shall be certified by the County Sealer of Weights and Measures. The date the meter was certified must be on the seal and shall not be more than 13 months old. Private meter seals (paper and lead) from a certified meter shop may be used during periods of fare adjustments or when a taximeter has been repaired. Such temporary meter seals shall be valid for thirty (30) days only. Taximeters marked with "Need to Repair" tags, or equivalent, will not be accepted. No temporary meter seals will be accepted when performing annual inspections.
- 8.21.4. Taximeter shall be placed in the Taxicab so that the reading dial showing the amount of fare to be charged shall be well lighted and easily read by the passenger.
- 8.21.5. A Taxicab shall be placed in an "Out of Service" status if the taximeter is not working, the seals are broken or missing, the date on the seal is missing or more than 13 months old, or the authorized fare is not being charged.
- 8.21.6. Taximeter shall not charge a fare other than the authorized fare.

8.22. Tires.

- 8.22.1. Pursuant to California Vehicle Code § 27465(b).
- 8.22.2. A jack, tire changing tool, and an inflated spare tire. A Company may be exempted from this requirement upon proof that the Permittee has a contract with a towing company and a policy in place to send another Taxicab for the stranded passengers.

8.23. Windows.

- 8.23.1. Front and rear windshield per California Vehicle Code § 26710.
- 8.23.2. Safety glass shall be in all windows.
- 8.23.3. Windows shall be operational as originally designed.
- 8.23.4. No window tinting on windshield or front side windows per California Vehicle Code § 26708. Furthermore, no window tinting shall be allowed to the rear side or rear windows except for OEM.

8.24. Windshield Wipers.

Pursuant to California Vehicle Code § 26707.

8.25. Foot Pedal Pads.

OEM rubber pads on all foot controls. Pads shall not be worn or deteriorated to the point that metal is showing.

8.26. California Vehicle Registration.

- 8.26.1. A valid registration per California Vehicle Code § 4462.
- 8.26.2. Registered as commercial Taxicabs per California Vehicle Code § 260.
- 8.26.3. Registered to the Permittee showing the same Permittee's name and address or registered to the OCTAP Permitted Driver showing the same Permitted Driver's name and address.

8.27. Vehicle Age.

Effective March 1, 2001, OCTAP shall not issue a Taxicab Permit for any vehicle older than ten (10) model years measured from the current calendar year (example: during calendar year 2000 vehicle must be model year 1990 or later). Vehicles older than ten (10) model years shall not be eligible to operate as a Taxicab under any condition.

8.28. Vehicle Maintenance and Records.

All Taxicabs shall, at a minimum, be maintained following the service standards recommended by the vehicle manufacturer. Service records and repair or maintenance receipts shall be kept and made available to OCTAP Staff upon request.

9. TAXICAB OPERATION

9.1. Direct Routes.

Driver shall carry a passenger to his/her destination only by the most direct and accessible route.

9.2. Receipt.

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.

9.3. Solicitation.

Driver shall not leave his/her Taxicab to solicit passengers.

9.4. Fares Charged.

Driver shall not charge fares or charges higher than those authorized in the OCTAP Regulations. Furthermore, the driver shall activate the taximeter and keep it activated at all times while carrying a fare-paying passenger.

9.5. Accidents.

In the case of an automobile accident, unless rendered incapable, all Drivers operating an OCTAP permitted Taxicab shall comply with the minimum requirements for the mandatory exchange of information established in California Vehicle Code § 16025.

9.6. Dispatch.

Company shall maintain and provide year-round, 24-hour live human response telephone service to provide trip reservation and taxi dispatch services, or referral services. Referral service may consist of service calls that are forwarded directly to another OCTAP Permitted Taxicab Company during hours of non-operation, provided that the Permittee has a written agreement with the receiving taxicab company. A referral service may also consist of a live-human response, providing the name and telephone number of another OCTAP permitted Taxicab Company. All calls to a company service line are to be answered within 5 rings.

9.7. Place of Business.

Company shall have a principle place of business from which it conducts its activities as a Taxicab Company and related activities. Multiple locations for other activities such as storage, maintenance/repair, etc., are allowed.

9.8. Credit Card Payment.

Company and all Drivers shall provide electronic processing of credit cards as a method of payment to customers. Accepted credit cards must, at minimum, include the acceptance of MasterCard® and Visa®. A customer's personal and credit card information may only be used, processed, disseminated, and retained in accordance with current laws.

9.9. Dispatch Information.

Company shall maintain the ability to provide OCTAP, upon request, the following service request and dispatch record information for each service request:

- Driver responding to service request, may identify driver using OCTAP Permit number;
- Location of pickup request, address, cross street, business name, etc;
- Identification of person taking service request;
- Date and time request was made. Record is to be time stamped with the time received, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system;
- Estimated arrival time, if any;
- Identification of Taxicab number sent (the Company must also, through a separate record, be able to identify the name of the Driver); and
- Time service request was sent to the driver. Record is to be time stamped with the time request was transmitted to a driver, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system.

The method that the company will use to maintain dispatch records is to be outlined in writing, and reviewed by OCTAP, as part of the permitting process.

9.10. Records Retention.

Company shall keep service request and dispatch records readily available to OCTAP for at least ninety (90) days.

9.11. Lost and Found.

Company shall have a written lost and found policy.

9.12. Complaints.

Company shall have a policy in place to receive complaints. The complaint policy must contain a mechanism for receiving complaints, investigation, and final resolution of complaints, as well as corrective actions. All complaints must be responded to in an expedient, responsible, and professional manner.

9.13. Refusal of Passengers.

A taxicab driver who is in service, not hired, and able to accommodate passengers, shall not refuse service to any passenger requesting transportation.

9.14. Additional Operational Requirements.

Nothing in this Section shall prohibit OCTAP or an Agency from requiring a Permittee or Driver to comply with such additional operational requirements for safe, efficient and courteous service for the traveling public.

OCTAP Vehicle Inspectors Guide

Vehicle Code Definitions for Clarification – Inspection Items

Item numbers are taken from the Vehicle Inspection Report (Regulation numbers will be added)

Item:

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 ()¹ **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 ()².

(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 ()³ **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.