

AMENDED IN ASSEMBLY APRIL 8, 2025

AMENDED IN ASSEMBLY MARCH 24, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1085

Introduced by Assembly Member Stefani

February 20, 2025

An act to amend Sections 5201 and 5201.1 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1085, as amended, Stefani. License plates: obstruction or alteration.

Existing law prohibits a person from erasing the reflective coating of, painting over the reflective coating of, or altering a license plate to avoid visual or electronic capture of the license plate or its characters by state or local law enforcement. Existing law prohibits a person from installing or affixing on a vehicle a casing, shield, frame, border, product, or other device that obstructs or impairs the reading or recognition of a license plate by an electronic device operated by state or local law enforcement, an electronic device operated in connection with a toll road, high-occupancy toll lane, toll bridge, or other toll facility, or a remote emission sensing device, as specified. Existing law also prohibits the sale of a product or device that obscures, or is intended to obscure, the reading or recognition of a license plate by visual means, or by an electronic device in violation of the above-described provisions. A conviction for a violation of this provision is punishable by a fine of two hundred fifty dollars \$250 per item sold or per violation. A violation of the Vehicle Code is a crime.

This bill would further prohibit a person from installing or affixing a shade or tint that obstructs the reading or recognition of a license plate by an electronic device operated by state or local law enforcement, an electronic device operated in connection with a toll road, high-occupancy toll lane, toll bridge, or other toll facility, or a remote emission sensing device, as specified. The bill would further prohibit the manufacture of these products and devices in the state and impose a ~~ten thousand dollars~~ \$10,000 \$2,500 fine per item sold or manufactured for a violation of these provisions. The bill would also make clarifying changes. By creating a new crime, this bill would impose a state-mandated local program.

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

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

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

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

- 1 SECTION 1. Section 5201 of the Vehicle Code is amended to
- 2 read:
- 3 5201. (a) License plates, including temporary license plates,
- 4 shall at all times be securely fastened to the vehicle for which they
- 5 are issued so as to prevent the plates from swinging, shall be
- 6 mounted in a position so as to be clearly visible, and so that the
- 7 characters are upright and display from left to right, and shall be
- 8 maintained in a condition so as to be clearly legible. The rear
- 9 license plate shall be mounted not less than 12 inches nor more
- 10 than 60 inches from the ground, and the front license plate shall
- 11 be mounted not more than 60 inches from the ground, except as
- 12 follows:
- 13 (1) The rear license plate on a tow truck or reposessor's tow
- 14 vehicle may be mounted on the left-hand side of the mast assembly
- 15 at the rear of the cab of the vehicle, not less than 12 inches nor
- 16 more than 90 inches from the ground.
- 17 (2) The rear license plate on a tank vehicle hauling hazardous
- 18 waste, as defined in Section 25117 of the Health and Safety Code,

1 or asphalt material may be mounted not less than 12 inches nor
2 more than 90 inches from the ground.

3 (3) The rear license plate on a truck tractor may be mounted at
4 the rear of the cab of the vehicle, but not less than 12 inches nor
5 more than 90 inches from the ground.

6 (4) The rear license plate of a vehicle designed by the
7 manufacturer for the collection and transportation of garbage,
8 rubbish, or refuse that is used regularly for the collection and
9 transportation of that material by a person or governmental entity
10 employed to collect, transport, and dispose of garbage, rubbish,
11 or refuse may be mounted not less than 12 inches nor more than
12 90 inches from the ground.

13 (5) The rear license plate on a two-axle livestock trailer may be
14 mounted 12 inches or more, but not more than 90 inches, from the
15 ground.

16 (6) (A) The rear license plate on a dump bed motortruck
17 equipped with a trailing, load bearing swing axle shall be mounted
18 more than 12 inches, but not more than 107 inches, from the
19 ground.

20 (B) As used in this section, a trailing, load bearing swing axle
21 is an axle which can be moved from a raised position to a position
22 behind the vehicle that allows for the transfer of a portion of the
23 weight of the vehicle and load to the trailing axle.

24 (b) Temporary license plates shall be replaced with permanent
25 license plates upon receipt of the permanent license plates, and
26 the temporary license plates shall be destroyed at that time.

27 (c) A covering shall not be used on license plates except as
28 follows:

29 (1) The installation of a cover over a lawfully parked vehicle
30 to protect it from the weather and the elements does not constitute
31 a violation of this subdivision. A peace officer or other regularly
32 salaried employee of a public agency designated to enforce laws,
33 including local ordinances, relating to the parking of vehicles may
34 temporarily remove so much of the cover as is necessary to inspect
35 any license plate, tab, or indicia of registration on a vehicle.

36 (2) The installation of a license plate security cover is not a
37 violation of this subdivision if the device does not obstruct or
38 impair the recognition of the license plate information, including,
39 but not limited to, the issuing state, license plate number, and
40 registration tabs, and the cover is limited to the area directly over

1 the top of the registration tabs. No portion of a license plate security
2 cover shall rest over the license plate number.

3 (d) A casing, shield, frame, border, shade, tint, product, or other
4 device that obstructs or impairs the reading or recognition of a
5 license plate by an electronic device operated by state or local law
6 enforcement, an electronic device operated in connection with a
7 toll road, high-occupancy toll lane, toll bridge, or other toll facility,
8 or a remote emission sensing device, as specified in Sections 44081
9 and 44081.6 of the Health and Safety Code, shall not be installed
10 on, or affixed to, a vehicle.

11 (e) (1) It is the intent of the Legislature that an accommodation
12 be made to persons with disabilities and to those persons who
13 regularly transport persons with disabilities, to allow the removal
14 and relocation of wheelchair lifts and wheelchair carriers without
15 the necessity of removing and reattaching the vehicle's rear license
16 plate. Therefore, it is not a violation of this section if the reading
17 or recognition of a rear license plate is obstructed or impaired by
18 a wheelchair lift or wheelchair carrier and all of the following
19 requirements are met:

20 (A) The owner of the vehicle has been issued a special
21 identification license plate pursuant to Section 5007, or the person
22 using the wheelchair that is carried on the vehicle has been issued
23 a distinguishing placard under Section 22511.55.

24 (B) (i) The operator of the vehicle displays a decal, designed
25 and issued by the department, that contains the license plate number
26 assigned to the vehicle transporting the wheelchair.

27 (ii) The decal is displayed on the rear window of the vehicle,
28 in a location determined by the department, in consultation with
29 the Department of the California Highway Patrol, so as to be clearly
30 visible to law enforcement.

31 (2) Notwithstanding any other law, if a decal is displayed
32 pursuant to this subdivision, the requirements of this code that
33 require the illumination of the license plate and the license plate
34 number do not apply.

35 (3) The department shall adopt regulations governing the
36 procedures for accepting and approving applications for decals,
37 and issuing decals, authorized by this subdivision.

38 (4) This subdivision does not apply to a front license plate.

39 (f) This section shall become operative January 1, 2019.

1 SEC. 2. Section 5201.1 of the Vehicle Code is amended to
2 read:

3 5201.1. (a) A person shall not sell or manufacture a product
4 or device in this state that obscures, or is intended to obscure, the
5 reading or recognition of a license plate by visual means, or by an
6 electronic device as prohibited by subdivision (c) or (d) of Section
7 5201.

8 (b) A person shall not operate a vehicle with a product or device
9 that violates subdivision (a).

10 (c) A person shall not erase the reflective coating of, paint over
11 the reflective coating of, or alter a license plate to avoid visual or
12 electronic capture of the license plate or its characters.

13 (d) (1) A conviction for a violation of subdivision (a) is
14 punishable by a fine of ~~ten thousand dollars (\$10,000)~~ *two thousand*
15 *five hundred dollars (\$2,500)* per item sold or manufactured.

16 (2) A conviction for a violation of subdivision (b) or (c) is
17 punishable by a fine of two hundred fifty dollars (\$250) per
18 violation.

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