



DEEMED TO COMPLY: Firefighter Driver Licensing In California

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December 14, 2011

To: Members of the Volunteer Committee
From: Ron Coleman, Chairman
Subject: Statewide Application of DMV Rules, Regulations and Recommended Compliance Practices

Executive Summary

The issue of proper training, education and qualifications for apparatus operators is a key issue. National statistics have demonstrated time after time that apparatus accidents are a leading cause of firefighter injury and fatality. This document is being provided to the volunteer fire service as a tool to assure high quality consideration for apparatus operators who are chauffeuring emergency vehicles under emergency conditions. The document consists of a problem statement, documents from the DMV, and documents from the State Fire Marshal's Office, samples of program activity in the field and a recommended course of action by a local fire chief.

This document is not intended to be a legal reference but rather a supportive document for the training and education of the volunteer fire service.

Introduction

Assembly Bill 1648 was authored by Assemblyman Jeff Jeffries in order to clarify the licensing requirements for a firefighter in the operation of fire department equipment. A copy of that Bill is attached to this position paper. (Appendix)

Problem Statement

Recently we have been notified by members of the volunteer fire service that there are areas of the state that are interpreting this law in a fashion that is having negative impact on local volunteer firefighters. This was brought to our attention by an attendee at the Redding Workshop. These local interpretations are being provided by a variety of authorities ranging from the CHP, DMV and in some cases local fire authorities. Some of these interpretations are contradictory to the intent of Assembly Bill 1648.

The purpose of this position paper is to provide a fundamental document for each volunteer fire chief as to what the law states and what the authorities are with respect to the interpretation of this law and to develop a set of recommended compliance practices. This inconsistency makes it more difficult for the volunteer fire service to function. The issue needs to be remedied on a statewide level. Adoption of some recommended practices should help with consistency in providing firefighter safety.

Jeff Gilbert, serving as Liaison for the Volunteer Committee, has provided a contact number for DMV. It is: Mark Ferguson, 916-657-8209. John Crivello added the name of Tim Marrison. Both of these individuals have been contacted. The DMV Representatives that worked on this document include Kala Peterson.

They have been given a copy of this document for their review.

CSFA POSITION ON INTERPRETATION OF THE LAW

In preparation of this material by the CSFA Volunteer Committee a Subcommittee was created. It is listed below. The intent is to provide a document to interested volunteer fire chiefs that will allow them to proceed to resolve this issue locally. The CSFA Subcommittee is as follows:

Ronny J. Coleman
Jeff Gilbert
Bill Haars
John Crivello
Afrack Vargas
cc: Mike Richwine, CSFM
Bob Pearce
Jerry Hlavac
Tim Marrison

COMMUNICATIONS FROM DMV

Two documents have been brought to our attention that are published by DMV. The first of these is called "Change in Restricted Firefighter License DL2011-04" published Feb 8th, 2011, and the second is entitled "Firefighter Endorsement Test DL2011-20" published June 8th, 2011. Both of these documents are now in the appendix of this document.

SFM INFORMATION

A meeting was conducted with Mike Richwine and Mary Wilshire from State Fire Training to determine what information is currently available as guidance. The Fire Marshal's Office does not believe that it should be providing information on DMV policy as a professional courtesy to DMV. Therefore, their position on this issue is to give us information that should be useful in achieving compliance but is not intended to be a statement of DMV policy. If you go to the Fireline Special Notices, www.osfm.fire.ca.gov there is a notice entitled "Firefighter Licensing Impacts, Firefighter Driver/Operator 1A Course".

This special notice identifies the new prerequisites for Fire Apparatus Driver/Operator 1A. Originally, a restricted license was a prerequisite to attend Firefighter 1A and to be certified. This bulletin clearly states that there are now two options for a person to enter and take the certified Driver/Operator course. They are as follows:

Option 1:

Hold a California Class C driver's license and a signed verification of driving fire apparatus on a public way signed by you and your Fire Chief. This form is attached and also available on our website under "Forms and Information."

Option 2:

Hold a California Class A, B, or C driver's license with the firefighter endorsement.

As a result of providing these two options, the Fire Marshal's Office has now issued replacement pages for the instructor guide and student supplement. These replacement pages can be downloaded from the "Instructor's Corner" on the CSFM website. Additional questions that might arise from looking at these replacement pages can be clarified by contacting Mary Wilshire at 916-327-2129.

LOCAL ABILITY TO PROVIDE TRAINING

The law provides the opportunity for the local fire chief or the local county Training Officers Association (Fire Chiefs Association) to approve individuals who are operating under their department's purview to conduct the training. This training should comply with the minimum NFPA Standard for Driver/Operator.

AB 1648 states "that applicants to meet the driver training requirements shall complete a State Fire Marshal Fire Apparatus Driver/Operator 1A course that meets **Chapter 4 of NFPA 1002.**" **Section 4.3.1 of NFPA Chapter 4 requires driving on a public way, which is not part of the Driver/Operator 1A course. Therefore, verification of driving experience on a public way must be provided prior to attending the class.** The bolded sentence of this paragraph is extremely important. The reason that it is important is that this does not say that you have to complete a *certified* Driver 1A course.

The following is the sections of NFPA 4.3.1 that a fire chief needs to verify when they are approving an individual from their department:

4.3.1 Operate a fire department vehicle, given a vehicle and a predetermined route on a public way that incorporates the maneuvers and features specified in the following list, that the driver/operator is expected to encounter during normal operations, so that the vehicle is operated in compliance with all applicable state and local laws, departmental rules and regulations, and the requirements of NFPA 1500, Section 4.2

- (1) Four left turns and four right turns
- (2) A straight section of urban business street or a two-lane rural road at least 1 mile in length
- (3) One through-intersection and two intersections where a stop has to be made
- (4) One railroad crossing
- (5) One curve, either left or right
- (6) A section of limited-access highway that includes a conventional ramp entrance and exit and a section of road long enough to allow two lane changes
- (7) A downgrade steep enough and long enough to require down-shifting and braking
- (8) An upgrade steep enough and long enough to require gear changing to maintain speed
- (9) One underpass or a low clearance or bridge

A fire department vehicle for this section requires a GVWR greater than 26,000 pounds.

What this now means is that fire chiefs are in the position of verifying that they are the person who is certifying that their firefighter meets these minimum requirements. The State Fire Marshal has a model

letter on their website that outlines these prerequisite requirements and provides a letter format that can be downloaded and forwarded if and when a person applies to take Fire Apparatus Driver/Operator 1A Course for certification.

NOTABLY, a local fire chief or a county training officers association can conduct this training without ever applying for certification. That would be a state mandate and is not included in the law. However, that doesn't preclude the local fire department from using the training materials that are already available in the system.

FIRE APPARATUS DRIVER/OPERATOR 1A – SFM RESOURCES

The Fire Marshal's Office provides the following written information on Fire Apparatus Driver/Operator 1A Course:

- Fire Apparatus Driver/Operator Instructor Guide January 2011 @ 35\$
- Fire Apparatus Driver/Operator Student Manual @ 20\$
- Fire Apparatus Driver/Operator Power Point Slides October 2008 85\$
- Fire Apparatus Driver/Operator 1A Emergency Vehicle Operations Student Supplement Replacement Pages Free
- These items can be purchased one time and used by the individual department. The cost is about \$140.00
- Costs of Certification by CSFM 65\$

In summary what is required in the training is to meet certain performance requirements stated in the law. These are consistent with the performance requirements of a person seeking certification but they are not as inclusive. A person does not have unless they want to be.

2ND MEETING

After preparing the first several drafts of this position paper Tim Marrison, Assistant Fire Chief of Los Banos suggested a meeting to be held with DMV to clarify the issues more clearly. This meeting was held on October 19th, 2011. As a result of that discussion a series of illustrations were created that describe 7 different aspects of the process. They include:

1. Class C License, adding a firefighter endorsement
2. Class C with Firefighter Endorsement upgrading to a commercial A/B/C with firefighter Endorsement
3. Commercial A/B/C with Firefighter Endorsement downgrading to non-Commercial A/B/C with Firefighter Endorsement.
4. Commercial Class A/B/C Adding Firefighter Endorsement
5. Restricted Class A/B Firefighter License at time of renewal
6. Requirement to be a Fire Department Approved Driver Trainer/Evaluator
7. What are the Two Options available to obtain a Class C Firefighter Endorsement

Chief Marrison is prepared to hold a workshop in Los Banos on this entire topic in February 7th 2012. The program will start at 1000 and be over at noon. The location will be 645 7th Street, Los Banos, 93635. There is a power point presentation that will be available at the time. Attendees will be given an opportunity to ask questions. The charts of these processes are listed in the next pages.

Figure 1 - Class C License, Adding a Firefighter Endorsement

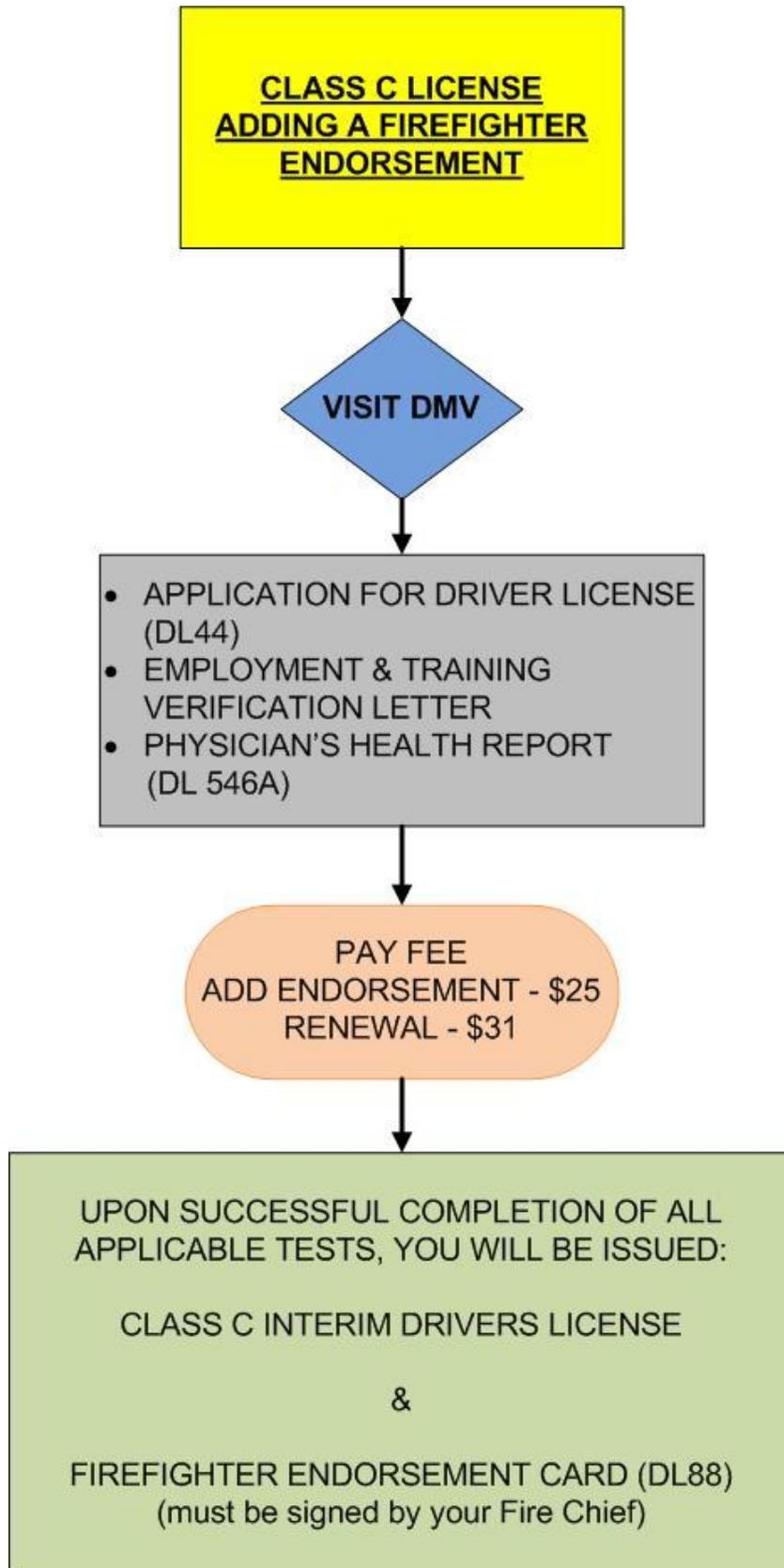


Figure 2 - Class C with Firefighter Endorsement upgrading to a Commercial A/B/C with Firefighter Endorsement

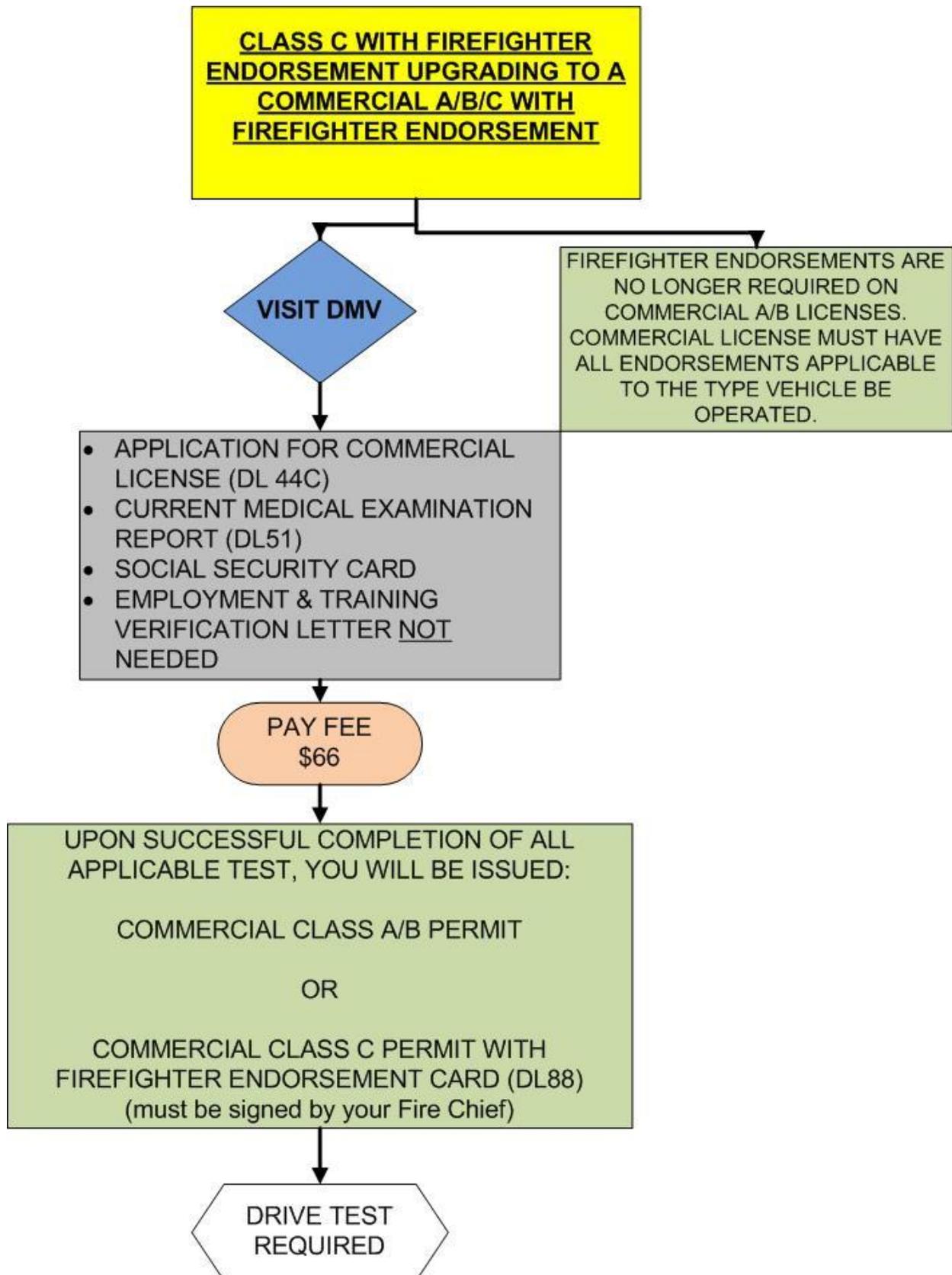


Figure 3 - Commercial Class A/B/C with a Firefighter Endorsement Downgrading to a Non-Commercial A/B/C with the Firefighter Endorsement

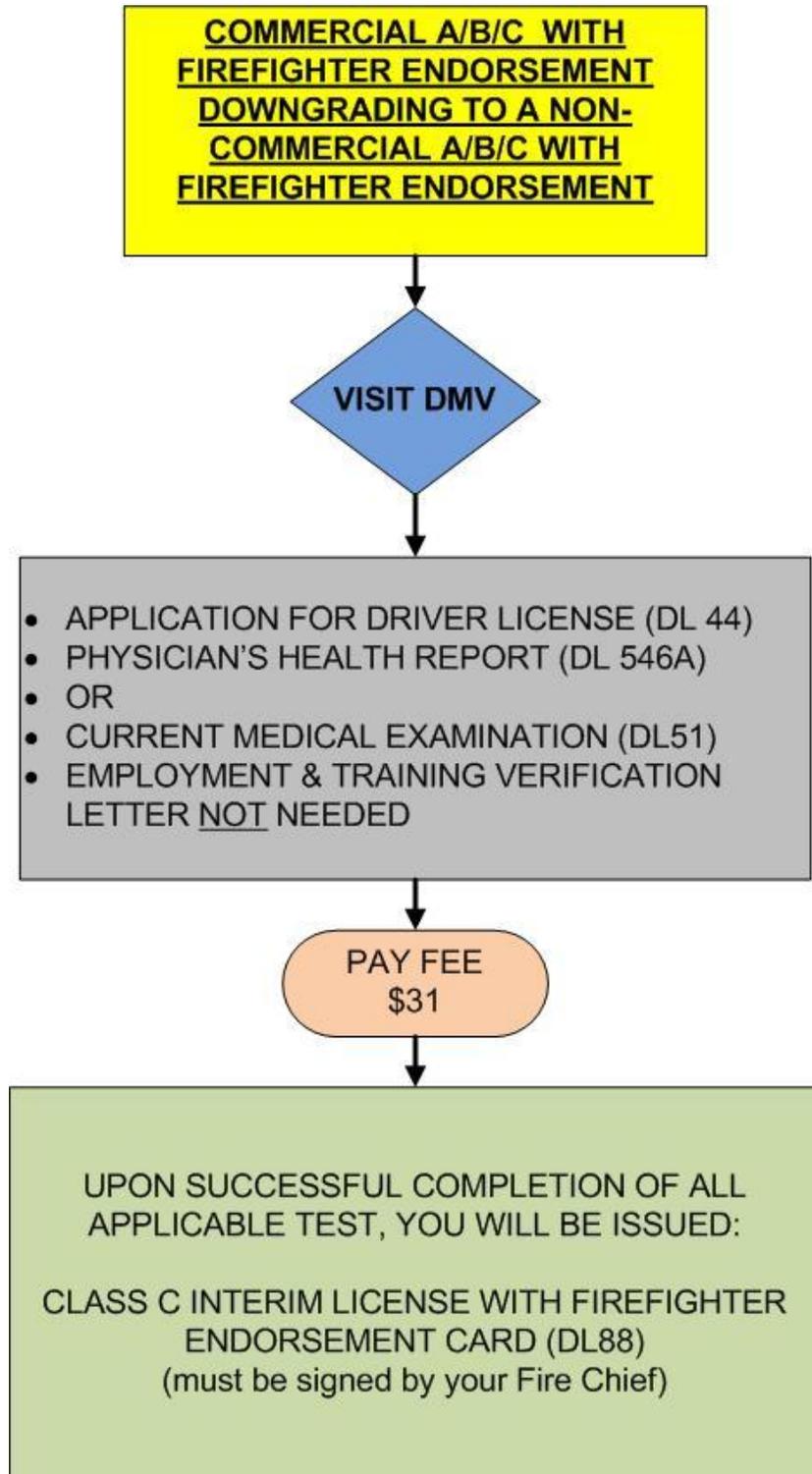


Figure 4 – Commercial Class A/B/C Adding Firefighter Endorsement

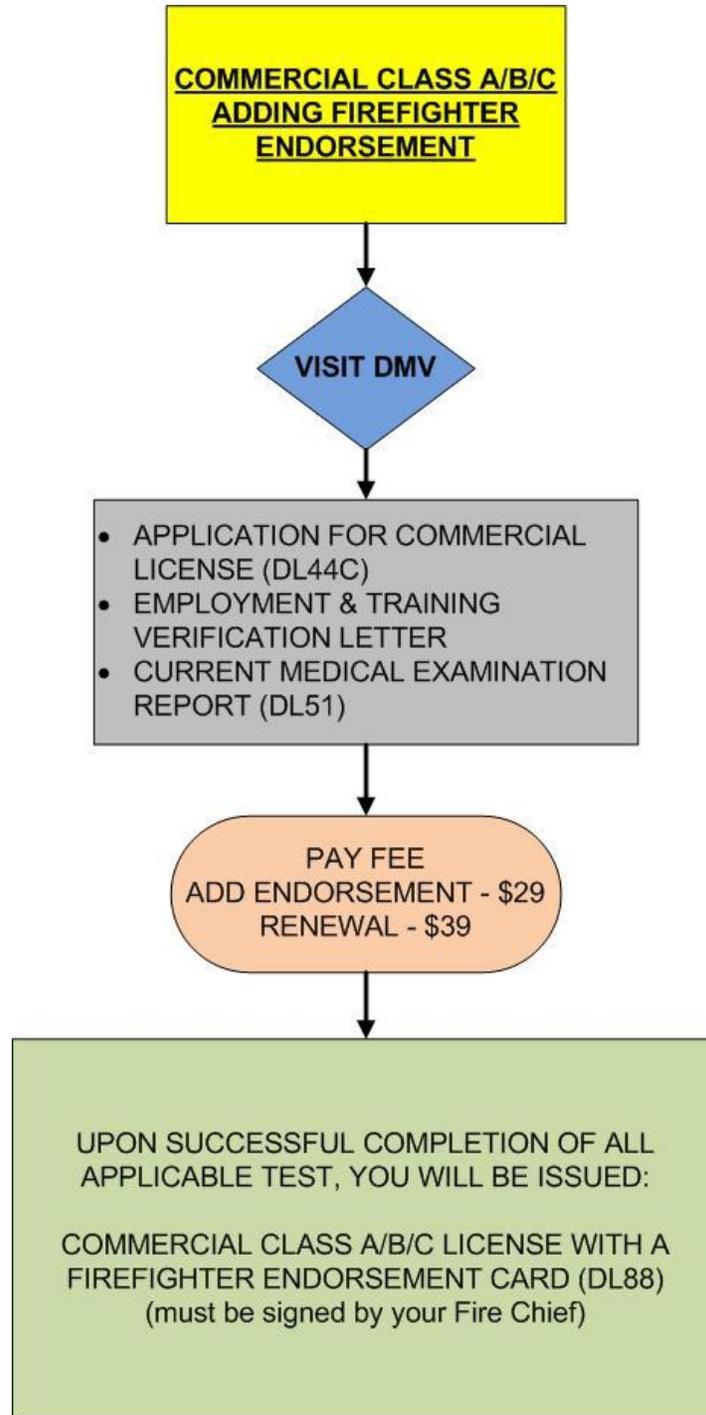


Figure 5 - Restricted Class A/B Firefighter License at Time of Renewal

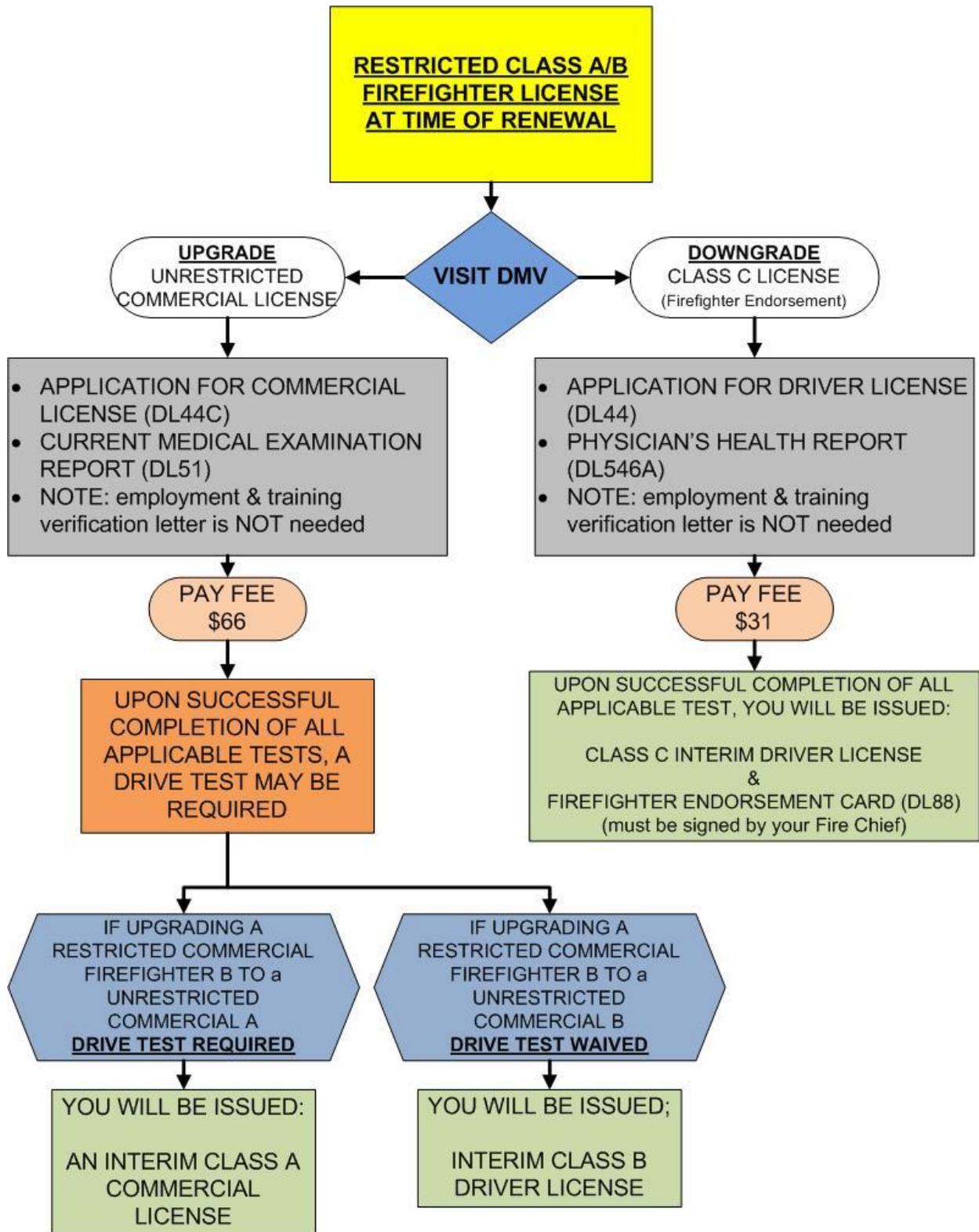


Figure 6 - Requirements to be a Fire Department Approved Driver Trainer/Evaluator

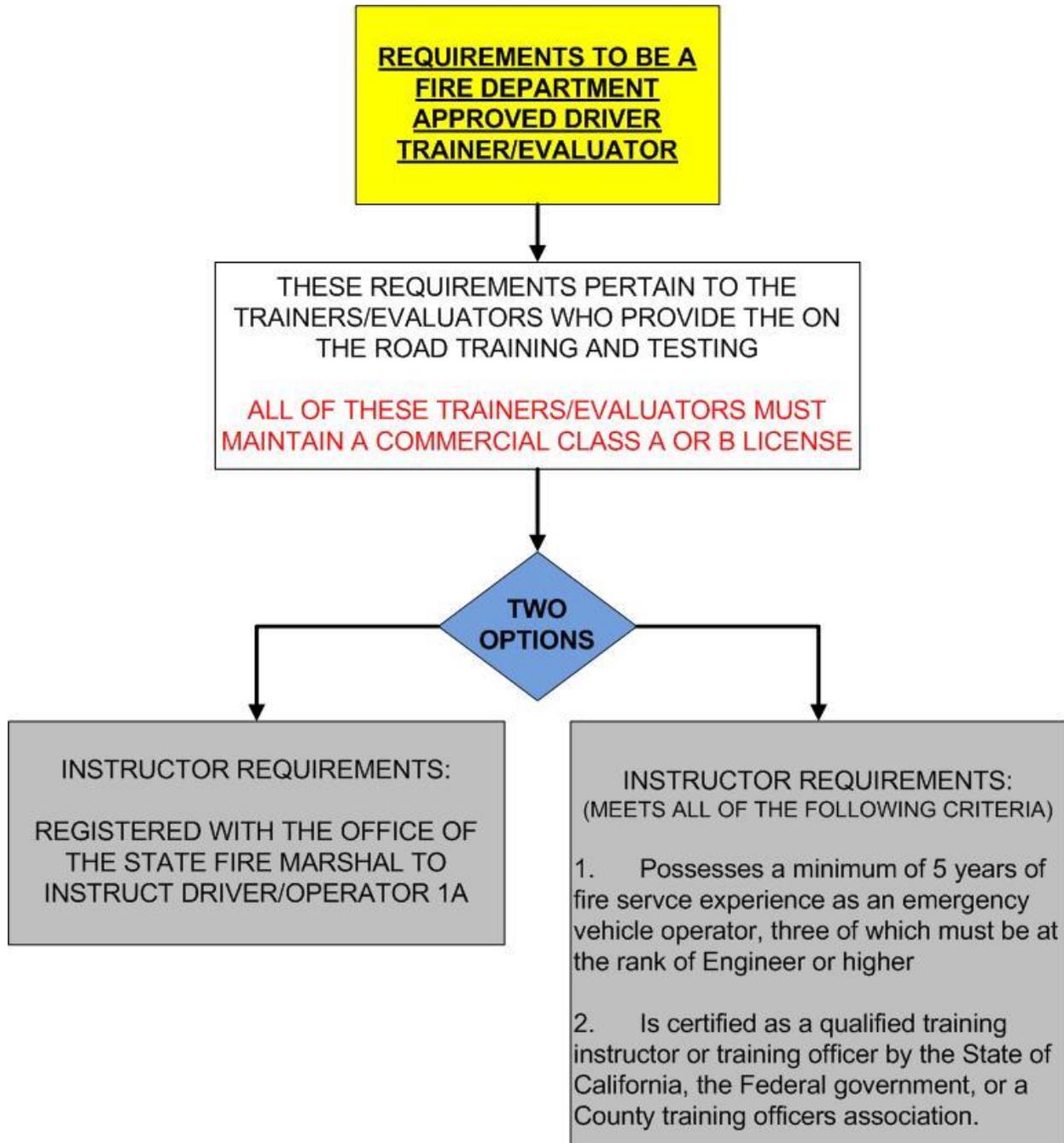
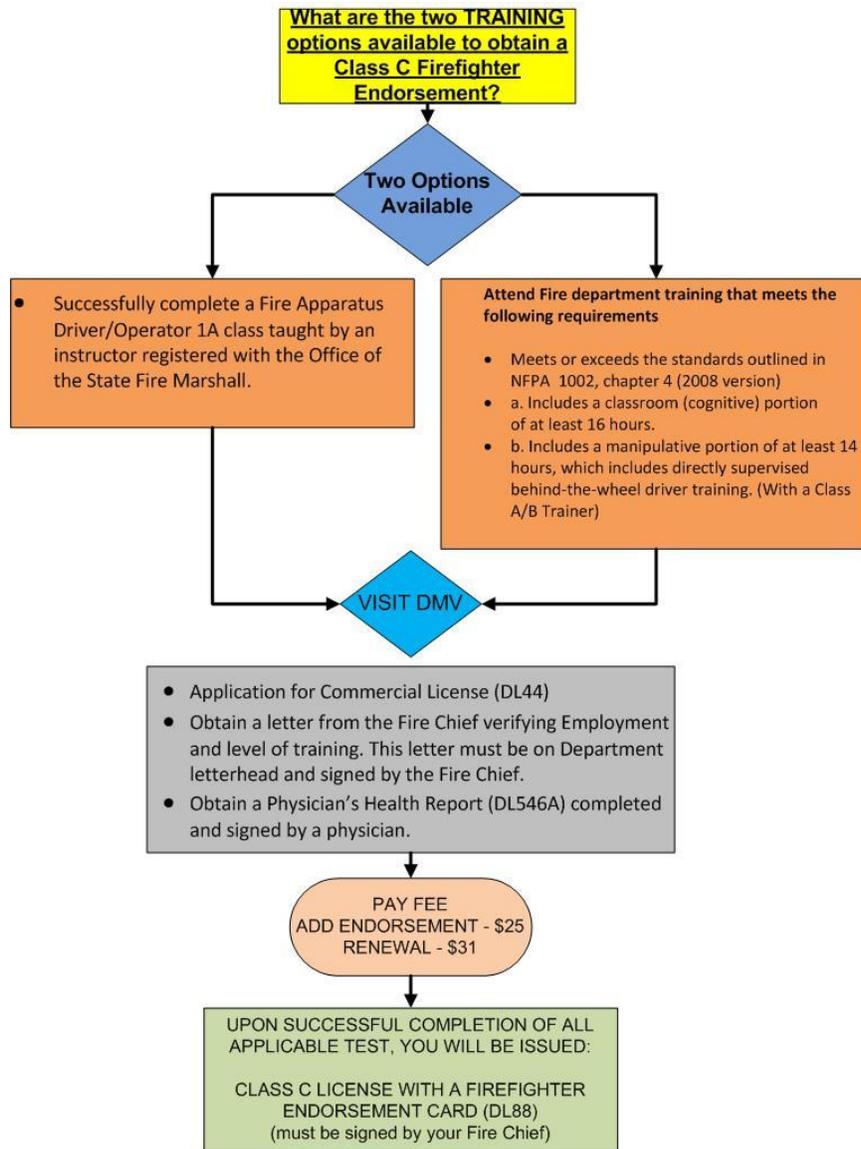


Figure 7 - Two Training Options



SUMMARY

In summary, this is the best information we have available on the statewide application of DMV rules, regulations and recommended compliance practices.

There are some implications of this process that need to be studied further.

That issue is discussed in the Recommended Action area of this document.

SAMPLES OF LOCAL PRACTICES TO IMPLEMENT THESE PROVISIONS

TULARE COUNTY TRAINING PACKAGE

John Crivello from Tulare County has provided us with a Driver Operator Training Package currently in use in Tulare Kings County Fire Departments. Subcommittee members should review the appendix in this document to get a flavor for what has been done in that region.

SAN DIEGO COUNTY POLICY

The San Diego County Policy has been forwarded to the committee. Please refer to the appendices to review that document to see how they have put these practices into place.

FIRE DISTRICT ASSOCIATION OF CALIFORNIA (FDAC)

The FDAC forwarded a copy of a power point presentation that they created to help share information. It is entitled "California Firefighters Drivers Licensing". See appendix for the detail.

SOLANO COUNTY DOCUMENTS

Chief Cherie Rita has provided us with a set of documents that have been adopted by Solano County Training Officers Association. Please see appendix.

WEAVERVILLE FIRE DEPARTMENT POLICY

The Weaverville Fire Department provided the committee with a spreadsheet that they use as a check off for their driver. It is designed so that as the evaluator checks off the driver during evaluation it calculates the score automatically. It is being reproduced in the appendix as a word document but in actuality it is a spreadsheet.

RECOMMENDED ACTION BY LOCAL FIRE CHIEF

After collecting all of this information, it is abundantly clear that there are lots of opportunities for people to misunderstand, misinterpret or misapply what is being required. The feedback I have received from members of the committee is that many of them wished they hadn't made such a complicated process early on because now they have to retrench. Others state that they think the system is way too complicated and needs to be simplified.

Like almost every other program that affects the fire service, the answer is probably somewhere in between.

Based on my interviews with those of you who submitted information and specifically the fire marshal's office, there is room for at least one more attempt to simplify and clarify the requirement. In those counties that have aggressive training officers, who have developed complex systems, they may not wish to do anything if they are obtaining compliance.

Here are what appear to be the basic requirements:

Step 1

Determine whether or not you are going to respond to this issue as an individual fire department or as a member of a regional/county training officers or fire chiefs association.

Step 2

Determine the number of individuals that will require opportunity to obtain this licensing over the next 18 months. Develop a submission process for your individual members. Examples are included in Solano and Tulare County Appendices.

Step 3

Identify those individuals in your department (or county) that are qualified to conduct the training to meet the NFPA criterion as stated earlier. There are several samples contained in the Appendices for an approach to this process.

Step 4

Determine a submission process to be used by your department or by the region to submit records to DMV.

Step 5

Conduct local training to meet NFPA criterion as stated earlier. Develop a check sheet on knowledge skills and abilities for use by the instructor to be included in submittal packets. Or:

Conduct a SFM Approved DO1A Class with a CSFM Approved Instructor

Step 6

If there are members of the organization that desire to move on and actually receive certification at Driver Operator Level 1A provide the endorsement letter as identified on the State Fire Marshal's website.

Step 7

Have individuals submit paperwork to DMV. This will have to be accompanied by fees.

IMPLICATION:

There is a built-in dilemma created by this process. While this process does eliminate the Class B Driver License for the day to day operations of fire agencies there may be a longer term concern being created. Current state law requires that the Trainer /Evaluators MUST Maintain a Commercial Class A or B License. What happens when the current cadre retires and/or leaves the program? Those that they train and evaluate have little incentive to move up to the Class A or B Category.

APPENDIX: ASSEMBLY BILL NO. 1648

CHAPTER 360

An act to amend Sections 1808.1, 12804.9, and 15278 of, to add Section 12804.11 to, and to repeal Sections 12954, 15250.6, and 15250.7 of, the Vehicle Code, relating to vehicles.

[Approved By Governor September 25, 2010. Filed with
Secretary of State September 27, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1648, Jeffries. Vehicles: firefighter's operation of firefighting equipment: driver records.

(1) Existing law prohibits a person from operating firefighting equipment unless that person has in his or her possession a valid driver's license for the appropriate class of vehicle operated.

Existing law requires an applicant for a driver's license to submit to an examination appropriate to the class of vehicle the applicant desires to drive. Class B vehicles include, among others, a vehicle with a gross vehicle weight rating (GVWR) of more than 26,000 pounds. Successful completion of the examination to drive a class B vehicle qualifies the person to operate all vehicles covered under class C. Class C vehicles include, among others, a vehicle with a GVWR of 26,000 pounds or less.

This bill would revise and recast the provisions regulating the operation of firefighting equipment, as defined, to permit certain persons employed as a firefighter or registered as a volunteer firefighter to operate firefighting equipment only if the person holds a class A, class B, or class C license, with certain exceptions, and a firefighter endorsement issued by the Department of Motor Vehicles, after providing to the department proof of current employment or registration as a volunteer firefighter with a fire department and evidence of fire equipment operation training, as specified, passing the written firefighter examination developed by the department with the cooperation of the Office of the State Fire Marshal, and submitting a report of medical examination on a department-approved form.

(2) Existing law requires an employer of a driver who drives a specified vehicle, including a vehicle for which the driver is required to have a class A or B license, to participate in a pull-notice system, for the purpose of providing the employer with a report that shows, among other things, the driver's current public record as recorded by the department. Existing law requires a fee to accompany a request to participate in the pull-notice system.

This bill would exempt a fire department, as described, from paying the requisite fee to participate in the pull-notice system.

The bill would make related changes.

(3) This bill would incorporate additional changes in Section 1808.1 of the Vehicle Code proposed by AB 2777 to be operative only if AB 2777 and this bill are both chaptered and become effective on or before January 1, 2011, and this bill is chaptered last.

(4) This bill would incorporate additional changes in Section 12804.9 of the Vehicle Code proposed by SB 1475 to be operative only if SB 1475 and this bill are both chaptered and become effective on or before January 1, 2011, and this bill is chaptered last.

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

SECTION 1. Section 1808.1 of the Vehicle Code is amended to read:

1808.1. (a) The prospective employer of a driver who drives a vehicle specified in subdivision (k) shall obtain a report showing the driver's current public record as recorded by the department. For purposes of this subdivision, a report is current if it was issued less than 30 days prior to the date the employer employs the driver. The report shall be reviewed, signed, and dated by the employer and maintained at the employer's place of business until receipt of the pull-notice system report pursuant to subdivisions (b) and (c). These reports shall be presented upon request to an authorized representative of the Department of the California Highway Patrol during regular business hours.

(b) The employer of a driver who drives a vehicle specified in subdivision (k) shall participate in a pull-notice system, which is a process for the purpose of providing the employer with a report showing the driver's current public record as recorded by the department, and any subsequent convictions, failures to appear, accidents, driver's license suspensions, driver's license revocations, or any other actions taken against the driving privilege or certificate, added to the driver's record while the employer's notification request remains valid and uncanceled. As used in this section, participation in the pull-notice system means obtaining a requester code and enrolling all employed drivers who drive a vehicle specified in subdivision (k) under that requester code.

(c) The employer of a driver of a vehicle specified in subdivision (k) shall, additionally, obtain a periodic report from the department at least every 12 months. The employer shall verify that each employee's driver's license has not been suspended or revoked, the employee's traffic violation point count, and whether the employee has been convicted of a violation of Section 23152 or 23153. The report shall be signed and dated by the employer and maintained at the employer's principal place of business. The report shall be presented upon demand to an authorized representative of the Department of the California Highway Patrol during regular business hours.

(d) Upon the termination of a driver's employment, the employer shall notify the department to discontinue the driver's enrollment in the pull-notice system.

(e) For the purposes of the pull-notice system and periodic report process required by subdivisions (b) and (c), an owner, other than an owner-operator as defined in Section 34624, and an employer who drives a vehicle described in subdivision (k) shall be enrolled as if he or she were an employee. A family member and a volunteer driver who drives a vehicle described in subdivision (k) shall also be enrolled as if he or she were an employee.

(f) An employer who, after receiving a driving record pursuant to this section, employs or continues to employ as a driver a person against whom a disqualifying action has been taken regarding his or her driving privilege or required driver's certificate, is guilty of a public offense, and upon conviction thereof, shall be punished by confinement in a county jail for not more than six months, by a fine of not more than one thousand dollars (\$1,000), or by both that confinement and fine.

(g) As part of its inspection of bus maintenance facilities and terminals required at least once every 13 months pursuant to subdivision (c) of Section 34501, the Department of the California Highway Patrol shall determine whether each transit operator, as defined in Section 99210 of the Public Utilities Code, is then in compliance with this section and Section 12804.6, and shall certify each operator found to be in compliance. Funds shall not be allocated pursuant to Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the Public Utilities Code to a transit operator that the Department of the California Highway Patrol has not certified pursuant to this section.

(h) (1) A request to participate in the pull-notice system established by this section shall be accompanied by a fee determined by the department to be sufficient to defray the entire actual cost to the department for the notification service. For the receipt of subsequent reports, the employer shall also be charged a fee established by the department pursuant to Section 1811. An employer who qualifies pursuant to Section 1812 shall be exempt from any fee required pursuant to this section. Failure to pay the fee shall result in automatic cancellation of the employer's participation in the notification services.

(2) A regularly organized fire department, having official recognition of the city, county, city and county, or district in which the department is located shall participate in the pull-notice program and shall not be subject to the fee established pursuant to this subdivision.

(i) The department, as soon as feasible, may establish an automatic procedure to provide the periodic reports to an employer by mail or via an electronic delivery method, as required by subdivision (c), on a regular basis without the need for individual requests.

(j) (1) The employer of a driver who is employed as a casual driver is not required to enter that driver's name in the pull-notice system, as otherwise required by subdivision (a). However, the employer of a casual driver shall be in possession of a report of the driver's current public record as recorded by

the department, prior to allowing a casual driver to drive a vehicle specified in subdivision (k). A report is current if it was issued less than six months prior to the date the employer employs the driver.

(2) For the purposes of this subdivision, a driver is employed as a casual driver when the employer has employed the driver less than 30 days during the preceding six months. "Casual driver" does not include a driver who operates a vehicle that requires a passenger transportation endorsement.

(k) This section applies to a vehicle for the operation of which the driver is required to have a class A or class B driver's license, a class C license with a hazardous materials endorsement, a class C license issued pursuant to Section 12814.7, or a certificate issued pursuant to Section 2512, 12517, 12519, 12520, 12523, or 12523.5, or a passenger vehicle having a seating capacity of not more than 10 persons, including the driver, operated for compensation by a charter-party carrier of passengers or passenger stage corporation pursuant to a certificate of public convenience and necessity or a permit issued by the Public Utilities Commission.

(l) This section shall not be construed to change the definition of "employer," "employee," or "independent contractor" for any purpose.

(m) A motor carrier who contracts with a person to drive a vehicle described in subdivision (k) that is owned by, or leased to, that motor carrier, shall be subject to subdivisions (a), (b), (c), (d), (f), (j), (k), and (l) and the employer obligations in those subdivisions.

SEC. 1.5. Section 1808.1 of the Vehicle Code is amended to read:

1808.1. (a) The prospective employer of a driver who drives a vehicle specified in subdivision (k) shall obtain a report showing the driver's current public record as recorded by the department. For purposes of this subdivision, a report is current if it was issued less than 30 days prior to the date the employer employs the driver. The report shall be reviewed, signed, and dated by the employer and maintained at the employer's place of business until receipt of the pull-notice system report pursuant to subdivisions (b) and (c). These reports shall be presented upon request to an authorized representative of the Department of the California Highway Patrol during regular business hours.

(b) The employer of a driver who drives a vehicle specified in subdivision (k) shall participate in a pull-notice system, which is a process for the purpose of providing the employer with a report showing the driver's current public record as recorded by the department, and any subsequent convictions, failures to appear, accidents, driver's license suspensions, driver's license revocations, or any other actions taken against the driving privilege or certificate, added to the driver's record while the employer's notification request remains valid and uncanceled. As used in this section, participation in the pull-notice system means obtaining a requester code and enrolling all employed drivers who drive a vehicle specified in subdivision (k) under that requester code.

(c) The employer of a driver of a vehicle specified in subdivision (k) shall, additionally, obtain a periodic report from the department at least every 12 months. The employer shall verify that each employee's driver's license has not been suspended or revoked, the employee's traffic violation point count, and whether the employee has been convicted of a violation of Section 23152 or 23153. The report shall be signed and dated by the employer and maintained at the employer's principal place of business. The report shall be presented upon demand to an authorized representative of the Department of the California Highway Patrol during regular business hours.

(d) Upon the termination of a driver's employment, the employer shall notify the department to discontinue the driver's enrollment in the pull-notice system.

(e) For the purposes of the pull-notice system and periodic report process required by subdivisions (b) and (c), an owner, other than an owner-operator as defined in Section 34624, and an employer who drives a vehicle described in subdivision (k) shall be enrolled as if he or she were an employee. A family member and a volunteer driver who drives a vehicle described in subdivision (k) shall also be enrolled as if he or she were an employee.

(f) An employer who, after receiving a driving record pursuant to this section, employs or continues to employ as a driver a person against whom a disqualifying action has been taken regarding his or her driving privilege or required driver's certificate, is guilty of a public offense, and upon conviction thereof,

shall be punished by confinement in a county jail for not more than six months, by a fine of not more than one thousand dollars (\$1,000), or by both that confinement and fine.

(g) As part of its inspection of bus maintenance facilities and terminals required at least once every 13 months pursuant to subdivision (c) of Section 34501, the Department of the California Highway Patrol shall determine whether each transit operator, as defined in Section 99210 of the Public Utilities Code, is then in compliance with this section and Section 12804.6, and shall certify each operator found to be in compliance. Funds shall not be allocated pursuant to Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the Public Utilities Code to a transit operator that the Department of the California Highway Patrol has not certified pursuant to this section.

(h) (1) A request to participate in the pull-notice system established by this section shall be accompanied by a fee determined by the department to be sufficient to defray the entire actual cost to the department for the notification service. For the receipt of subsequent reports, the employer shall also be charged a fee established by the department pursuant to Section 1811. An employer who qualifies pursuant to Section 1812 shall be exempt from any fee required pursuant to this section. Failure to pay the fee shall result in automatic cancellation of the employer's participation in the notification services.

(2) A regularly organized fire department, having official recognition of the city, county, city and county, or district in which the department is located, shall participate in the pull-notice program and shall not be subject to the fee established pursuant to this subdivision.

(i) The department, as soon as feasible, may establish an automatic procedure to provide the periodic reports to an employer by mail or via an electronic delivery method, as required by subdivision (c), on a regular basis without the need for individual requests.

(j) (1) The employer of a driver who is employed as a casual driver is not required to enter that driver's name in the pull-notice system, as otherwise required by subdivision (a). However, the employer of a casual driver shall be in possession of a report of the driver's current public record as recorded by the department, prior to allowing a casual driver to drive a vehicle specified in subdivision (k). A report is current if it was issued less than six months prior to the date the employer employs the driver.

(2) For the purposes of this subdivision, a driver is employed as a casual driver when the employer has employed the driver less than 30 days during the preceding six months. "Casual driver" does not include a driver who operates a vehicle that requires a passenger transportation endorsement.

(k) This section applies to a vehicle for the operation of which the driver is required to have a class A or class B driver's license, a class C license with a hazardous materials endorsement, a class C license issued pursuant to Section 12814.7, or a certificate issued pursuant to Section 12517, 12519, 12520, 12523, 12523.5, or 12527, or a passenger vehicle having a seating capacity of not more than 10 persons, including the driver, operated for compensation by a charter-party carrier of passengers or passenger stage corporation pursuant to a certificate of public convenience and necessity or a permit issued by the Public Utilities Commission.

(l) This section shall not be construed to change the definition of "employer," "employee," or "independent contractor" for any purpose.

(m) A motor carrier who contracts with a person to drive a vehicle described in subdivision (k) that is owned by, or leased to, that motor carrier, shall be subject to subdivisions (a), (b), (c), (d), (f), (j), (k), and (l) and the employer obligations in those subdivisions.

SEC. 2. Section 12804.9 of the Vehicle Code is amended to read:

12804.9. (a) (1) The examination shall include all of the following:

(A) A test of the applicant's knowledge and understanding of the provisions of this code governing the operation of vehicles upon the highways.

(B) A test of the applicant's ability to read and understand simple English used in highway traffic and directional signs.

(C) A test of the applicant's understanding of traffic signs and signals, including the bikeway signs, markers, and traffic control devices established by the Department of Transportation.

(D) An actual demonstration of the applicant's ability to exercise ordinary and reasonable control in operating a motor vehicle by driving it under the supervision of an examining officer. The applicant shall submit to an examination appropriate to the type of motor vehicle or combination of vehicles he or she desires a license to drive, except that the department may waive the driving test part of the examination for any applicant who submits a license issued by another state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico if the department verifies through any acknowledged national driver record data source that there are no stops, holds, or other impediments to its issuance. The examining officer may request to see evidence of financial responsibility for the vehicle prior to supervising the demonstration of the applicant's ability to operate the vehicle. The examining officer may refuse to examine an applicant who is unable to provide proof of financial responsibility for the vehicle, unless proof of financial responsibility is not required by this code.

(E) A test of the hearing and eyesight of the applicant, and of other matters that may be necessary to determine the applicant's mental and physical fitness to operate a motor vehicle upon the highways, and whether any grounds exist for refusal of a license under this code.

(2) The examination for a class A or class B driver's license under subdivision (b) shall also include a report of a medical examination of the applicant given not more than two years prior to the date of the application by a health care professional. As used in this paragraph, "health care professional" means a person who is licensed, certified, or registered in accordance with applicable state laws and regulations to practice medicine and perform physical examinations in the United States. Health care professionals are doctors of medicine, doctors of osteopathy, physician assistants, and registered advanced practice nurses, or doctors of chiropractic who are clinically competent to perform the medical examination presently required of motor carrier drivers by the federal Department of Transportation. The report shall be on a form approved by the department, the federal Department of Transportation, or the Federal Aviation Administration. In establishing the requirements, consideration may be given to the standards presently required of motor carrier drivers by the Federal Highway Administration.

(3) A physical defect of the applicant that, in the opinion of the department, is compensated for to ensure safe driving ability, shall not prevent the issuance of a license to the applicant.

(b) In accordance with the following classifications, an applicant for a driver's license shall be required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires a license to drive:

(1) Class A includes the following:

(A) A combination of vehicles, if a vehicle being towed has a gross vehicle weight rating of more than 10,000 pounds.

(B) A vehicle towing more than one vehicle.

(C) A trailer bus.

(D) The operation of all vehicles under class B and class C.

(2) Class B includes the following:

(A) Except as provided in subparagraph (H) of paragraph (3), a single vehicle with a gross vehicle weight rating of more than 26,000 pounds.

(B) A single vehicle with three or more axles, except any three-axle vehicle weighing less than 6,000 pounds.

(C) A bus except a trailer bus.

(D) A farm labor vehicle.

(E) A single vehicle with three or more axles or a gross vehicle weight rating of more than 26,000 pounds towing another vehicle with a gross vehicle weight rating of 10,000 pounds or less.

(F) A house car over 40 feet in length, excluding safety devices and safety bumpers.

(G) The operation of all vehicles covered under class C.

(3) Class C includes the following:

(A) A two-axle vehicle with a gross vehicle weight rating of 26,000 pounds or less, including when the vehicle is towing a trailer or semitrailer with a gross vehicle weight rating of 10,000 pounds or less.

(B) Notwithstanding subparagraph (A), a two-axle vehicle weighing 4,000 pounds or more unladen when towing a trailer coach not exceeding 9,000 pounds gross.

(C) A house car of 40 feet in length or less.

(D) A three-axle vehicle weighing 6,000 pounds gross or less.

(E) A house car of 40 feet in length or less or a vehicle towing another vehicle with a gross vehicle weight rating of 10,000 pounds or less, including when a tow dolly is used. A person driving a vehicle may not tow another vehicle in violation of Section 21715.

(F) (i) A two-axle vehicle weighing 4,000 pounds or more unladen when towing either a trailer coach or a fifth-wheel travel trailer not exceeding 10,000 pounds gross vehicle weight rating, when the towing of the trailer is not for compensation.

(ii) A two-axle vehicle weighing 4,000 pounds or more unladen when towing a fifth-wheel travel trailer exceeding 10,000 pounds, but not exceeding 15,000 pounds, gross vehicle weight rating, when the towing of the trailer is not for compensation, and if the person has passed a specialized written examination provided by the department relating to the knowledge of this code and other safety aspects governing the towing of recreational vehicles upon the highway.

The authority to operate combinations of vehicles under this subparagraph may be granted by endorsement on a class C license upon completion of that written examination.

(G) A vehicle or combination of vehicles with a gross combination weight rating or a gross vehicle weight rating, as those terms are defined in subdivisions (j) and (k), respectively, of Section 15210, of 26,000 pounds or less, if all of the following conditions are met:

(i) Is operated by a farmer, an employee of a farmer, or an instructor credentialed in agriculture as part of an instructional program in agriculture at the high school, community college, or university level.

(ii) Is used exclusively in the conduct of agricultural operations.

(iii) Is not used in the capacity of a for-hire carrier or for compensation.

(H) Firefighting equipment, provided that the equipment is operated by a person who holds a firefighter endorsement pursuant to Section 12804.11.

(I) A motorized scooter.

(J) Class C does not include a two-wheel motorcycle or a two-wheel motor-driven cycle.

(4) Class M1. A two-wheel motorcycle or a motor-driven cycle. Authority to operate a vehicle included in a class M1 license may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination.

(5) (A) Class M2 includes the following:

(i) A motorized bicycle or moped, or a bicycle with an attached motor, except a motorized bicycle described in subdivision (b) of Section 406.

(ii) A motorized scooter.

(B) Authority to operate vehicles included in class M2 may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination, except that no endorsement is required for a motorized scooter. Persons holding a class M1 license or endorsement may operate vehicles included in class M2 without further examination.

(c) A driver's license or driver certificate is not valid for operating a commercial motor vehicle, as defined in subdivision (b) of Section 15210, any other motor vehicle defined in paragraph (1) or (2) of subdivision (b), or any other vehicle requiring a driver to hold any driver certificate or any driver's license endorsement under Section 15275, unless a medical certificate approved by the department, the federal Department of Transportation, or the Federal Aviation Administration, that has been issued within two years of the date of the operation of that vehicle, is within the licensee's immediate possession, and a copy of the medical examination report from which the certificate was issued is on file with the department. Otherwise, the license is valid only for operating class C vehicles that are not commercial vehicles, as defined in subdivision (b) of Section 15210, and for operating class M1 or M2 vehicles, if so endorsed, that are not commercial vehicles, as defined in subdivision (b) of Section 15210.

(d) A license or driver certificate issued prior to the enactment of Chapter 7 (commencing with Section 15200) is valid to operate the class or type of vehicles specified under the law in existence prior

to that enactment until the license or certificate expires or is otherwise suspended, revoked, or canceled.

(e) The department may accept a certificate of driving skill that is issued by an employer, authorized by the department to issue a certificate under Section 15250, of the applicant, in lieu of a driving test, on class A or B applications, if the applicant has first qualified for a class C license and has met the other examination requirements for the license for which he or she is applying. The certificate may be submitted as evidence of the applicant's skill in the operation of the types of equipment covered by the license for which he or she is applying.

(f) The department may accept a certificate of competence in lieu of a driving test on class M1 or M2 applications, when the certificate is issued by a law enforcement agency for its officers who operate class M1 or M2 vehicles in their duties, if the applicant has met the other examination requirements for the license for which he or she is applying.

(g) The department may accept a certificate of satisfactory completion of a novice motorcyclist training program approved by the commissioner pursuant to Section 2932 in lieu of a driving test on class M1 or M2 applications, if the applicant has met the other examination requirements for the license for which he or she is applying. The department shall review and approve the written and driving test used by a program to determine whether the program may issue a certificate of completion.

(h) Notwithstanding subdivision (b), a person holding a valid California driver's license of any class may operate a short-term rental motorized bicycle without taking any special examination for the operation of a motorized bicycle, and without having a class M2 endorsement on that license. As used in this subdivision, "short-term" means 48 hours or less.

(i) A person under the age of 21 years may not be issued a class M1 or M2 license or endorsement unless he or she provides evidence satisfactory to the department of completion of a motorcycle safety training program that is operated pursuant to Article 2 (commencing with Section 2930) of Chapter 5 of Division 2.

(j) A driver of a vanpool vehicle may operate with a class C license but shall possess evidence of a medical examination required for a class B license when operating vanpool vehicles. In order to be eligible to drive the vanpool vehicle, the driver shall keep in the vanpool vehicle a statement, signed under penalty of perjury, that he or she has not been convicted of reckless driving, drunk driving, or a hit-and-run offense in the last five years.

SEC. 2.5. Section 12804.9 of the Vehicle Code is amended to read:

12804.9. (a) (1) The examination shall include all of the following:

(A) A test of the applicant's knowledge and understanding of the provisions of this code governing the operation of vehicles upon the highways.

(B) A test of the applicant's ability to read and understand simple English used in highway traffic and directional signs.

(C) A test of the applicant's understanding of traffic signs and signals, including the bikeway signs, markers, and traffic control devices established by the Department of Transportation.

(D) A test of the applicant's understanding of the distractions and dangers of handheld cell phone use and text messaging while operating a motor vehicle.

(E) An actual demonstration of the applicant's ability to exercise ordinary and reasonable control in operating a motor vehicle by driving it under the supervision of an examining officer. The applicant shall submit to an examination appropriate to the type of motor vehicle or combination of vehicles he or she desires a license to drive, except that the department may waive the driving test part of the examination for any applicant who submits a license issued by another state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico if the department verifies through any acknowledged national driver record data source that there are no stops, holds, or other impediments to its issuance. The examining officer may request to see evidence of financial responsibility for the vehicle prior to supervising the demonstration of the applicant's ability to operate the vehicle. The examining officer may refuse to examine an applicant who is unable to provide proof of

financial responsibility for the vehicle, unless proof of financial responsibility is not required by this code.

(F) A test of the hearing and eyesight of the applicant, and of other matters that may be necessary to determine the applicant's mental and physical fitness to operate a motor vehicle upon the highways, and whether any grounds exist for refusal of a license under this code.

(2) The examination for a class A or class B driver's license under subdivision (b) shall also include a report of a medical examination of the applicant given not more than two years prior to the date of the application by a health care professional. As used in this paragraph, "health care professional" means a person who is licensed, certified, or registered in accordance with applicable state laws and regulations to practice medicine and perform physical examinations in the United States. Health care professionals are doctors of medicine, doctors of osteopathy, physician assistants, and registered advanced practice nurses, or doctors of chiropractic who are clinically competent to perform the medical examination presently required of motor carrier drivers by the federal Department of Transportation. The report shall be on a form approved by the department, the federal Department of Transportation, or the Federal Aviation Administration. In establishing the requirements, consideration may be given to the standards presently required of motor carrier drivers by the Federal Highway Administration.

(3) A physical defect of the applicant that, in the opinion of the department, is compensated for to ensure safe driving ability shall not prevent the issuance of a license to the applicant.

(b) In accordance with the following classifications, an applicant for a driver's license shall be required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires a license to drive:

(1) Class A includes the following:

(A) A combination of vehicles, if a vehicle being towed has a gross vehicle weight rating of more than 10,000 pounds.

(B) A vehicle towing more than one vehicle.

(C) A trailer bus.

(D) The operation of all vehicles under class B and class C.

(2) Class B includes the following:

(A) Except as provided for in subparagraph (H) of paragraph (3), a single vehicle with a gross vehicle weight rating of more than 26,000 pounds.

(B) A single vehicle with three or more axles, except any three-axle vehicle weighing less than 6,000 pounds.

(C) A bus except a trailer bus.

(D) A farm labor vehicle.

(E) A single vehicle with three or more axles or a gross vehicle weight rating of more than 26,000 pounds towing another vehicle with a gross vehicle weight rating of 10,000 pounds or less.

(F) A house car over 40 feet in length, excluding safety devices and safety bumpers.

(G) The operation of all vehicles covered under class C.

(3) Class C includes the following:

(A) A two-axle vehicle with a gross vehicle weight rating of 26,000 pounds or less, including when the vehicle is towing a trailer or semitrailer with a gross vehicle weight rating of 10,000 pounds or less.

(B) Notwithstanding subparagraph (A), a two-axle vehicle weighing 4,000 pounds or more unladen when towing a trailer coach not exceeding 9,000 pounds gross.

(C) A house car of 40 feet in length or less.

(D) A three-axle vehicle weighing 6,000 pounds gross or less.

(E) A house car of 40 feet in length or less or vehicle towing another vehicle with a gross vehicle weight rating of 10,000 pounds or less, including when a tow dolly is used. A person driving a vehicle may not tow another vehicle in violation of Section 21715.

(F) (i) A two-axle vehicle weighing 4,000 pounds or more unladen when towing either a trailer coach or a fifth-wheel travel trailer not exceeding 10,000 pounds gross vehicle weight rating, when the towing of the trailer is not for compensation.

(ii) A two-axle vehicle weighing 4,000 pounds or more unladen when towing a fifth-wheel travel trailer exceeding 10,000 pounds, but not exceeding 15,000 pounds, gross vehicle weight rating, when the towing of the trailer is not for compensation, and if the person has passed a specialized written examination provided by the department relating to the knowledge of this code and other safety aspects governing the towing of recreational vehicles upon the highway.

(iii) The authority to operate combinations of vehicles under this subparagraph may be granted by endorsement on a class C license upon completion of that written examination.

(G) A vehicle or combination of vehicles with a gross combination weight rating or a gross vehicle weight rating, as those terms are defined in subdivisions (j) and (k), respectively, of Section 15210, of 26,000 pounds or less, if all of the following conditions are met:

(i) Is operated by a farmer, an employee of a farmer, or an instructor credentialed in agriculture as part of an instructional program in agriculture at the high school, community college, or university level.

(ii) Is used exclusively in the conduct of agricultural operations.

(iii) Is not used in the capacity of a for-hire carrier or for compensation.

(H) Firefighting equipment, provided that the equipment is operated by a person who holds a firefighter endorsement pursuant to Section 12804.11.

(I) A motorized scooter.

(J) Class C does not include a two-wheel motorcycle or a two-wheel motor-driven cycle.

(4) Class M1. A two-wheel motorcycle or a motor-driven cycle. Authority to operate a vehicle included in a class M1 license may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination.

(5) (A) Class M2 includes the following:

(i) A motorized bicycle or moped, or a bicycle with an attached motor, except a motorized bicycle described in subdivision (b) of Section 406.

(ii) A motorized scooter.

(B) Authority to operate vehicles included in class M2 may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination, except that no endorsement is required for a motorized scooter. Persons holding a class M1 license or endorsement may operate vehicles included in class M2 without further examination.

(c) A driver's license or driver certificate is not valid for operating a commercial motor vehicle, as defined in subdivision (b) of Section 15210, any other motor vehicle defined in paragraph (1) or (2) of subdivision (b), or any other vehicle requiring a driver to hold any driver certificate or any driver's license endorsement under Section 15275, unless a medical certificate approved by the department, the federal Department of Transportation, or the Federal Aviation Administration, that has been issued within two years of the date of the operation of that vehicle, is within the licensee's immediate possession, and a copy of the medical examination report from which the certificate was issued is on file with the department. Otherwise, the license is valid only for operating class C vehicles that are not commercial vehicles, as defined in subdivision (b) of Section 15210, and for operating class M1 or M2 vehicles, if so endorsed, that are not commercial vehicles, as defined in subdivision (b) of Section 15210.

(d) A license or driver certificate issued prior to the enactment of Chapter 7 (commencing with Section 15200) is valid to operate the class or type of vehicles specified under the law in existence prior to that enactment until the license or certificate expires or is otherwise suspended, revoked, or canceled.

(e) The department may accept a certificate of driving skill that is issued by an employer, authorized by the department to issue a certificate under Section 15250, of the applicant, in lieu of a driving test, on class A or B applications, if the applicant has first qualified for a class C license and has met the other examination requirements for the license for which he or she is applying. The certificate may be submitted as evidence of the applicant's skill in the operation of the types of equipment covered by the license for which he or she is applying.

(f) The department may accept a certificate of competence in lieu of a driving test on class M1 or M2 applications, when the certificate is issued by a law enforcement agency for its officers who operate

class M1 or M2 vehicles in their duties, if the applicant has met the other examination requirements for the license for which he or she is applying.

(g) The department may accept a certificate of satisfactory completion of a novice motorcyclist training program approved by the commissioner pursuant to Section 2932 in lieu of a driving test on class M1 or M2 applications, if the applicant has met the other examination requirements for the license for which he or she is applying. The department shall review and approve the written and driving test used by a program to determine whether the program may issue a certificate of completion.

(h) Notwithstanding subdivision (b), a person holding a valid California driver's license of any class may operate a short-term rental motorized bicycle without taking any special examination for the operation of a motorized bicycle, and without having a class M2 endorsement on that license. As used in this subdivision, "short-term" means 48 hours or less.

(i) A person under 21 years of age shall not be issued a class M1 or M2 license or endorsement unless he or she provides evidence satisfactory to the department of completion of a motorcycle safety training program that is operated pursuant to Article 2 (commencing with Section 2930) of Chapter 5 of Division 2.

(j) A driver of a vanpool vehicle may operate with a class C license but shall possess evidence of a medical examination required for a class B license when operating vanpool vehicles. In order to be eligible to drive the vanpool vehicle, the driver shall keep in the vanpool vehicle a statement, signed under penalty of perjury, that he or she has not been convicted of reckless driving, drunk driving, or a hit-and-run offense in the last five years.

SEC. 3. Section 12804.11 is added to the Vehicle Code, to read:

12804.11. (a) To operate firefighting equipment, a driver, including a tiller operator, is required to obtain and maintain a firefighter endorsement issued by the department and obtain and maintain a class A, class B, or class C license. To qualify for a firefighter endorsement the driver shall do all of the following:

(1) (A) Provide to the department proof of current employment as a firefighter or registration as a volunteer firefighter with a fire department and evidence of fire equipment operation training by providing a letter, or other indication, from the chief of the fire department, or his or her designee.

(B) For purposes of this section, evidence of fire equipment operation training means the applicant has successfully completed Fire Apparatus Driver/Operator 1A taught by an instructor registered with the Office of the State Fire Marshal or fire department driver training that meets all of the following requirements:

(i) Meets or exceeds the standards outlined in NFPA 1002, Chapter 4 (2008 version) or the Fire Apparatus Driver/Operator 1A course adopted by the Office of the State Fire Marshal.

(ii) Prepares the applicant to safely operate the department's fire equipment that the applicant will be authorized to operate.

(iii) Includes a classroom (cognitive) portion of at least 16 hours.

(iv) Includes a manipulative portion of at least 14 hours, which includes directly supervised behind-the-wheel driver training.

(C) Driver training shall be conducted by a person who is registered with the Office of the State Fire Marshal to instruct Driver/Operator 1A or a person who meets all of the following criteria:

(i) Possesses a minimum of five years of fire service experience as an emergency vehicle operator, three of which must be at the rank of engineer or higher.

(ii) Possesses a valid California class A or B license or a class A or B license restricted to the operation of firefighting equipment.

(iii) Is certified as a qualified training instructor or training officer by the State of California, the federal government, or a county training officers' association.

(2) Pass the written firefighter examination developed by the department with the cooperation of the State Fire Marshal's office.

(3) Submit a report of medical examination on a form approved by the department. The report shall be dated within four years preceding the application date, except as required by paragraph (2) of

submission (a) of Section 12804.9. Holders of a restricted firefighter's license as of January 1, 2011, are not subject to the requirement for a medical exam until he or she renews his or her license.

(b) There shall be no additional charge for adding a firefighter endorsement to an original license or when renewing a license. To add a firefighter endorsement to an existing license when not renewing the license, the applicant shall pay the fee for a duplicate license pursuant to Section 14901.

(c) (1) A driver of firefighting equipment is subject to the requirements of subdivision (a) if both of the following conditions exist:

(A) The equipment is operated by a person employed as a firefighter by a federal or state agency, by a regularly organized fire department of a city, county, city and county, or district, or by a tribal fire department or registered as a volunteer member of a regularly organized fire department having official recognition of the city, county, city and county, or district in which the department is located, or of a tribal fire department.

(B) The motor vehicle is used to travel to and from the scene of any emergency situation, or to transport equipment used in the control of any emergency situation, and which is owned, leased, or rented by, or under the exclusive control of, a federal or state agency, a regularly organized fire department of a city, county, city and county, or district, a volunteer fire department having official recognition of the city, county, city and county, or district in which the department is located, or a tribal fire department.

(2) A driver of firefighting equipment is not required to obtain and maintain a firefighter endorsement pursuant to subdivision (a) if the driver is operating the firefighting equipment for training purposes, during a nonemergency, while under the direct supervision of a fire department employee who is properly licensed to operate the equipment and is authorized by the fire department to provide training.

(d) For purposes of this section, a tiller operator is the driver of the rear free-axle portion of a ladder truck.

(e) For purposes of this section, "firefighting equipment" means a motor vehicle, that meets the definition of a class A or class B vehicle described in subdivision (b) of Section 12804.9, that is used to travel to and from the scene of an emergency situation, or to transport equipment used in the control of an emergency situation, and that is owned, leased, or rented by, or under the exclusive control of, a federal or state agency, a regularly organized fire department of a city, county, city and county, or district, or a volunteer fire department having official recognition of the city, county, city and county, or district in which the department is located.

(f) Notwithstanding subdivision (a), a regularly organized fire department, having official recognition of the city, county, city and county, or district in which the department is located, may require an employee or a volunteer of the fire department who is a driver or operator of firefighting equipment to hold a class A or B license.

(g) This section applies to a person hired by a fire department, or to a person renewing a driver's license, on or after January 1, 2011.

SEC. 4. Section 12954 of the Vehicle Code is repealed.

SEC. 5. Section 15250.6 of the Vehicle Code is repealed.

SEC. 6. Section 15250.7 of the Vehicle Code is repealed.

SEC. 7. Section 15278 of the Vehicle Code is amended to read:

15278. (a) A driver is required to obtain an endorsement issued by the department to operate any commercial motor vehicle that is any of the following:

(1) A double trailer.

(2) A passenger transportation vehicle, which includes, but is not limited to, a bus, farm labor vehicle, or general public paratransit vehicle when designed, used, or maintained to carry more than 10 persons including the driver.

(3) A school bus.

(4) A tank vehicle.

(5) A vehicle carrying hazardous materials, as defined in Section 353, that is required to display placards pursuant to Section 27903, unless the driver is exempt from the endorsement requirement as provided in subdivision (b). This paragraph does not apply to any person operating an implement of husbandry who is not required to obtain a driver's license under this code.

(b) This section does not apply to any person operating a vehicle in an emergency situation at the direction of a peace officer pursuant to Section 2800.

SEC. 8. Section 1.5 of this bill incorporates amendments to Section 1808.1 of the Vehicle Code proposed by both this bill and AB 2777. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2011, (2) each bill amends Section 1808.1 of the Vehicle Code, and (3) this bill is enacted after AB 2777, in which case Section 1 of this bill shall not become operative.

SEC. 9. Section 2.5 of this bill incorporates amendments to Section 12804.9 of the Vehicle Code proposed by both this bill and SB 1475. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2011, (2) each bill amends Section 12804.9 of the Vehicle Code, and (3) this bill is enacted after SB 1475, in which case Section 2 of this bill shall not become operative

APPENDIX: CHANGES IN RESTRICTED LICENSE



DL 2011-04

Change in Restricted Firefighter License

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Issue Date: February 8, 2011

New Policy

When a current holder of a restricted firefighter license converts to a commercial driver license (CDL) within the same class, waive the driving test. **Example:** A current holder of a class B restricted firefighter driver license applies for an unrestricted commercial class B driver license; do not administer a driving test.

When a holder of a restricted firefighter driver license converts to a higher CDL class than his/her current class license; i.e., class "B" to a class "A", a driving test is required.

Procedures

Continue to follow procedures as outlined in the DL 2010-39 New Firefighter Endorsement memo and do the following:

- Waive the drive test when converting within the same CDL class. Until programming is in place, a manager's or designee's password is required to waive a driving test.
- Accept a Firefighter Certificate of Driving Skill (DL 170F), in lieu of a driving test, **only** if the certificate is dated 12/31/2010, or prior. Do **not** accept a DL 170F that is dated 1/1/2011, or later.

NOTE: A driving test is not required when a restricted firefighter driver license holder is converting to a noncommercial class C driver license with a firefighter endorsement.

Background

Current procedures require the administration of a driving test, when a restricted firefighter license holder is converting to an unrestricted commercial license.

Reference

DL 2006-16 DT Needed to Remove Firefighter Restrictions



DL 2011-20

Firefighter Endorsement Test

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Issue Date: June 8, 2011

New Information

The non-commercial class A and B Firefighter Test (DL 657) has been renamed Firefighter Endorsement Test (DL 657).

Distribution

You will receive a blanket distribution of the new Firefighter Endorsement Test (DL 657) in June. When you receive the new revision of the Firefighter Endorsement Test (DL 657) (REV. 5/2011) destroy the old version. Additional copies may be ordered from the warehouse using normal supply channels.

Background

Applicants are now required to obtain a Firefighter Endorsement when applying for a commercial driver license class A, B, or C, or a non-commercial driver license class A, B, or C to operate firefighter equipment.

APPENDIX: TULARE POLICIES



Purpose

The State of California has adopted Assembly Bill AB1648, which took effect January 01, 2011. This bill is in reference to the California Firefighter Driving License or Firefighter Endorsement. The bill allows for a County Training Officers Association to approve individuals from departments within the Tulare/Kings influence to be trainers for the California Firefighter Driving License program. The Tulare/Kings Counties Fire Training Officers Association, in conjunction with the Fire Chiefs, has set standards as well as a peer review process for individuals to petition for acceptance as a trainer for the program. The following outlines the procedures for this process.

An individual is not required to submit to this process if they are currently registered with the State Fire Marshal's Office to instruct Driver Operator IA.

Criteria

All applicants must meet the criteria required by law as described below.

Have a minimum of five years of fire service experience as an emergency vehicle operator, three of which must be at the rank of Engineer or above.

And

Posses a valid California class A or B license or a class A or B license restricted to the operation of firefighting equipment.

In addition, candidates should submit relevant documentation or certification which demonstrates development of knowledge and skills to support subject matter expertise.

- SFM Instructional Techniques for Company Officers or Instructor 1A
- NFA Training Ops for Small Departments
- Previous DL170 Instructor or Federal DOT Instructor
- SFM Basic Emergency Vehicle Operations or Driver Operator 1A
- Meet NFPA 1041 Instructor I Requirements
- National Safety Council or VFIS Instructor



Submission Process

All applicants must submit a packet to the Training Officers Association for a peer review to validate training standards. The Training Officers meet monthly and will review applications submitted at the monthly meeting. Applications must be thorough and complete when submitted for review.

The submission packet will include the following:

- A completed Application (See Attached) and current resume
- An original letter on Department letterhead signed by the Fire Chief or Training Officer with the following information:
 - **Identify the applicants name and department rank**
 - **Describe the experience as an emergency vehicle operator and instructor**
 - **Identify the type of license the individual possesses**
- A copy of current driver license w/ firefighter endorsement
- Course certifications that support subject matter expertise

Peer Review Process

The Peer Review Committee will make recommendations whether the individual should be approved or denied based on the completeness of the application packet. The information provided will be evaluated to validate if the individual meets the established criteria.

A letter will be sent to the individual and the Fire Chief advising them whether they were approved or denied and give a short description of reasoning if an individual is denied.

Appeals Process

Appeals relative to denial of eligibility for certification may be made by utilizing the following procedures:

- Appeals shall be in writing, directed to the Tulare/Kings Fire Chiefs Association no later than 30 days after notification of initial review and denial. Appeals must contain (at a minimum) a description of the reason/circumstances leading to the appeal, supporting documentation and the desired outcome.
- The Tulare/Kings Fire Chiefs Association shall render a decision in writing after their next regular meeting.
- The decision of the Tulare/Kings Fire Chiefs Association shall be final.

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- **Documentation**

Applications will be retained by the Training Officers for documentation and accountability.

The Tulare/Kings Fire Training Officers Secretary will retain a list of the approved individuals who have met the criteria for teaching the Firefighter Driving License program as identified in State Law.

Individuals approved by the Tulare/Kings Fire Training Officers Association will only have to submit one time for approval while they meet the requirements. If at any point the individual does not meet the criteria for approval, that individual will be dropped from the approved list. Once that individual meets the criteria again, they must re-submit a new application.

DRIVER/OPERATOR TRAINING



KNOWLEDGE, SKILLS AND ABILITIES	INSTRUCTOR SIGNATURE	DATE
Apparatus Preventive Maintenance: In Accordance with NFPA Standard(s): 1002, 2009 Edition; 4.2/4.3 Preventive Maintenance / Driving Operating; 4.2.1 / 4.2.2 /4.3.7, The Driver Operator Shall:		
Identify preventive maintenance forms and manufacture specifications, so that the operational status of the vehicle is verified.		
Demonstrate how to perform routine tests, inspections, and services on the components and systems specified in the following list.		
1. Battery (ies)		
2. Braking systems		
3. Coolant system		
4. Electrical system		
5. Fuel		
6. Hydraulic fluids		
7. Oil		
8. Tires		
9. Steering system		
10. Belts		
11. Tools, appliances, and equipment		
Demonstrate the ability to use basic tools to recognize system problems, and correct any deficiency according to policies and procedures.		
Operate all fixed systems and equipment on the vehicle not specifically addressed elsewhere in this standard, given systems and equipment, manufacturer's specifications and instructions, and departmental policies and procedures for the system and equipment, so that each system or piece of equipment is operated in accordance with applicable instructions and policies.		

Driving Operating: In accordance with NFPA Standard(s)1002, 2009 Edition; 4.3, 4.3.1 The Driver/Operator shall:		
Demonstrate the ability to operate a fire department vehicle, given a predetermined route on a public way that incorporates the maneuvers and features specified as follows:		
<ul style="list-style-type: none"> • Four left turns and four right turns 		
<ul style="list-style-type: none"> • A straight section of urban business street or a two-lane rural road at least 1 mile in length. 		
<ul style="list-style-type: none"> • One through intersection and two intersections where a stop has to be made 		
<ul style="list-style-type: none"> • One Railroad Crossing 		
<ul style="list-style-type: none"> • One curve, either left or right 		
<ul style="list-style-type: none"> • A section of limited-access highway that includes a conventional ramp entrance and exit and a section of a road long enough to allow two lane changes 		
<ul style="list-style-type: none"> • A downgrade steep enough and long enough to require downshifting and braking 		
<ul style="list-style-type: none"> • An upgrade steep enough and long enough to require gear changing to maintain speed 		
<ul style="list-style-type: none"> • One underpass or low clearance bridge 		
Identify the effects on vehicle control list below		
<ul style="list-style-type: none"> • Liquid surge 		
<ul style="list-style-type: none"> • Braking reaction time 		
<ul style="list-style-type: none"> • Load factors 		
<ul style="list-style-type: none"> • Effects of high center gravity 		
<ul style="list-style-type: none"> • General steering reaction • Speed • Centrifugal force 		
Demonstrate the ability to maintain control of the fire apparatus while accelerating, decelerating, and turning in traffic conditions, and under adverse environmental conditions.		
Demonstrate backing a fire apparatus from a roadway into restricted space on both the right and left sides of the vehicle. (Alley dock exercise)		

Identify vehicle dimensions, turning characteristics, spotter signaling, and principles of safe vehicle operation		
Demonstrate the use of mirrors by maneuvering a fire apparatus around obstructions on a roadway while moving forward and in reverse without stopping to change the direction of travel and without striking the obstructions. (Serpentine exercise)		
Demonstrate turning the fire apparatus 180 degrees within a confined space and in area in which the vehicle cannot perform a U-turn (confined space turnaround)		
Demonstrate the ability to maneuver a fire apparatus in area with restricted horizontal and vertical clearances so that the operator accurately judges the vehicle passing through the openings and so that no obstructions are struck. (Diminishing clearance exercise)		
Demonstrate the ability to safely operate fire apparatus under emergency conditions. (i.e. Code 3)		
Apparatus Equipped with Fire Pump: The Driver/Operator shall:		
Identify appropriate levels and systems (list below)		
<ul style="list-style-type: none"> • Water tank and other extinguishing agent levels 		
<ul style="list-style-type: none"> • Pumping systems 		
<ul style="list-style-type: none"> • Foam systems 		
Demonstrate ability to produce effective hand and master stream, given the sources specified in the following list, so that the pump is engaged, all pressure control and vehicle safety devices are set, the rated flow of the nozzle is achieved and maintained, and the apparatus is continuously monitored for potential problems.		
1. Apparatus booster tank		
2. Pressurized source (Hydrant, Relay, Ag Pump)		
3. Static source (Lake, Pool, Pond)		
4. Booster tank to external source (switchover)		
5. Relay pumping		
Identify the following list		
1. Hydraulic calculations for friction loss and flow, using written formulas and fire ground estimation methods		
2. Problems related to small-diameter or dead-end mains		

3. low-pressure and private water supply systems		
4. Hydrant coding systems		
5. Reliability of static sources		
Demonstrate the ability to perform the list below		
1. Spot a fire hydrant and at a static water source		
2. Transfer water from one apparatus to another		
3. Draft operation		
4. Operate the volume/pressure transfer valve (multistage pump only)		
5. Operate auxiliary cooling system		
6. Make the transition between internal and external water sources.		
7. Assemble hose line, nozzles, valves and appliances		
Identify proportioning rates and concentrations, equipment assembly procedures, foam system limitations, and manufacturer' specifications.		
Demonstrate the use of foam proportioning system fixed and inline educator.		
Demonstrate the ability to supply a sprinkler and standpipe system including hose lay out and appropriate pressure to a FDC.		
Identify alternative supply procedures if fire department connection is not usable.		

Wildland/Mountain Driving : The Driver/Operator shall:		
Demonstrate the ability to maintain control of a wildland fire apparatus or unit off road.		
Demonstrate the ability to operate engines or patrols from the list below.		
1. Loose or wet soil		
2. Steep grades (30% fore and aft)		
3. Limited sight distance		
4. Blind curve		
5. Vehicle clearance obstacles (height, width, undercarriage, angle of approach, angle of departure)		
6. Limited space for turnaround		
7. Side slopes (20% side to side)		
Mobile Water Supply : The Driver/Operator shall:		
Identify procedures for operating a water shuttle fill site		
Demonstrate the ability to setup a portable water tank		
Demonstrate shuttle and dump operations		
Demonstrate the ability to transfer water from a water tender to a attack pumper (Nurse Tender Operation)		
Demonstrate the ability to determine a correct position for the apparatus, maneuver apparatus into that position, avoid obstacles to operations, and operate the fire pump or rapid water dump system.		
APPARATUS EQUIPPED WITH AN AERIAL DEVICE: The Operator Shall:		
Identify the routine tests, inspections, and servicing functions specified in the following list.		
1. Aerial device hydraulic systems		
2. Slides and rollers		

<ul style="list-style-type: none"> 3. Stabilizing systems 4. Aerial device safety systems 5. Breathing air systems 6. Communication system 7. Cable Systems (if applicable) 		
Identify manufacture's specification and requirements for aerial operation, and department polices and procedures.		
Demonstrate Maneuvering and positioning an aerial apparatus in a prescribe location for aerial deployment.		
Identify capabilities and limitations of aerial devices related to reach, tip load, angle of incline, and angle from chassis axis to the slope of ground.		
Demonstrate the ability to transfer power from vehicle's engine to the hydraulic system.		
Demonstrate the ability to stabilize an aerial for deployment using the hydraulic system.		
Demonstrate the proper method for stabilizing an aerial on uneven ground.		
Identify aerial device (list below)		
1. Hydraulic systems		
2. Hydraulic pressure relief systems		
3. Gauges and controls		
4. Cable systems		
5. Communications systems		
6. Electrical systems		
7. Emergency operation systems		
8. Locking systems		
9. Manual rotation and lowering systems		

10. Stabilizing systems		
11. Aerial device safety systems		
12. System override and the hazards of using override		
13. Safe operational limitations of a given aerial device		
14. Safety procedures specific to the device, and operations near electrical hazards and overhead obstructions		
Maneuver and position an aerial apparatus, given an aerial apparatus, an incident location, a situation description, and an assignment, so that the apparatus is positioned for correct aerial device deployment.		
Demonstrate the ability to raise, rotate, extend, and position to a specified location as well as retract, lower and bed the aerial device.		
Demonstrate the ability to rotate and position to center and retract, lower, and bed the aerial using the emergency operating system.		
Demonstrate the operation of an elevated master stream using a given aerial, and a desired flow so that the stream is effective and operated correctly.		
Identify nozzle reaction, range of operation, and weight limitation		
Demonstrate the ability to control an elevated nozzle manually from tip or turntable.		
Identify and understand the following:		
<ul style="list-style-type: none"> Reach of aerial based on victim location, building height, available area for set up 		
<ul style="list-style-type: none"> Proper procedures for live rescue: Spotting in line with victim with 1 person and 2; lowering and raising ladder to victim 		
<ul style="list-style-type: none"> Basic Aerial Physics pertaining to: 		
<p>Normal tension/compression and the reverse effect based on supported and or unsupported operations</p> <p>The differences between a trussed K style aerial and a boom style aerial in regards to the effect of torque, weight transfer and overall strength of the aerial.</p> <p>Relation of degree of pitch and extension of aerial in regards to</p>		

base/fly and tip loads and weight transfer on the chassis and outriggers.		
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VERIFICATION OF TASK-BOOK COMPLETION

This training is required to advance to Driver/Operator. This corresponds to all sections of the Driver/Operator Task-book. When completed, submit this form to the Training Bureau along with copies of EVO/BPO certifications and a completed Driver/Operator Training Record.

- 1. Apparatus Preventive Maintenance.....
- 2. Apparatus Physics/Movement.....
- 3. Apparatus Pump Operations, Theory and Evolutions.....
- 4. Wildland/Mountain Driving.....
- 5. Mobile Water Supply.....

Company Officer Signature

Applicant's Signature

Battalion Chief Signature

Training Division Signature



Date

Date

REQUIREMENTS FOR AB1648 INSTRUCTOR CERTIFICATION THROUGH THE TULARE/KINGS COUNTIES FIRE TRAINING OFFICER'S ASSOCIATION

Applicant _____ Date _____

Agency _____ Rank _____

REQUIRED TRAINING

- Posses a valid California class A or B license or a class A or B license restricted to the operation of firefighting equipment.

REQUIRED EXPERIENCE

- Have a minimum of five years of fire service experience as an emergency vehicle operator, three of which must be at the rank of Engineer or higher.

SUBMIT ONE OR MORE OF THE FOLLOWING CERTIFICATIONS BELOW, WHICH DEMONSTRATES DEVELOPMENT OF KNOWLEDGE AND SKILLS TO SUPPORT SUBJECT MATTER EXPERTISE.

- SFM Instructional Techniques for Company Officers or Instructor IA
Or
- NFA Training Ops for Small Departments
Or
- Previous DL170 Instructor or Federal DOT Instructor
Or
- SFM Basic Emergency Vehicle Operations or Driver/Operator 1A
Or
- NFPA 1041 Instructor I requirements
Or
- National Safety Council/VFIS Instructor

AND SUBMIT

- Letter of Support from agency Fire Chief or Training Officer



- Current Resume

COMMENTS: _____

REQUIREMENTS FOR **AB1648 INSTRUCTOR CERTIFICATION** THROUGH THE TULARE/KINGS COUNTIES FIRE TRAINING OFFICER'S ASSOCIATION

Applicant _____ Date _____

Agency _____ Rank _____

REQUIRED TRAINING

- Posses a valid California class A or B license or a class A or B license restricted to the operation of firefighting equipment.

REQUIRED EXPERIENCE

- Have a minimum of five years of fire service experience as an emergency vehicle operator, three of which must be at the rank of Engineer or higher.

SUBMIT ONE OR MORE OF THE FOLLOWING CERTIFICATIONS BELOW, WHICH DEMONSTRATES DEVELOPMENT OF KNOWLEDGE AND SKILLS TO SUPPORT SUBJECT MATTER EXPERTISE.

- SFM Instructional Techniques for Company Officers or Instructor IA
Or
- NFA Training Ops for Small Departments
Or
- Previous DL170 Instructor or Federal DOT Instructor
Or
- SFM Basic Emergency Vehicle Operations or Driver/Operator 1A
Or
- NFPA 1041 Instructor I requirements
Or
- National Safety Council/VFIS Instructor

AND SUBMIT

- Letter of Support from agency Fire Chief or Training Officer
- Current Resume

COMMENTS: _____

APPENDIX: SAN DIEGO POLICIES

State of California

The Resources Agency

M e m o r a n d u m

To: HOWARD WINDSOR
Unit Chief

Date: June 13, 2011

Telephone: 619-590-3319

From: **Mike Vogt**
Department of Forestry and Fire Protection
Training and Safety
San Diego Unit

Subject: California Drivers License Requirement, SDCFA Volunteers

ISSUE:

Appropriate level of drivers licensing for the San Diego County Fire Authority (SDCFA) volunteer firefighters

BACKGROUND:

On January 1, 2011 legislation revised the required level of licensing for persons who are employed by an organized fire department who operate fire department owned vehicles. The new standard of licensing is a "Class C" with a "Fire Fighter Endorsement"

DISCUSSION:

Legislation was passed which modified the CA. vehicle code to allow persons employed by an organized fire dept. to operate fire apparatus with a Class C license. Prior to the revision a Non-commercial Class B, Firefighter Restricted license or a Commercial Class B license was required to operate most fire apparatus (most are Class B vehicles).

Prior to operating fire apparatus without a "Trainer" present the employee must take and pass specific training requirements. The employee must also be certified by his/her Chief as approved to drive the Depts. apparatus. Once trained and certified the employee is awarded a "Firefighter Endorsement" on his/her license by the DMV. The employee is now qualified to operate the fire apparatus in any capacity, including Code 3 driving.

It should be noted that per the vehicle code (attached) persons who are considered "Trainers" must hold at a minimum a Commercial Class B license.

The current policy as adopted by the SDCFA states that at a minimum a Non-commercial Class B, Firefighter Restricted license must be held by the operator.

Many fire agencies within San Diego County are discussing what level of license to require of their apparatus operators. Some are moving to the Class C, some will continue requiring a Commercial Class B. Agencies that are requiring a Class B cite the desire to insure that their employees are licensed for the level of vehicle they will be operating, as most fire apparatus are considered a Class B vehicle. Agencies moving to the Class C license cite the desire to reduce costs, as well as the ability to "Self-Certify" their drivers.

Current SDCFA policy requires a Class B license to operate SDCFA apparatus. It my understanding that some Departments within the SDCFA are continuing to require Class B licensing and others desiring to require a Class C license.

ALTERNATIVES:

1. Continue with the requirement that volunteers who operate SDCFA apparatus Maintain a Commercial Class B license.
2. Revise the current policy to allow for all levels of licensing including a Class C with the FF endorsement.

FISCAL IMPACT:

1. Persons upgrading a license from a Class C to a Class B will incur a one time

of \$64.00 from the DMV. The DMV also requires that a form DL 51 be completed prior to the initial Class B license being awarded and then every two years. This form can only be completed by a physician. The cost of the medical exam will vary, and generally is borne by the employee/volunteer within the SDCFA.

2. Persons who currently hold a Class C license will be required to pay a \$34.00 Fee to upgrade to add the Fire Fighter Endorsement. Current law requires that DL-51 form be on file and renewed once every four years. . This form can only be completed by a physician. The cost of the medical exam will vary, and generally is borne by the employee/volunteer within the SDCFA.

It is worth noting that at this time the cost of all certifications/licensing is born by the individual volunteer, not the SDCFA.

RECOMMENDATION:

3. Alternative 2 is being recommended for the following reasons.
 - Current law has set the minimum level required to operate fire agency owned apparatus at the Class C level (with FF Endorsement)
 - There is a significantly lower fiscal impact with the Class C license to the driver, and potentially to the SDCFA
 - Medical evaluation by a physician is currently set at a four year interval. Currently there is “clean up” legislation in process to change this to the DL-546 form, which is a self-certifying medical questionnaire.
 - There is a strong desire among many of the SDCFA agencies to move to the Class C license.

This recommendation comes with several qualifiers that must be considered.

1. The new DMV Class C – Firefighter Endorsement process puts all the responsibility on the “Certifying Agency”, i.e. the Fire Chief for verifying that the operator has met all qualifications and training and can safely operate the assigned apparatus.
2. Use of and quality control of the approved SDCFA training course will need to be rigorously enforced across the SDCFA member agencies
3. Departments moving to the Class C will lose the benefit of having a third party (DMV) test and approve drivers of Class B vehicles.
4. A consistent number of Class B operators, that also meet the Trainer criteria (attached), will need to be maintained.

4. **San Diego Attachment**

5. **12804.11.** (a) To operate firefighting equipment, a driver,
6. including a tiller operator, is required to obtain and maintain a
7. firefighter endorsement issued by the department and obtain and
8. maintain a class A, class B, or class C license. To qualify for a
9. firefighter endorsement the driver shall do all of the following:

10. (1) (A) Provide to the department proof of current employment as a
11. firefighter or registration as a volunteer firefighter with a fire
12. department and evidence of fire equipment operation training by
13. providing a letter, or other indication, from the chief of the fire
14. department, or his or her designee.

15. (B) For purposes of this section, evidence of fire equipment
16. operation training means the applicant has successfully completed
17. Fire Apparatus Driver/Operator 1A taught by an instructor registered
18. with the Office of the State Fire Marshal or fire department driver
19. training that meets all of the following requirements:

20. (i) Meets or exceeds the standards outlined in NFPA 1002, Chapter
21. 4 (2008 version) or the Fire Apparatus Driver/Operator 1A course
22. adopted by the Office of the State Fire Marshal.

23. (ii) Prepares the applicant to safely operate the department's
24. fire equipment that the applicant will be authorized to operate.

25. (iii) Includes a classroom (cognitive) portion of at least 16
26. hours.

27. (iv) Includes a manipulative portion of at least 14 hours, which
28. includes directly supervised behind-the-wheel driver training.

29.

30. (C) Driver training shall be conducted by a person who is
31. registered with the Office of the State Fire Marshal to instruct
Driver/Operator 1A or a person who meets all of the following
criteria:

32. (i) Possesses a minimum of five years of fire service experience as
an emergency **vehicle** operator, three of which must be at the rank of
engineer or higher.

33. (ii) Possesses a valid California class A or B license or a class A
or B license restricted to the operation of firefighting equipment.

34. (iii) Is certified as a qualified training instructor or training
officer by the State of California, the federal government, or a
county training officers' association.

35.

36. (2) Pass the written firefighter examination developed by the
37. department with the cooperation of the State Fire Marshal's office.

38. (3) Submit a report of medical examination on a form approved by
39. the department. The report shall be dated within four years preceding
40. the application date, except as required by paragraph (2) of
41. submission (a) of Section **12804.9**. Holders of a restricted
42. firefighters license as of January 1, 2011, are not subject to the
43. requirement for a medical exam until he or she renews his or her
44. license.

45. (b) There shall be no additional charge for adding a firefighter
46. endorsement to an original license or when renewing a license. To add
47. a firefighter endorsement to an existing license when not renewing
48. the license, the applicant shall pay the fee for a duplicate license
49. pursuant to Section 14901.

50. (c) (1) A driver of firefighting equipment is subject to the
51. requirements of subdivision (a) if both of the following conditions
52. exist:

53. (A) The equipment is operated by a person employed as a
54. firefighter by a federal or state agency, by a regularly organized
55. fire department of a city, county, city and county, or district, or
56. by a tribal fire department or registered as a volunteer member of a
57. regularly organized fire department having official recognition of
58. the city, county, city and county, or district in which the
59. department is located, or of a tribal fire department.

60. (B) The motor **vehicle** is used to travel to and from the scene of
61. any emergency situation, or to transport equipment used in the
62. control of any emergency situation, and which is owned, leased, or
63. rented by, or under the exclusive control of, a federal or state
64. agency, a regularly organized fire department of a city, county, city
65. and county, or district, a volunteer fire department having official
66. recognition of the city, county, city and county, or district in
67. which the department is located, or a tribal fire department.

68. (2) A driver of firefighting equipment is not required to obtain
and maintain a firefighter endorsement pursuant to subdivision (a)
if the driver is operating the firefighting equipment for training
purposes, during a nonemergency, while under the direct supervision
of a fire department employee who is properly licensed to operate
the
69. equipment and is authorized by the fire department to provide
training.

70. (d) For purposes of this section, a tiller operator is the driver
71. of the rear free-axle portion of a ladder truck.

72. (e) For purposes of this section, "firefighting equipment" means a
73. motor vehicle, that meets the definition of a class A or class B
74. vehicle described in subdivision (b) of Section 12804.9, that is used
75. to travel to and from the scene of an emergency situation, or to
76. transport equipment used in the control of an emergency situation,
77. and that is owned, leased, or rented by, or under the exclusive
78. control of, a federal or state agency, a regularly organized fire
79. department of a city, county, city and county, or district, or a
80. volunteer fire department having official recognition of the city,
81. county, city and county, or district in which the department is
82. located.

83. (f) Notwithstanding subdivision (a), a regularly organized fire
84. department, having official recognition of the city, county, city and
85. county, or district in which the department is located, may require
86. an employee or a volunteer of the fire department who is a driver or
87. operator of firefighting equipment to hold a class A or B license.

88. (g) This section applies to a person hired by a fire department,
89. or to a person renewing a driver's license, on or after January 1,
90. 2011.

From: Olson, Kevin

Sent: Tuesday, January 25, 2011 8:26 AM

To: Vogt, Mike

Subject: DMV

Hi Mike,

I spoke to the DMV Commercial division yesterday. They stated that to go from a Restricted Class "B" to a full Commercial class "B" requires only passing the written test and the test for any endorsements that are needed. They would like to know which DMV office your people visited and they will communicate with them to fix it, can you send me which one? If any of our people have problems at the DMV they should have the DMV call the commercial office here in Sacramento at 916-657-6550.

Kevin Olson

Staff Chief, Department Training and EMS Chief

CAL FIRE

Sacramento Headquarters

916-653-5341

ATTACHMENT A

Adding a Firefighter
Endorsement to a
Commercial Class A or B
License

CONTENTS

Instructions
Firefighter Written Knowledge Test – Master
Firefighter Written Knowledge Test – Key
Firefighter Endorsement Cards
Commercial Class A or B Firefighter Endorsement and Employment Verification
Self Addressed Return Envelope

DEPARTMENT OF MOTOR VEHICLES
LICENSING OPERATIONS DIVISION
P.O. BOX 932345
SACRAMENTO, CA 94232-3450



November 8, 2010

Dear Fire Chief,

This important information is being provided to inform you of a new law affecting firefighters that operate firefighter equipment. Effective January 1, 2011, California Vehicle Code Section (CVC) 12804.11(a) requires an individual who operates firefighting equipment, including a tiller operator, to have a Firefighter Endorsement. The following actions must be taken to ensure current operators of fire fighting equipment meet the requirement by January 1, 2011. This letter also includes information for obtaining a Firefighter Endorsement on or after January 1, 2011, for new applicants.

- **Current Holders of a Restricted Commercial Firefighter License**

The Department of Motor Vehicles (DMV) will automatically add the Firefighter Endorsement to the driver record of an employee or volunteer firefighter who holds a Restricted Commercial Firefighter Driver License. The current Restricted Commercial Firefighter Driver License will be honored until the time of renewal. It is *not* necessary to obtain a new driver license for this purpose.

- **Current Holders of a Commercial Driver License**

Firefighters with a Commercial Driver License are *now* required to add the endorsement to continue operating firefighting equipment. To ensure firefighters with a Commercial Driver License meet the requirement by January 1, 2011, please administer the Firefighter Written Knowledge Test (attachment A) and issue the enclosed Firefighter Endorsement Card upon completion to accompany the current driver license by December 6, 2010, in order to prevent a disruption to service.

Please return the Firefighter Endorsement and Employment Verification to the DMV, in the enclosed self addressed envelope, by December 6, 2010, to prevent a delay in adding the endorsement to the driver's record by January 1, 2011. A Firefighter Endorsement and Training Verification received after December 6, 2010, may delay the updating of the endorsement before January 1, 2011.

- **Applicants for an Original Firefighter Endorsement after January 1, 2011**

All applicants applying for an *original* Firefighter Endorsement after January 1, 2011, will be required to apply in person at a local DMV field office and provide a Firefighter Employment and Training Verification on Fire Department letterhead signed by the Fire Chief or designee (Attachment B).

You may obtain information regarding the new law online at www.dmv.ca.gov or contact the Commercial Licensing Policy Unit at (916) 657-6550 about the Firefighter Endorsement requirement.

Sincerely,

A handwritten signature in black ink that reads "Shamim Khan".

SHAMIM KHAN, Deputy Director
Licensing Operation Division

Attachments

California Relay Telephone Service for the deaf or hearing impaired from TDD Phones: 1-800-735-2929; from Voice Phones: 1-800-735-2922

DEPARTMENT OF MOTOR VEHICLESLICENSING OPERATIONS DIVISION
P.O. BOX 932345
SACRAMENTO, CA 94232-3450

November 10, 2010

To all Firefighter Personnel:

This important information is being provided to inform you of a new law affecting firefighters that operate firefighting equipment. Effective January 1, 2011, California Vehicle Code Section 12804.11(a) requires an individual who operates firefighting equipment, including a tiller operator, to have a Firefighter Endorsement. The Restricted Commercial Firefighter driver license will no longer be issued.

- **Current Holders of a Restricted Commercial Firefighter Driver License**
DMV will automatically add the Firefighter Endorsement to the driver record of driver holding a Restricted Commercial Firefighter driver license. The Restricted Commercial Class A or B Firefighter license will be honored until time of renewal. It is *not* necessary to obtain a new driver license for this purpose.
- **Current Holders of a Commercial Driver License**
Firefighters with a Commercial Driver License are *now* required to add the Firefighter Endorsement to continue operating firefighting equipment. To ensure firefighters with a Commercial Driver License meet the requirement by January 1, 2011, please contact your fire chief who will administer the Firefighter Written Knowledge Test and issue a Firefighter Endorsement Card to accompany your current driver license.

Firefighter Endorsement and Employment Verification forms returned to the DMV by December 6, 2010, signed by your Fire Chief or designee will indicate you have met the requirement to continue operating firefighting equipment and will be used to add the endorsement to your driver record by January 1, 2011.

You may obtain additional information regarding the new law online at www.dmv.ca.gov or contact the Commercial Licensing Policy Unit, at (916) 657-6550 about the Firefighter Endorsement requirement.

California Relay Telephone Service for the deaf or hearing impaired from TDD Phones: 1-800-735-2929; from Voice Phones: 1-800-735-2922

DL 900 (NEW 11/2005) EF

A Public Service Agency

APPENDIX: SOLANO COUNTY

**Solano County
Training Officers Association AB1648 Policy**

AB 1648 Policy

Revision Date: 01/18/2011

Page 57 of 93

Purpose

The State of California has adopted Assembly Bill AB1648, which will take effect January 01, 2011. This bill is in reference to the California Firefighter Driving License or Firefighter Endorsement. The bill allows for the County Training Officers Association to set criteria for approving individuals from departments within the Solano County Operational Area influence to be trainers for the California Firefighter Driving License program. The Solano County Training Officers Association in conjunction with the Fire Chiefs, have set standards as well as a peer review process for individuals to petition for approval as a trainer for the program. The following outlines the procedures for this process.

An individual is not required to submit to this process if they are currently registered with the State Fire Marshal's Office to instruct Driver Operator IA.

Criteria

All applicants must meet the criteria established by the Solano County Training Officers Association established below.

Have a minimum of five years of fire service experience as an emergency vehicle operator, three of which must be at the rank of Engineer or Captain.

And

Poses a valid California class A or B license or a class A or B license restricted to the operation of firefighting equipment.

And

NFA Training Ops for Small Departments

Or

Previous DL170 Approved Instructor

Or

State Fire Marshal Instructor IA

Or

Documented proof that NFPA 1041 Instructor I criteria is being utilized

Submission Process

All applicants must submit a packet to the Training Officers committee for a peer review to validate training standards. The Training Officers meet monthly and will review applications submitted at the monthly meeting. Applications must be thorough and complete when submitted for review.

The submission packet will include the following:

- A completed Application
- An original letter on Department letterhead signed by the Fire Chief with the following information:
 - **Identify the applicants name and department rank**
 - **Describe the experience as an emergency vehicle operator**
 - **Identify the type of license the individual possess**
- A copy of current driver license
- Course certifications

Peer Review Process

The Training Officers, sitting as the Peer Review Committee for the purpose of AB1648 approval, will make recommendations whether the individual should be approved or denied based on the completeness of the application packet. The information provided will be evaluated to validate if the individual meets the established criteria.

A letter will be sent to the individual and the Fire Chief advising them whether they were approved or denied and give a short description of reasoning if an individual is denied.

Appeals Process

Appeals relative to denial of eligibility for certification may be made by utilizing the following procedures:

- Appeals shall be in writing, directed to the Solano County Fire Chiefs Association no later than 30 days after notification of initial review and denial. Appeals must contain (at a minimum) a description of the reason/circumstances leading to the appeal, supporting documentation and the desired outcome.
- The Solano County Fire Chiefs Association shall render a decision in writing within 30 days of receipt of appeal.
- The decision of the Solano County Fire Chiefs Association shall be final.

Documentation

Applications will be retained by the Training Officers for documentation and accountability.

The Solano County Training Officers will retain a list of the approved individuals who have been approved and met the criteria for teaching the Firefighter Driving License program AB1648.

Individuals approved by the Solano County Training Officers Association will only have to submit one time for approval while they meet the requirements.

The Fire Chief will receive a letter from the Training Officers Association notifying them of the outcome of the submitted packet.

A sample application packet is attached as an example.

REQUIREMENTS FOR **AB1648 INSTRUCTOR CERTIFICATION** THROUGH THE SOLANO COUNTY TRAINING OFFICER'S ASSOCIATION

Applicant _____ Date _____

REQUIRED TRAINING

- Posses a valid California class A or B license or a class A or B license restricted to the operation of firefighting equipment.

REQUIRED EXPERIENCE

- Have a minimum of five years of fire service experience as an emergency vehicle operator, three of which must be at the rank of Engineer or Captain.

ONE OF THE FOLLOWING CERTIFICATIONS BELOW MUST BE PROVIDED, WHICH SUPPORTS DEVELOPMENT OF KNOWLDEGE AND SKILSS

- NFA Training Ops for Small Departments
Or
- Previous Approved DL170 Instructor
Or
- State Fire Marshal Instructor IA
Or
- NFPA 1041 Instructor I
 - The applicant must submit written documentation clearly outlining how they meet the requirements found in NFPA 1041

- Individual meets the requirements set forth by the Solano County Training Officer's Association

- Individual does not meet the requirements set forth by the Solano County Training Officer's Association

Signature of reviewer: _____

COMMENTS: _____

CRITERIA

All applicants must meet the criteria established by the Solano County Training Officers Association established below.

Have a minimum of five years of fire service experience as an emergency vehicle operator, three of which must be at the rank of Engineer or Captain.

Verifying official **MUST** verify requirements are true and correct, utilizing the Application Form.

Verifying official **MUST** verify experience for the position utilizing the Application-Experience page.

All applicants **MUST** record pertinent training courses for the applied for position, utilizing the Application-Training page.

HOW TO APPLY

Application consists of:

1. Completed Application Form with appropriate signatures.
2. Completed Experience page.
3. Completed Training page with attached copies of appropriate course completion certificates.
4. An original letter on Department letterhead and signed by the Fire Chief (or designee), describing the applicant's specific background as it relates to the occupational experience requirement, must be included.



Solano County Training Officers Association AB1648



Certification System

APPLICATION FORM

POSITION FOR WHICH YOU ARE APPLYING _____

(Note: Separate applications must be submitted for each position applied for)

NAME _____

AGENCY _____

UNIT _____

ADDRESS _____

PHONE NUMBER _____

E-MAIL ADDRESS (IF APPLICABLE) _____

RANK AND WORKING TITLE _____

APPLICANT'S SIGNATURE

DATE

=====

I verify that the applicant meets all the certification and qualification requirements, as outlined in the Solano County Training Officers AB1648 S.O.P., for the applied for position.

VERIFYING OFFICIAL AND TITLE

DATE

EXPERIENCE

RECORD OF EXPERIENCE FOR THE POSITION (LAST 5 YEARS)

(DEPARTMENT NAME) (YEAR) (TITLE) ASSIGNMENT)

TRAINING

RECORD OF TRAINING COURSES FOR THE POSITION

Attach copies of course completion certificates.

(TRAINING COURSE) (LOCATION) (DATES)

APPENDIX: FDAC CALIFORNIA FIREFIGHTER DRIVERS LICENSING

California Firefighter Drivers Licensing



Implementation of AB 1648

Fire Districts Association of California

The Issues

- Fire agencies, particularly in rural areas, having difficulty getting operators and equipment to a DMV office for driver testing
- Reduction coming in 2012 of DMV testing sites to meet DOT requirements
- Rules on DL 170 program (internal testing) too arduous



Fire Districts Association of California

Legislative Process



- California State Assembly hearings in Sacramento and San Diego
- Assembly Members Jeffries and Chesbro involved
- Introduction of AB 1648 in January, 2010

Fire Districts Association of California

AB 1648



- Introduced in January, 2010
- Several iterations as it moved through the various Assembly and Senate Committees
- Signed by the Governor and Chaptered on September 27, 2010
- Takes effect January 1, 2011

Fire Districts Association of California

AB 1648 Requirements



- Fire agencies now required to participate in the DMV "Pull Program". Cal. Veh. Code Section 1808.1 (h) (2)
- Fire agencies not subject to fees for Pull Program
- Pull Program requires initial screening, record updates, routine review and employers to not allow drivers to operate if they have violations

Fire Districts Association of California

AB 1648 Requirements

- Section 12804.11 added to the California Vehicle Code
- Requires "Firefighter Endorsement" for driving and operating fire apparatus
- May be Class A, B or C with FF endorsement



Fire Districts Association of California

Firefighter Endorsement Requisites

- Provide proof of employment/membership in FD (Letter from the Chief) to DMV
- FF completes training
- Requires department to train and certify
- Physical required every 4 years



Fire Districts Association of California

Training

- SFM D/O 1A or NFPA 1002, 2008 version
- Prepare applicant for safe operation of fire apparatus
- At least 16 hours classroom
- At least 14 hours manipulative, driving



Fire Districts Association of California

Driver Training Instructor Certs and Quals

- Instructor registered with the SFM to teach D/O 1A; or all of these:
 - 5 years in FS as an emergency vehicle operator, three years of which at FAE or higher
 - Possess Class A or B license
 - Certified as a T/O by State, Feds or County Training Officers Association



Fire Districts Association of California

Driver Candidate Requirements

- Pass a written test administered by DMV based on SFM materials
- Physical within 4 years of application
- Submit a medical report to DMV
- Holders of a current restricted FF license subject to physicals at time of renewal
- No added charge for FF endorsement



Fire Districts Association of California

When is Endorsement Required?



1. Equipment operated by an employee/member as a firefighter of a fire agency; and,
2. The vehicle is used to travel to scenes carrying personnel and/or equipment

Fire Districts Association of California

Other Information



- Endorsement not required while operating during training, during non emergency times, while under direct supervision of a qualified licensed operator
- Operation includes tiller and/or other vehicles that would otherwise require a Class A or B prior to effective date

Fire Districts Association of California

Implementation

- Fire agency may continue requirement for Class A and/or B
- Applies to firefighters hired or renewing a license after January 1, 2011
- Implication/intent is that current licensing is OK until renewal



Fire Districts Association of California

Questions?

FDAC
1218 K Street
Suite 2290
Sacramento
1.800.829.4309

Fire Districts Association of California

APPENDIX: WEAVERVILLE SPREADSHEET

Driver / Vehicle Information									
Drivers Name:				Date of Evaluation:					
Evaluators Name:				Number of Miles Driven:					
Vehicle Number:				License Number:					
Start Time:				Finish Time:					
Weather Conditions:				Road Surface:					
Type of Evaluation:				Emergency	Non Emergency				
S = Satisfactory NI = Needs Improvement U = Unsatisfactory N/A = Not Applicable									
Pre-response				Response					Response
Conduct walk-around (circle of safety)						Proceed through with caution			
Adjust cab features (mirror, seat, seat belt)					Intersection - controlled (direction of travel)				
Secure seat belt - driver					St / Hwy / Off Road Driving Evaluation				
Secure seat belt - crew					Decelerate and cover the brake				
Start engine properly (according to guidelines)					Scan intersection for potential hazards				
Check instruments for normal readings					Come to a complete stop				
Receive signal before moving					Confirm other vehicles have stopped				
Start unit moving smoothly (proper gear, clutch)					Have partner communicate that the right side				
Non-Emergency Driving					is clear				
Four left and for right hand turns					Backing				
Straight section of urban business street or two lane rural road used at least 1 mile					Position to avoid if possible				
One through intersection and two intersections where a stop has to be made					Give audible notice				
One curve, either left or right					Spotter used				
Downgrade steep enough and long enough to require down shifting and breaking					If no spotter is used, conduct circle of safety				
Upgrade steep enough and long enough to require gear changing to maintain speed					Check front corners				
One underpass or low clearance bridge					Maintain speed control				
Proper speed maintained					Parking				
According to posted limits					Spotter used				
					Park without hitting objects or vehicles				
					Park correct distance from curb				
					Secure unit (according to department)				

APPENDIX - AMBULANCE DRIVER CERTIFICATE

What do I need to drive an ambulance?

If you wish to drive an ambulance used commercially in emergency service ([Vehicle Code Section 2512](#)), you may apply at any DMV office for an Ambulance Driver certificate. You may also purchase an 'Ambulance Driver Handbook' for \$5.

The following requirements must be met to apply for an Ambulance Driver certificate:

- Be at least 18 years of age.
- Hold a valid California driver license that is not on departmental probation.
- Pay an application fee
 - \$25 for an original certificate.
 - \$12 for a renewal, duplicate, or name change.
- Pass an Ambulance Driver written examination.
- Submit a completed request for Live Scan Service form (DMV 8016 [BCII 8016]). See [Live Scan Fingerprints](#) below for more information.
- Submit either a: (not required if you have a valid medical report already on file with DMV).
 - [Medical Examination Report \(DL 51\)](#), or
 - Acceptable Federal Aviation Administration or Department of Transportation medical form.

Effective October 1, 2004, DMV will accept only a [Medical Examination Report \(DL 51\)](#) with a revision date of 2/2004 or later, or a current medical form (containing the new blood pressure guidelines) approved by the Federal Highway Administration or the Federal Aviation Administration.

Additional Requirements

When renewing your Ambulance Driver certificate you must possess a valid Emergency Medical Technician I (EMT-1) certificate.

The EMT-1 certificate is not required if you are a California licensed physician, registered nurse, emergency care physician assistant, or a paramedic certified by a County Health Officer.

If you are a volunteer ambulance driver, you may be exempt from holding an EMT-1 certificate if the following requirements are met:

- The ambulance service is provided in an unincorporated area of a county with a population of less than 125,000 people.
- You (the driver) provide a letter on County Board of Supervisors letterhead identifying the name of the volunteer ambulance service.
- You (the driver) provide a letter on letterhead from one of the following who identifies you by name and the name of the volunteer ambulance service:
 - County Health Office
 - County Medical Care Committee
 - Local emergency medical services agency coordinator

Live Scan Fingerprints

Live Scan fingerprints are required for an Ambulance Driver certificate. A list of Live Scan sites is available from the [California Department of Justice/Office of the Attorney General website](http://www.cdps.ca.gov/officeoftheattorneygeneral/) at ag.ca.gov/fingerprints/publications/contact.htm.

Action(s) Against An Ambulance Driver Certificate

DMV may refuse, revoke, or suspend the Ambulance Driver certificate of any person who gives any cause, before or after issuance of the certificate, for discretionary refusal of certification ([Vehicle Code Section 13372](#)). If there is an immediate risk to safety due to a physical or mental condition, an action under [Vehicle Code Section 13953](#) may be taken.

The department may refuse, revoke, or suspend an Ambulance Driver certificate under the following conditions:

Felony Conviction: The driver has been convicted during the preceding seven years of any offense punishable as a felony or has been convicted during that period of any theft ([Vehicle Code Section 13372\[b\]\[1\]](#)).

Moral Turpitude: The driver has committed any act involving moral turpitude, including fraud or intentional dishonesty for personal gain, within the preceding seven years ([Vehicle Code Section 13372\[b\]\[2\]](#)).

Use of Alcohol: The driver habitually and excessively uses intoxicating beverages ([Vehicle Code Section 13372\[b\]\[3\]](#)).

Drugs: The driver has been convicted within the preceding seven years of any offense relative to the use, sale, possession, or transportation of narcotics or addictive or dangerous drugs, or of any misdemeanor involving force, violence, threat, or intimidation ([Vehicle Code Section 13372\[b\]\[4\]](#)).

On Probation: The driver is on probation to the department for a cause involving the unsafe operation of a motor vehicle ([Vehicle Code Section 13372\[b\]\[5\]](#)).

Sanction for Unsafe Driving: Within the three years immediately preceding the application, the driver has had his/her driver's license suspended or revoked by the department for a cause involving the unsafe operation of a motor vehicle, or, within the same period, has been convicted of any of the following: ([Vehicle Code Section 13372 \[b\]\[6\]](#)).

- Failing to stop and render aid in an accident involving injury or death.
- Driving under the influence of intoxicating liquor, any drug, or under the combined influence of intoxicating liquor and any drug.
- Reckless driving or reckless driving involving bodily injury.

Fraudulent Application: The driver has knowingly falsified or failed to disclose a material fact in his/her application. An applicant refused certification under this provision shall not be issued an Ambulance Driver certificate within 12 months of the refusal ([Vehicle Code Section 13372 \[b\]\[7\]](#)).

Accident(s): The driver has been involved as a driver in any motor vehicle accident causing death or bodily injury or in three or more motor vehicle accidents during the preceding one year period ([Vehicle Code Section 13372 \[b\]\[8\]](#)).

Medical: The certificate may be refused, suspended or revoked if the driver does not meet the minimum medical standards established by the department in Article 2.1, Sections 28.18 and 28.19, of Title 13, 'California Code of Regulations' ([Vehicle Code Section 13372 \[b\]\[9\]](#)).

Irrational Behavior: The driver has demonstrated irrational behavior or incurred a physical disability to the extent that a reasonable and prudent person would have reasonable cause to believe that the ability to perform the duties normally expected of an ambulance driver may be impaired ([Vehicle Code Section 13372 \[b\]\[10\]](#)).

Code Violation: The driver has violated any provision of the Vehicle Code or any regulation adopted by the Commissioner of the California Highway Patrol relating to the operation of emergency ambulances during the preceding one-year period ([Vehicle Code Section 13372 \[b\]\[11\]](#)).

Employment Dismissal: The driver has committed any act that warrants dismissal, as provided in [Vehicle Code Section 13373](#) ([Vehicle Code Section 13372 \[b\]\[12\]](#)).

Reapplication

Under [Vehicle Code Section 13372\(b\)](#), reapplication depends on the time period indicated by each of the above subdivisions. Some time periods are indefinite.

Example: Reapplication under [Vehicle Code Section 13372\(b\)\(9\)](#) or [13372\(b\)\(10\)](#) depends on the applicant meeting the medical standards or removal of the cause for irrational behavior or physical disability.

V C Section 2512 Regulations Governing Ambulance Service Handbook

Regulations Governing Ambulance Service: Handbook

2512. (a) The commissioner, after consultation with, and pursuant to the recommendations of, the Emergency Medical Service Authority and the department, shall adopt and enforce reasonable regulations as the commissioner determines are necessary for the public health and safety regarding the operation, equipment, and certification of drivers of all ambulances used for emergency services. The regulations shall not conflict with standards established by the Emergency Medical Service Authority pursuant to Section 1797.170 of the Health and Safety Code. The commissioner shall exempt, upon request of the county board of supervisors that an exemption is necessary for public health and safety, noncommercial ambulances operated within the county from the regulations adopted under this section as are specified in the board of supervisors' request. The Emergency Medical Service Authority shall be notified by the county boards of supervisors of any exemptions.

(b) The department, in cooperation with the Department of the California Highway Patrol and the Emergency Medical Service Authority, may adopt and administer regulations relating to the issuance, suspension, or revocation of ambulance driver's certificates. In addition to the fee authorized in Section 2427, the department shall charge a fee of twenty-five dollars (\$25) for the issuance of an original certificate and twelve dollars (\$12) for the renewal of that certificate, and, in the administration thereof, to exercise the powers granted to the commissioner by this section.

(c) This section shall not preclude the adoption of more restrictive regulations by local authorities, except that inspection of ambulances pursuant to subdivision (b) of Section 2510 shall not be duplicated by local authorities. It is the intent of the Legislature that regulations adopted by the commissioner pursuant to this section shall be the minimum necessary to protect public health and safety, and shall not be so restrictive as to preclude compliance by ambulances operated in sparsely populated areas. This subdivision does not relieve the owner or driver of any ambulance from compliance with Section 21055.

(d) The Department of the California Highway Patrol after consultation with the department and the Emergency Medical Service Authority shall prepare, and make available for purchase, an ambulance driver's handbook.

Amended Ch. 104, Stats. 1990. Effective May 23, 1990.
Amended Ch. 1360, Stats. 1990. Effective January 1, 1991.
Amended Sec. 5, Ch. 440, Stats. 1996. Effective January 1, 1997.

AUTHORIZED EMERGENCY VEHICLES

EXCERPTS FROM THE

CALIFORNIA VEHICLE CODE,
(current through the 1997 legislative session)

HEALTH AND SAFETY CODE,
(current through the 1997 legislative session)

and

TITLE 13, CALIFORNIA CODE OF REGULATIONS
(current through Register 97, No. 50)

This pamphlet contains excerpts from selected statutes and regulations pertaining to the operation of certain authorized emergency vehicles.

The California Vehicle Code is available from local offices of the Department of Motor Vehicles

Contact the Department of Health Services for copies of the Health and Safety Code

The full text of Title 13, California Code of Regulations, is available from:

CHP 810 (Rev. 3-98) OPI 062

EXCERPTS FROM THE CALIFORNIA VEHICLE CODE

GENERAL PROVISIONS

False Statements

20. It is unlawful to use a false or fictitious name, or to knowingly make any false statement or knowingly conceal any material fact in any document filed with the Department of Motor Vehicles or the Department of the California Highway Patrol.

Legislative Policy: Red Lights and Sirens

30. It is declared as a matter of legislative policy that red lights and sirens on vehicles should be restricted to authorized emergency vehicles engaged in police, fire and lifesaving services; and that other types of vehicles which are engaged in activities which create special hazards upon the highways should be equipped with flashing amber warning lamps.

False Information to Peace Officer

31. No person shall give, either orally or in writing, information to a peace officer while in the performance of his duties under the provisions of this code when such person knows that the information is false.

DIVISION 1. WORDS AND PHRASES DEFINED

Authorized Emergency Vehicle

165. An authorized emergency vehicle is:

(a) Any publicly owned and operated ambulance, lifeguard, or lifesaving equipment or any privately owned or operated ambulance licensed by the Commissioner of the California Highway Patrol to operate in response to emergency calls.

(b) Any publicly owned vehicle operated by the following persons, agencies, or organizations:

(1) Any federal, state, or local agency, department, or district employing peace officers as that term is defined in Chapter 4.5 (commencing with Section 830) of Part 2 of Title 3 of the Penal Code, for use by those officers in the performance of their duties.

(2) Any forestry or fire department of any public agency or fire department organized as provided in the Health and Safety Code.

(c) Any vehicle owned by the state, or any bridge and highway district, and equipped and used either for fighting fires, or towing or servicing other vehicles, caring for injured persons, or repairing damaged lighting or electrical equipment.

(d) Any state-owned vehicle used in responding to emergency fire, rescue or communications calls and operated either by the Office of Emergency Services or by any public agency or industrial fire department to which the Office of Emergency Services has assigned the vehicle.

(e) Any vehicle owned or operated by any department or agency of the United States government when the vehicle is used in responding to emergency fire, ambulance, or lifesaving calls or is actively engaged in law enforcement work.

(f) Any vehicle for which an authorized emergency vehicle permit has been issued by the Commissioner of the California Highway Patrol.

Legal Owner

370. A "legal owner" is a person holding a security interest in a vehicle which is subject to the provisions of the Uniform Commercial Code, or the lessor of a vehicle to the State or to any county, city, district, or political subdivision of the State, or to the United States, under a lease, lease-sale, or rental-

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purchase agreement which grants possession of the vehicle to the lessee for a period of 30 consecutive days or more.

Motor Truck

410. A "motor truck" or "motortruck" is a motor vehicle designed, used, or maintained primarily for the transportation of property.

Owner

460. An "owner" is a person having all the incidents of ownership, including the legal title of a vehicle whether or not such person lends, rents, or creates a security interest in the vehicle; the person entitled to the possession of a vehicle as the purchaser under a security agreement; or the State, or any county, city, district, or political subdivision of the State, or the United States, when entitled to the possession and use of a vehicle under a lease, lease-sale, or rental-purchase agreement for a period of 30 consecutive days or more.

Truck Tractor

655. (a) A "truck tractor" is a motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load, other than a part of the weight of the vehicle and the load so drawn. As used in this section, "load" does not include items carried on the truck tractor in conjunction with the operation of the vehicle if the load carrying space for these items does not exceed 34 square feet. . . .

Unladen Weight

660. The "unladen weight" of a vehicle is the weight equipped and ready for operation on the road including the body, fenders, oil in motor, radiator full of water, with five gallons of gasoline or equivalent weight of other motor fuel; also equipment required by law, and unless exempted under Section 66l, any special cabinets, boxes or body parts permanently attached to the vehicle, and any machinery, equipment or attachment which is attendant to the efficient operation of the body or vehicle. . . .

Water Tender Vehicle

676.5. A "water tender vehicle" is a vehicle designed to carry not less than 1,500 gallons of water and used primarily for transporting and delivering water to be applied by other vehicles or pumping equipment at fire emergency scenes.

DIVISION 2. ADMINISTRATION

Authorized Emergency Vehicle Permit

2416. (a) The Commissioner of the California Highway Patrol may issue authorized emergency vehicle permits only for the following vehicles, and then only upon a finding in each case that the vehicle is used in responding to emergency calls for fire or law enforcement or for the immediate preservation of life or property or for the apprehension of law violators:

(1) Any vehicle maintained in whole or in part by the state, a county or a city and privately owned and operated by a marshal, deputy marshal, or person who is a member of, and who receives salary from, and is regularly employed by, a police department or sheriff's department, provided the state, county or city does not furnish to that person a publicly owned authorized emergency vehicle.

(2) Any vehicle owned and operated by a public utility, used primarily to accomplish emergency repairs to utility facilities or used primarily by railroad police officers, who are commissioned by the Governor, in the performance of their duties.

(3) Firefighting or rescue equipment designed and operated exclusively as such.

(4) Any vehicle operated by the chief, assistant chief, or one other uniformed person designated by the chief of a fire department organized as provided in the Health and Safety Code or the Government Code or pursuant to special act of the Legislature.

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(5) Any vehicle of an air pollution control district used to enforce provisions of law relating to air pollution from motor vehicles.

(6) Any vehicle operated by the chief of any fire department established on any base of the armed forces of the United States.

(7) Any vehicle owned and operated by any fire company organized pursuant to Part 4 (commencing with Section 14825) of the Health and Safety Code.

(8) Privately owned ambulances licensed pursuant to Chapter 2.5 (commencing with Section 2500).

(9) Vehicles other than privately owned ambulances used by privately owned ambulance operators exclusively to transport medical supplies, lifesaving equipment, or personnel to the scene of an emergency when a request for medical supplies, lifesaving equipment, or personnel has been made by any person or public agency responsible for providing emergency medical transportation. These vehicles shall display a sign or lettering not less than two and one-half inches in height, in a color providing a sharp contrast to its background, on each side showing the name of the ambulance operator.

(10) Any vehicle owned and operated by an office or department of a city, county, or district which is designated by an ordinance adopted by the governing body of that local agency as a hazardous materials response team vehicle for response to hazardous materials emergencies.

(b) The commissioner may adopt and enforce regulations to implement this section.

(c) Violation of any regulation adopted by the commissioner pursuant to this section is a misdemeanor.

Suspension or Revocation of Permit

2417. (a) The commissioner may suspend or revoke any permit issued for an authorized emergency vehicle under the following conditions:

(1) The vehicle is operated in violation of any of the provisions of this code.

(2) The vehicle is operated in violation of the rules and regulations relating to authorized emergency vehicles as promulgated by the commissioner.

(3) The vehicle is not equipped as required by this code.

(b) The permittee of any authorized emergency vehicle whose permit has been suspended or revoked shall be entitled, upon request, to a hearing in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) When any authorized emergency vehicle permit has been suspended or revoked under provisions of this section, any additional authorized emergency vehicle permit issued in the name of the permittee may be likewise suspended or revoked.

Obedience to Traffic Officers

2800. It is unlawful to willfully fail or refuse to comply with any lawful order, signal, or direction of any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, when that peace officer is in uniform and is performing duties under any of the provisions of this code, or to refuse to submit to any lawful inspection under this code.

Inspection by Patrol Members

2804. A member of the California Highway Patrol upon reasonable belief that any vehicle is being operated in violation of any provisions of this code or is in such unsafe condition as to endanger any person, may require the driver of the vehicle to stop and submit to an inspection of the vehicle, and its equipment, license plates, and registration card.

DIVISION 3. REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE

Firefighting Vehicle

4015. Any privately owned vehicle designed or capable of being used for firefighting purposes when operated upon a highway only in responding to, and returning from, emergency fire calls is exempt from registration.

3

Fire Vehicles—Used For Fire-fighting or as Ambulances

9104. The fees specified in this code except fees for duplicate plates, certificates, or cards need not be paid for any vehicle of a type subject to registration under this code owned by a public fire department organized as a nonprofit corporation and used exclusively for firefighting or rescue purposes or exclusively as an ambulance, nor for any vehicle owned by a voluntary fire department organized under the laws of this state and used exclusively for firefighting or rescue purposes or exclusively as an ambulance.

DIVISION 7. FINANCIAL RESPONSIBILITY LAWS

Evidence of Financial Responsibility

16020. (a) Every driver and every owner 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) The name of the insurance or surety company that issued a policy or bond for the vehicle that meets the requirements of Section 16056 and is currently in effect, and the number of the insurance policy or surety bond.

(2) If the owner is a self-insurer, as provided in Section 16052 or a depositor, as provided in Section 16054.2, the certificate or deposit number issued by the department.

(3) An insurance covering note, as specified in Section 382 of the Insurance Code.

(4) A showing that the vehicle is owned or leased by, or under the direction of, the United States or any public entity, as defined in Section 811.2 of the Government Code.

(c) For purposes of this section, "evidence of financial responsibility" shall be in writing, and established by writing the name of the insurance company or surety company and the policy number on the vehicle registration card issued by the department.

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

(1) The number of an insurance policy or surety bond that was in effect at the time of the accident, if that information is contained in the vehicle registration records of the department. . . .

(f) This section shall become operative on January 1, 1997.

(g) This section shall remain in effect only until January 1, 2000, or until the date determined by the director pursuant to paragraph (2) of subdivision (a) of Section 1680, whichever is later, and as of that date is repealed, unless a later enacted statute, which is enacted on or before January 1, 2000, deletes or extends that date.

NOTE: This section shall remain in effect only until January 1, 2000, or until the date determined by the director pursuant to paragraph (2) of subdivision (a) of Section 1680, whichever is later, and as of that date becomes inoperative and the following section becomes effective.

16020. (a) Every driver and every owner 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) The name of the insurance or surety company that issued a policy or bond for the vehicle that meets the requirements of Section 16056 and is currently in effect, and the number of the insurance policy or surety bond.

(2) If the owner is a self-insurer, as provided in Section 16052 or a depositor, as provided in Section 16054.2, the certificate or deposit number issued by the department.

(3) An insurance covering note, as specified in Section 382 of the Insurance Code.

(4) A showing that the vehicle is owned or leased by, or under the direction of, the United States or any public entity, as defined in Section 811.2 of the Government Code. . . .

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(d) For purposes of this section, "evidence of financial responsibility" shall be in writing, and established by writing the name of the insurance company or surety company and the policy number on the vehicle registration card issued by the department.

(e) This section shall become operative on January 1, 2000, or on the date determined by the director pursuant to paragraph (2) of subdivision (a) of Section 1680, whichever is later.

Establishing 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 which complies with the requirements of this division and which 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) In compliance with the requirements authorized by the department by any other manner which effectuates the purposes of this chapter.

Proof Required

16430. Proof of financial responsibility when required by this code means proof of financial responsibility resulting from the ownership or operation of a motor vehicle and arising by reason of personal injury to, or death of, any one person, of at least fifteen thousand dollars (\$15,000), and, subject to the limit of fifteen thousand dollars (\$15,000) for each person injured or killed, of at least thirty thousand dollars (\$30,000) for the injury to, or the death of, two or more persons in any one accident, and for damages to property (in excess of five hundred dollars (\$500)), of at least five thousand dollars (\$5,000) resulting from any one accident. Proof of financial responsibility may be given in any manner authorized in this chapter.

DIVISION 9. CIVIL LIABILITY

Liability of a Public Entity

17001. A public entity is liable for death or injury to person or property proximately caused by a negligent or wrongful act or omission in the operation of any motor vehicle by an employee of the public entity acting within the scope of his employment.

Authorized Emergency Vehicles

17004. A public employee is not liable for civil damages on account of personal injury to or death of any person or damage to property resulting from the operation, in the line of duty, of an authorized emergency vehicle while responding to an emergency call or when in the immediate pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm or other emergency call.

Liability of Private Fire Department

17004.5. Any private firm or corporation, or employee thereof, which maintains a fire department and has entered into a mutual aid agreement pursuant to Section 13855, 14095, or 14455.5 of the Health and Safety Code shall have the same immunity from liability for civil damages on account of personal injury to or death of any person or damage to property resulting from the operation of an authorized emergency vehicle while responding to, but not upon returning from, a fire alarm or other emergency call as is provided by law for the district and its employees with which the firm or corporation has entered into a mutual aid agreement, except when the act or omission causing the personal injury to or death of any person or damage to property occurs on property under the control of such firm or corporation.

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Liability of Private Owners

17150. Every owner of a motor vehicle is liable and responsible for death or injury to person or property resulting from a negligent or wrongful act or omission in the operation of the motor vehicle, in the business of the owner or otherwise, by any person using or operating the same with the permission, express or implied, of the owner.

DIVISION 11. RULES OF THE ROAD

Exemption of Authorized Emergency Vehicles

21055. The driver of an authorized emergency vehicle is exempt from Chapter 2 (commencing with Section 21350), Chapter 3 (commencing with Section 21650), Chapter 4 (commencing with Section 21800), Chapter 5 (commencing with Section 21950), Chapter 6 (commencing with 22100), Chapter 7 (commencing with Section 22348), Chapter 8 (commencing with Section 22450), Chapter 9 (commencing with Section 22500), and Chapter 10 (commencing with Section 22650) of this division, and Article 3 (commencing with Section 38305) and Article 4 (commencing with Section 38312) of Chapter 5 of Division 16.5, under all of the following conditions:

(a) If the vehicle is being driven in response to an emergency call or while engaged in rescue operations or is being used in the immediate pursuit of an actual or suspected violator of the law or is responding to, but not returning from, a fire alarm, except that fire department vehicles are exempt whether directly responding to an emergency call or operated from one place to another as rendered desirable or necessary by reason of an emergency call and operated to the scene of the emergency or operated from one fire station to another or to some other location by reason of the emergency call.

(b) If the driver of the vehicle sounds a siren as may be reasonably necessary and the vehicle displays a lighted red lamp visible from the front as a warning to other drivers and pedestrians.

A siren shall not be sounded by an authorized emergency vehicle except when required under this section.

Effect of Exemption

21056. Section 21055 does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor protect him from the consequences of an arbitrary exercise of the privileges granted in that section.

Following Emergency Vehicles

21706. No motor vehicle, except an authorized emergency vehicle, shall follow within 300 feet of any authorized emergency vehicle being operated under the provisions of Section 21055.

This section shall not apply to a police or traffic officer when serving as an escort within the purview of Section 21057.

Authorized Emergency Vehicles

21806. Upon the immediate approach of an authorized emergency vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible, under normal atmospheric conditions, from a distance of 1,000 feet to the front of the vehicle, the surrounding traffic shall, except as otherwise directed by a traffic officer, do the following:

(a) (1) Except as required under paragraph (2), the driver of every other vehicle shall yield the right-of-way and shall immediately drive to the right-hand edge or curb of the highway, clear of any intersection, and thereupon shall stop and remain stopped until the authorized emergency vehicle has passed.

(2) A person driving a vehicle in an exclusive or preferential use lane shall exit that lane immediately upon determining that the exit can be accomplished with reasonable safety. (b) The operator of every street car shall immediately stop the street car, clear of any intersection, and remain stopped until the authorized emergency vehicle has passed.

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(c) All pedestrians upon the highway shall proceed to the nearest curb or place of safety and remain there until the authorized emergency vehicle has passed.

Effect of Exemption

21807. The provisions of Section 21806 shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons and property.

Basic Speed Law

22350. No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.

Prima Facie Speed Limits

22352. (a) The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(1) Fifteen miles per hour:

(A) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This subdivision does not apply in the case of any railway grade crossing where a human flagman is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(B) When traversing any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(C) On any alley.

(2) Twenty-five miles per hour:

(A) On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code.

(B) When passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when passing any school grounds which are not separated from the highway by a fence, gate or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign.

(C) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority is not required to erect any sign pursuant to this paragraph until donations from private sources covering those costs are received and the local agency makes a determination that the proposed signing should be implemented. A local authority may, however, utilize any other funds available to it to pay for the erection of those signs.

(3) Thirty-five miles per hour on any highway, other than a state highway, in any moderate density residential district, as defined in subdivision (b) of Section 22352.1, when posted with a sign giving notice of that speed limit, unless a different speed is determined by local authority under procedures set forth in this code.

(b) This section shall remain in effect only until March 1, 2001, and as of that date is repealed, unless a later enacted statute, that is enacted on or before March 1, 2001, deletes or extends that date.

NOTE: This section shall remain in effect only until March 1, 2001, and as of that date becomes inoperative and the following section becomes effective.

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22352. (a) The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(1) Fifteen miles per hour:

(A) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This subdivision does not apply in the case of any railway grade crossing where a human flagman is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(B) When traversing any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(C) On any alley.

(2) Twenty-five miles per hour:

(A) On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code.

(B) When passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when passing any school grounds which are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign.

(C) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority is not required to erect any sign pursuant to this paragraph until donations from private sources covering those costs are received and the local agency makes a determination that the proposed signing should be implemented. A local authority may, however, utilize any other funds available to it to pay for the erection of those signs.

(b) This section shall become operative on March 1, 2001.

Reckless Driving

23103. (a) Any person who drives any vehicle upon a highway in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

(b) Any person who drives any vehicle in any offstreet parking facility, as defined in subdivision (d) of Section 12500, in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

(c) Persons convicted of the offense of reckless driving shall be punished by imprisonment in the county jail for not less than five days nor more than 90 days or by a fine of not less than one hundred forty-five dollars (\$145) nor more than one thousand dollars (\$1,000), or by both fine and imprisonment, except as provided in Section 23104.

Reckless Driving: Bodily Injury

23104. (a) Except as provided in subdivision (b), whenever reckless driving of a vehicle proximately causes bodily injury to any person other than the driver, the person driving the vehicle shall, upon conviction thereof, be punished by imprisonment in the county jail for not less than 30 days nor more than six months or by a fine of not less than two hundred twenty dollars (\$220) nor more than one thousand dollars (\$1,000), or by both the fine and imprisonment.

(b) Any person convicted of reckless driving which proximately causes great bodily injury, as defined in Section 12022.7 of the Penal Code, to any person other than the driver, who previously has been convicted of a violation of Section 23103, 23104, 23109, 23152, or 23153, shall be punished by imprisonment in the state prison, by imprisonment in the county jail for not less than 30 days nor more than six months or by a fine of not less than two hundred twenty dollars (\$220) nor more than one thousand dollars (\$1,000) or by both the fine and imprisonment.

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Driving Under Influence of Alcohol or Drugs

23152. (a) It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.

(b) It is unlawful for any person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

For purposes of this article and Section 34501.16, percent, by weight, of alcohol in a person's blood is based upon grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(c) It is unlawful for any person who is addicted to the use of any drug to drive a vehicle. This subdivision shall not apply to a person who is participating in a narcotic treatment program approved pursuant to Article 3 (commencing with Section 11875) of Chapter 1 of Part 3 of Division 10.5 of the Health and Safety Code.

(d) It is unlawful for any person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(e) This section shall become operative on January 1, 1992, and shall remain operative until the director determines that federal regulations adopted pursuant to the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. Sec. 2701 et seq.) contained in Section 383.51 or 391.15 of Title 49 of the Code of Federal Regulations do not require the state to prohibit operation of commercial vehicles when the operator has a concentration of alcohol in his or her blood of 0.04 percent by weight or more.

(f) The director shall submit a notice of the determination under subdivision (e) to the Secretary of State, and this section shall be repealed upon the receipt of that notice by the Secretary of State.

NOTE: This section remains in effect only until notice by the Secretary of State, at which time it is repealed and the following section becomes effective.

23152. (a) It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.

(b) It is unlawful for any person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

For purposes of this article and Section 34501.16, percent, by weight, of alcohol in a person's blood is based upon grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(c) It is unlawful for any person who is addicted to the use of any drug to drive a vehicle. This subdivision shall not apply to a person who is participating in a narcotic treatment program approved pursuant to Article 3 (commencing with Section 11875) of Chapter 1 of Part 3 of Division 10.5 of the Health and Safety Code.

(d) This section shall become operative only upon the receipt by the Secretary of State of the notice specified in subdivision (f) of Section 23152, as added by Section 25 of Chapter 1114 of the Statutes of 1989.

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Driving Under Influence of Alcohol or Drugs Causing Injury

23153. (a) It is unlawful for any person, while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

(b) It is unlawful for any person, while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after driving.

(c) In proving the person neglected any duty imposed by law in driving the vehicle, it is not necessary to prove that any specific section of this code was violated.

(d) It is unlawful for any person, while having 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210, and concurrently to do any act forbidden by law or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of performance of a chemical test within three hours after driving.

(e) This section shall become operative on January 1, 1992, and shall remain operative until the director determines that federal regulations adopted pursuant to the Commercial Motor Vehicle Act of 1986 (49 U.S.C. Sec. 2701 et seq.) contained in Section 383.51 or 391.15 of Title 49 of the Code of Federal Regulations do not require the state to prohibit operation of commercial vehicles when the operator has a concentration of alcohol in his or her blood of 0.04 percent by weight or more.

(f) The director shall submit a notice of the determination under subdivision (e) to the Secretary of State, and this section shall be repealed upon the receipt of that notice by the Secretary of State.

NOTE: This section remains in effect only until notice by the Secretary of State, at which time it is repealed and the following section becomes effective.

23153. (a) It is unlawful for any person, while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle and concurrently do any act forbidden by law or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

(b) It is unlawful for any person, while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle and concurrently do any act forbidden by law or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after driving.

(c) In proving the person neglected any duty imposed by law in driving the vehicle, it is not necessary to prove that any specific section of this code was violated.

(d) This section shall become operative only upon the receipt by the Secretary of State of the notice specified in subdivision (f) of Section 23153, as added by Section 30 of Chapter 1114 of the Statutes of 1989.

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DIVISION 12. EQUIPMENT OF VEHICLES

Application of Divisions

24001. This division and Division 13 (commencing at Section 29000), unless otherwise provided, applies to all vehicles whether publicly or privately owned when upon the highways, including all authorized emergency vehicles.

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.

Vehicle With Unlawful Lamps

24003. No vehicle shall be equipped with any lamp or illuminating device not required or permitted in this code, nor shall any lamp or illuminating device be mounted inside a vehicle unless specifically permitted by this code. This section does not apply to:

(a) Interior lamps such as door, brake and instrument lamps, and map, dash, and dome lamps designed and used for the purpose of illuminating the interior of the vehicle.

(b) Lamps needed in the operation or utilization of those vehicles mentioned in Section 25801, or vehicles used by public utilities in the repair or maintenance of their service, or used only for the illumination of cargo space of a vehicle while loading or unloading.

(c) Warning lamps mounted inside an authorized emergency vehicle and meeting requirements established by the department.

Unlawful Operation After Notice by Officer

24004. No person shall operate any vehicle or combination of vehicles after notice by a peace officer, as defined in Section 830.1 or subdivision (a) of Section 830.2 of the Penal Code, that the vehicle is in an unsafe condition or is not equipped as required by this code, except as may be necessary to return the vehicle or combination of vehicles to the residence or place of business of the owner or driver or to a garage, until the vehicle and its equipment have been made to conform with the requirements of this code.

The provisions of this section shall not apply to an employee who does not know that such notice has been issued, and in such event the provisions of Section 40001 shall be applicable.

Sale, Transfer or Installation of Unlawful Equipment

24005. It is unlawful for any person to sell, offer for sale, lease, install, or replace, either for himself or as the agent or employee of another, or through such agent or employee, any glass, lighting equipment, signal devices, brakes, vacuum or pressure hose, muffler, exhaust, or any kind of equipment whatsoever for use, or with knowledge that any such equipment is intended for eventual use, in any vehicle, that is not in conformity with this code or regulations made thereunder.

Compliance With Lighting Equipment Mounting Regulations

24012. All lighting equipment or devices subject to requirements established by the department shall comply with the engineering requirements and specifications, including mounting and aiming instructions, determined and publicized by the department.

Utility Flood and Loading Lamps

25110. (a) The following vehicles may be equipped with utility flood or loading lamps mounted on the rear, and sides, that project a white light illuminating an area to the side or rear of the vehicle for a distance not to exceed 75 feet at the level of the roadway: . . .

(2) Ambulances used to respond to emergency calls may display utility flood and loading lights, but only at the scene of an emergency or while loading or unloading patients.

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(3) Firefighting equipment designed and operated exclusively as such may display utility floodlamps only at the scene of an emergency. . . .

(6) Vehicles used by publicly or privately owned public utilities may display utility flood or loading lights when engaged in emergency roadside repair of electric, gas, telephone, telegraph, water, or sewer facilities.

(b) Lamps permitted under subdivision (a) shall not be lighted during darkness, except while the vehicle is parked, nor project any glaring light into the eyes of an approaching driver.

Flashing Lights 25250. Flashing lights are prohibited on vehicles except as otherwise permitted.

Permitted Flashing Lights

25251. (a) Flashing lights are permitted on vehicles as follows:

(1) To indicate an intention to turn or move to the right or left upon a roadway, turn signal lamps and turn signal exterior pilot indicator lamps and side lamps permitted under Section 25106 may be flashed on the side of a vehicle toward which the turn or movement is to be made.

(2) When disabled or parked off the roadway but within 10 feet of the roadway, or when approaching, stopped at, or departing from, a railroad grade crossing, turn signal lamps may be flashed as warning lights if the front turn signal lamps at each side are being flashed simultaneously and the rear turn signal lamps at each side are being flashed simultaneously.

(3) To warn other motorists of accidents or hazards on a roadway, turn signal lamps may be flashed as warning lights while the vehicle is approaching, overtaking, or passing the accident or hazard on the roadway if the front turn signal lamps at each side are being flashed simultaneously and the rear turn signal lamps at each side are being flashed simultaneously.

(4) For use on authorized emergency vehicles.

(5) To warn other motorists of a funeral procession, turn signal lamps may be flashed as warning lights on all vehicles actually engaged in a funeral procession, if the front turn signal lamps at each side are being flashed simultaneously and the rear turn signal lamps at each side are being flashed simultaneously.

(b) Turn signal lamps shall be flashed as warning lights whenever a vehicle is disabled upon the roadway and the vehicle is equipped with a device to automatically activate the front turn signal lamps at each side to flash simultaneously and the rear turn signal lamps at each side to flash simultaneously, if the device and the turn signal lamps were not rendered inoperative by the event which caused the vehicle to be disabled.

(c) Side lamps permitted under Section 25106 and used in conjunction with turn signal lamps may be flashed with the turn signal lamps as part of the warning light system, as provided in paragraphs (2) and (3) of subdivision (a).

(d) Required or permitted lamps on a trailer or semitrailer may flash when the trailer or semitrailer has broken away from the towing vehicle and the connection between the vehicles is broken.

(e) Hazard warning lights, as permitted by paragraphs (2) and (3) of subdivision (a) may be flashed in a repeating series of short and long flashes when the driver is in need of help.

Warning Lamps on Authorized Emergency Vehicles

25252. Every authorized emergency vehicle shall be equipped with at least one steady burning red warning lamp visible from at least 1,000 feet to the front of the vehicle to be used as provided in this code.

In addition, authorized emergency vehicles may display revolving, flashing, or steady red warning lights to the front, sides or rear of the vehicles.

Flashing Headlamps on Authorized Emergency Vehicles

25252.5. (a) Every authorized emergency vehicle may be equipped with a system which flashes the upper-beam headlamps of the vehicle with the flashes occurring alternately from the front headlamp on one side of the vehicle to the front headlamp on the other side of the vehicle. The flashing of the headlamps shall consist only of upper-beam flashing, and not the flashing of any other light beam.

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(b) "Upper-beam headlamp," as used in this section, means a headlamp or that part of a headlamp which projects a distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading.

(c) The system provided for in subdivision (a) shall only be used when an authorized emergency vehicle is being operated pursuant to Section 21055.

Authorized Emergency Vehicles: Additional Lights

25258. (a) An authorized emergency vehicle operating under the conditions specified in Section 21055 may display a flashing white light from a gaseous discharge lamp designed and used for the purpose of controlling official traffic control signals.

(b) An authorized emergency vehicle used by a peace officer, as defined in Section 830.1 of, subdivision (a), (b), (c), (d), (e), (f), (g), or (i) of Section 830.2 of, subdivision (b) or (d) of Section 830.31 of, subdivision (a) or (b) of Section 830.32 of, Section 830.33 of, subdivision (a) of Section 830.36 of, subdivision (a) of Section 830.4 of, or Section 830.6 of, the Penal Code, in the performance of the peace officer's duties, may, in addition, display a steady or flashing blue warning light visible from the front, sides, or rear of the vehicle.

Additional Warning Lights on Authorized Emergency Vehicles

25259. (a) Any authorized emergency vehicle may display flashing amber warning lights to the front, sides, or rear.

(b) A vehicle operated by a police or traffic officer while in the actual performance of his or her duties may display steady burning or flashing white lights to either side mounted above the roofline of the vehicle.

(c) Any authorized emergency vehicle may display not more than two flashing white warning lights to the front mounted above the roofline of the vehicle and not more than two flashing white warning lights to the front mounted below the roofline of the vehicle. These lamps may be in addition to the flashing headlamps permitted under Section 25252.5.

Use of Flashing Amber Warning Light

25268. No person shall display a flashing amber warning light on a vehicle as permitted by this code except when an unusual traffic hazard exists.

Use of Red Warning Light

25269. No person shall display a flashing or steady burning red warning light on a vehicle except as permitted by Section 21055 or when an extreme hazard exists.

Vehicle Equipment

26100. No person shall sell or offer for sale for use upon or as part of the equipment of a vehicle, nor shall any person use upon a vehicle, any lighting equipment, safety glazing material, or other device that does not meet the provisions of Section 26104. This section does not apply to a taillamp or stop lamp in use on or prior to December 1, 1935.

Required Laboratory Tests

26104. (a) Every manufacturer who sells, offers for sale, or manufactures for use upon a vehicle devices subject to requirements established by the department shall, before the device is offered for sale, have laboratory test data showing compliance with such requirements. Tests may be conducted by the manufacturer.

(b) The department may at any time request from the manufacturer a copy of the test data showing proof of compliance of any device with the requirements established by the department and additional evidence that due care was exercised in maintaining compliance during production. If the manufacturer fails to provide such proof of compliance within 30 days of notice from the department, the department may prohibit the sale of the device in this state until acceptable proof of compliance is received by the department.

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Sirens

27002. No vehicle, except an authorized emergency vehicle, shall be equipped with, nor shall any person use upon a vehicle any siren except that an authorized emergency vehicle shall be equipped with a siren meeting requirements established by the department.

Vehicle Resembling Law Enforcement Vehicle

27605. No person shall own or operate a motor vehicle painted in the manner described in Section 40800 to resemble a motor vehicle used by a peace officer or traffic officer on duty for the primary purpose of enforcing the provisions of Division 10 (commencing with Section 20000) or Division 11 (commencing with Section 21000) pursuant to Section 40800.

The provisions of this section shall not apply to vehicles which are painted one solid color or to vehicles first registered on or before January 1, 1979. These provisions shall not apply to vehicles which are any of the following:

- (a) Owned by vehicle manufacturers or dealers.
- (b) Used by law enforcement agencies in the enforcement of the provisions of Division 10 (commencing with Section 20000) or Division 11 (commencing with Section 21000).
- (c) Owned by persons or companies who use the vehicles exclusively for movie or television production and display signs stating "movie car" prominently on the doors.
- (d) Owned by persons or companies who use the vehicles exclusively for funeral escort purposes.
- (e) Motorcycles, as defined in Section 400, without insignia.

Illegal Use of Light Bars

27606. (a) No person shall own or operate a motor vehicle which is equipped with a light bar, or facsimile thereof, to resemble a motor vehicle used by a peace officer or traffic officer while on duty within that jurisdiction for the primary purpose of enforcing Division 10 (commencing with Section 20000) or Division 11 (commencing with Section 21000) pursuant to Section 40800.

(b) For purposes of this section the following definitions apply:

(1) A "light bar" means any light or device affixed to or mounted upon the roof of a vehicle and extending the width of the roof, or a substantial portion thereof, which emits amber, red, or blue, or any combination of those lights.

(2) A "facsimile of a light bar" is any device designed or contrived to resemble a light bar regardless of the degree of light emission or lack thereof.

Identification Required

27900. (a) Every motor vehicle or combination of vehicles used to carry the property of others for hire or used to carry passengers for hire, and any truck or truck tractor having three or more axles or any truck tractor with a semitrailer, shall have displayed on both sides of each vehicle or one of the vehicles in each combination of vehicles the name or trademark of the person under whose authority the vehicle or combination of vehicles is being operated or the name of the lessor or lessee thereof.

(b) All names, trademarks, and other identifiers for companies no longer in business, no longer operating with the same name, or no longer operating under the same operating authority, shall be removed from or covered over on every motor vehicle or combination of vehicles used to carry the property of others for hire or used to carry passengers for hire, and any truck or truck tractor having three or more axles or any truck tractor with a semitrailer, within 60 days from the change of company ownership or operation, and shall be remarked pursuant to subdivision (a) before those vehicles may be operated on the highways.

Name and Trademark

27901. The display of the name or trademark shall be in letters in sharp contrast to the background and shall be of such size, shape, and color as to be readily legible during daylight hours from a distance of 50 feet.

This section does not prohibit additional displays not inconsistent with this article.

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Exemption

27902. Section 27900 does not apply to any motor vehicle having an unladen weight of 6,000 pounds or less or to any vehicle towed by such motor vehicles, or to any motor vehicle operating under manufacturers, dealers, or transporters special plates, or to any motor vehicle operated by a passenger stage corporation subject to the jurisdiction of the Public Utilities Commission.

Fire Departments

27905. It is unlawful to display on a vehicle any sign with the words "fire" or "fire department" thereon, except on vehicles owned and operated by a regularly organized fire department, fire district, forestry service, or the State Fire Marshal's Office, and on the privately owned vehicles of any regular member of any such fire departments.

DIVISION 17. OFFENSES AND PROSECUTION

Misdemeanors

40000.5. A violation of any of the following provisions shall constitute a misdemeanor, and not an infraction:

- Section 20, relating to false statements. . . .
- Section 31, relating to giving false information. . . .

Misdemeanors

40000.7. (a) A violation of any of the following provisions is a misdemeanor, and not an infraction:

- (1) Section 2416, relating to regulations for emergency vehicles.
- (2) Section 2800, relating to failure to obey an officer's lawful order or submit to a lawful inspection. . . .
- (8) Subdivision (c) of Section 4462, relating to the unlawful possession of devices, documents, or plates.
- (9) Section 4462.5, relating to deceptive or false evidence of vehicle registration.
- (10) Section 4463.5, relating to deceptive or facsimile license plates. . . .

(b) This section shall remain in effect only until January 1, 2001, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2001, deletes or extends that date.

NOTE: This section remains in effect only until January 1, 2001, at which time it is inoperative and the following section becomes effective.

40000.7. (a) A violation of any of the following provisions is a misdemeanor, and not an infraction:(1) Section 2416, relating to regulations for emergency vehicles.(2) Section 2800, relating to failure to obey an officer's lawful order or submit to a lawful inspection. . . .(8) Section 4462.5, relating to deceptive or false evidence of vehicle registration.(9) Section 4463.5, relating to deceptive or facsimile license plates. . . .(b) This section shall become operative on January 1, 2001.

Misdemeanors

40000.15. A violation of any of the following provisions shall constitute a misdemeanor, and not an infraction:

- Sections 23103 and 23104, relating to reckless driving. . . .
- Section 23152, relating to driving under the influence. . . .

Owner's Responsibility

40001. (a) It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to cause the operation of the vehicle upon a highway in any manner contrary to law.

(b) It is unlawful for an owner to request, cause, or permit the operation of any vehicle:

- (1) Which is not registered or for which any fee has not been paid under this code.
 - (2) Which is not equipped as required in this code.
 - (3) Which does not comply with the size, weight, or load provisions of this code.
 - (4) Which does not comply with the regulations promulgated pursuant to this code, or with applicable city or county ordinances adopted pursuant to this code.
 - (5) Which is not in compliance with the provisions of Part 5 (commencing with Section 43000) of Division 26 of the Health and Safety Code and the rules and regulations of the State Air Resources Board.
- (c) Whenever a violation is chargeable to the owner or lessee of a vehicle pursuant to subdivision (a) or (b), the driver shall not be arrested or cited for the violation unless the vehicle is registered in a state or country other than California, or unless the violation is for an offense that is clearly within the responsibility of the driver. . . .
- (d) Whenever the owner, or lessee, or any other person is prosecuted for a violation pursuant to this section, the court may, on the request of the defendant, take appropriate steps to make the driver of the vehicle, or any other person who directs the loading, maintenance or operation of the vehicle, or any other person who gives false or erroneous information in a written certification of actual gross weight, a codefendant. However, the court may make the driver a codefendant only if the driver is the owner or lessee of the vehicle, or the driver is an employee or a contractor of the defendant who requested the court to make the driver a codefendant. If the codefendant is held solely responsible and found guilty, the court may dismiss the charge against the defendant.
- (e) In any prosecution under this section, it is a rebuttable presumption that any person who gives false or erroneous information in a written certification of actual gross cargo weight has directed, requested, caused, or permitted the operation of a vehicle in a manner contrary to law in violation of subdivision (a) or (b), or both.

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EXCERPTS FROM THE HEALTH AND SAFETY CODE
DIVISION 12. FIRES AND FIRE PROTECTION
Part 4. FIRE COMPANIES IN UNINCORPORATED TOWNS

Chapter 1. ORGANIZATION

§ 14825. Certificate; signatures; recording

Fire companies in unincorporated towns may be organized by recording with the county recorder a certificate signed by the foreman or presiding officer and by the secretary.

§ 14826. Contents of certificate

The certificate shall set forth the following matters:

- (a) The date of organization.
- (b) The name of the company.
- (c) The names of the officers.
- (d) The roll of active and honorary members.
- (e) Where an ordinance has been adopted pursuant to Section 14831, a copy of the determination of the board of supervisors pursuant to Section 14831.

§ 14827. Renewal

The certificate shall be renewed and re-recorded every six months.

§ 14828. Maximum number of companies

There shall not be in any one unincorporated town more than one company for each one thousand inhabitants, but one company may be allowed in any town where the population is less than one thousand.

§ 14829. Members of companies; maximum number

An engine company may consist of not more than 65 certificate members; a hook-and-ladder company of not more than 65 certificate members; a hose company of not more than 25 certificate members; and a rescue squad company of not more than 25 certificate members.

§ 14830. Officers; foreman; secretary and treasurer

Every fire company shall choose or elect a foreman, who is the presiding officer, and a secretary and treasurer.

§ 14831. Counties with population of 1,000,000 or more; regulation of formation and continued existence of fire companies by board of supervisors

The board of supervisors of a county which has a population of 1,000,000 or more on or after January 1, 1985, may, by ordinance, regulate the formation and continued existence of fire companies. The board of supervisors may authorize the formation of any new fire company within the county where it determines that a reasonable level of fire services does not already exist and where the provision of supplemental or competing fire services by any other entity would not result in the mismanagement of emergencies or in confusion to those seeking aid.

The board of supervisors may order that any fire companies formed pursuant to this part may continue to exist upon making the determination that the circumstances stated above exist. The board of supervisors may, by ordinance, establish additional regulations and criteria for the establishment and ongoing operation of fire companies organized pursuant to this part.

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EXCERPTS FROM TITLE 13, CALIFORNIA CODE OF REGULATIONS

DIVISION 2. DEPARTMENT OF THE CALIFORNIA HIGHWAY PATROL

Chapter 2. Lighting Equipment -WARNING LAMPS

§ 671. General Lighting Equipment.

Lighting equipment other than that specified in the following sections of this article shall be aimed so the center of the beam produced by the major filament is parallel to the road and projects directly to the front, side, or rear, depending on mounting location. Adjustable warning lamps in movable spotlamp type housings shall be aimed in the direction selected by the vehicle driver to provide adequate warning to other traffic.

§ 685. Installation and Maintenance.

Lighting equipment shall be securely mounted on a rigid part of the vehicle to prevent noticeable vibration of the beam and shall be maintained with the proper aim when the vehicle is stationary and in motion. No lighting device, unless otherwise permitted, shall be mounted so any portion of the vehicle, load, or vehicle equipment interferes with the distribution of light or decreases its intensity within the photometric test angles unless an additional device is installed so the combination of the two meets these requirements. Mounting heights shall be measured from the center of the lamp or reflector to the level surface upon which the vehicle stands when it is without load.

§ 686. Mounting of Aftermarket Devices.

Aftermarket lamps, with orientation markings such as "top" shall be mounted in accordance with the markings. Sealed and semisealed optical units shall be installed with the lettering on the lens face right side up. Front and rear reflex reflectors shall be securely mounted on a rigid part of the vehicle with the plane of the lens perpendicular to the roadway and parallel to the rear axle. Side reflex reflectors shall be mounted with the lens face perpendicular to the roadway and parallel to the rear wheels. Aftermarket devices with nonadjustable housings shall be mounted with the base on a horizontal or vertical surface,

whichever is appropriate, unless different mounting instructions are included with such devices when offered for sale.

§ 700. Warning Lamps.

Required front warning lamps . . . shall be mounted so the entire projected area of the lens is visible from all eye heights of drivers of other vehicles at angles within 45 deg left to 45 deg right of the front of the vehicle. If the light within these required angles is blocked by the vehicle or any substantial object on it, an additional warning lamp shall be displayed within the obstructed angle. Warning lamps may be mounted at any height.

§ 810. Scope.

This article applies to warning lamps for emergency vehicles . . . governed by Vehicle Code Sections 25252 through 25278.

§ 811. Definitions.

(a) A "warning lamp" is a lamp designed for use on authorized emergency vehicles . . . to indicate the existence of a traffic hazard or to signal other drivers to stop or yield the right of way. . . .

(e) A "flashing lamp" is a lamp in which the emitted light in a particular direction alternates between on and off either electrically by controlling the current or mechanically by a revolving, oscillating, or other mechanism.

(f) A "steady burning lamp" is a lamp in which the emitted light in any direction is uninterrupted.

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§ 812. Classification of Warning Lamps.

Five classes of warning lamps are established as follows:

Class A: High intensity, concentrated-beam lamp

Class B: Moderate intensity, wide-beam lamp

Class C: High intensity, wide-beam lamp . . .

Class E: Revolving, oscillating, or gaseous discharge lamp

§ 818. Type of Warning Lamps Used on Emergency Vehicles . . .

Warning lamps on emergency vehicles . . . shall be of the following types:

(a) Required Red Warning Lamps on Authorized Emergency Vehicles. The steady burning red warning lamp required to be visible to the front of an authorized emergency vehicle by Vehicle Code Section 25252 shall be a Class A, B or C warning lamp. . . .

(b) Permitted Additional Red Warning Lamps on Authorized Emergency Vehicles. The additional steady burning or flashing red warning lamp permitted by Vehicle Code Section 25252 shall be a Class A, B, C, or E warning lamp.

(c) Permitted Yellow Warning Lamps on Authorized Emergency Vehicles. The additional flashing yellow warning lamp permitted on authorized emergency vehicles by Vehicle Code Section 25259 shall be a Class B, C, or E warning lamp. . . .

(d) Permitted Blue Warning Lamps on Police Vehicles. The additional flashing or steady burning blue warning lamp permitted by Vehicle Code Section 25258(b) shall be Class B, C, or E. . . .

Chapter 4. Special Equipment -SIRENS

§ 1020. Scope.

This article applies to sirens for use on authorized emergency vehicles in accordance with Vehicle Code Section 27002.

§ 1021. Definitions.

(a) A "siren" is an audible warning device that produces the readily recognizable warning sound identified with emergency vehicles. An audible device, such as a vehicle theft alarm, that produces a sound with one or more of the following characteristics is not a siren:

- (1) an unvarying sound.
- (2) a varying sound that cycles at a rate faster than 400 cycles per minute.
- (3) a discontinuous sound that repeats at rates lower than 90 cycles per minute or higher than 400 cycles per minute.
- (4) a sound frequency (and any second harmonics) lower than 100 Hz or higher than 5,000 Hz.
- (b) An "authorized emergency vehicle siren" is a device that meets the requirements of this article.
- (c) An "electromechanical siren" consists of a stator and rotor driven by an electric motor.
- (d) An "electronic siren" consists of an oscillator, amplifier, and speaker.
- (e) A "mechanical siren" consists of a stator and rotor driven by a mechanical connection to a moving part of the vehicle or engine.
- (f) "Manual" means a siren control that allows the operator to produce a wailing sound by alternately applying and releasing a momentary contact switch.
- (g) "Wail" is a siren sound producing a slow, continuous automatic cycling of increasing and decreasing frequencies and sound levels.
- (h) "Yelp" is a siren sound producing a rapid, continuous automatic cycling of increasing and decreasing frequencies and sound levels.
- (i) "Hi-Lo" means a nonsiren sound alternating between a fixed high and a fixed low frequency. . . .

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§ 1023. Identification Markings.

Sirens and components shall be marked as follows:

- (a) Siren Markings. Each siren shall be permanently marked with the manufacturer's or vendor's name, initials, or lettered trademark and a model designation in letters and numerals at least 3 mm (0.12 in.) in height. . . .
- (d) Control Markings. Electronic siren controls shall be marked to indicate each siren function by the words "Manual," "Wail," and "Yelp" spelled out or abbreviated. Markings for other nonpermitted functions, such as "Hi-Lo," may remain on the control panel provided the function is made inoperable on sirens manufactured after January 1, 1978.
- (e) Permanence of Markings. Required identification markings shall be molded, etched, embossed, stamped, engraved, or printed with epoxy paint or screening ink on the device or on a metal label of substantial thickness permanently affixed to the device by welding or metal fasteners. Speaker driver markings may be of indelible ink or nonepoxy paint when protected by coverings or they may be stamped on a metal plate attached by a screw.
- (f) Visibility of Markings. Required siren markings, except those on the speaker driver and on speakers mounted within warning lamp housings, shall be clearly visible when the siren is installed on a vehicle. Amplifier markings may be on the front, top, sides, or bottom of the case provided they are in a location where they are legible to a person inspecting the component without using mirrors or removing the component when it is installed in a vehicle. . . .

§ 1028. Performance Requirements.

- (a) Siren Functions. Electronic sirens shall have a wail function and may also have manual and yelp functions. No other function is permitted on sirens sold after January 1, 1982, except for voice communication. . . .

§ 1029. Installation Requirements.

Sirens and speakers installed on authorized emergency vehicles shall be mounted as follows:

- (a) Electromechanical and Mechanical Sirens. Class A electromechanical and mechanical sirens shall be mounted outside, between the grille and radiator, or under the hood. Class B electromechanical and mechanical sirens shall be mounted outside or between the grille and the radiator. . . .
- (b) Electronic Sirens. Class A and B electronic sirens installed after January 1, 1976, shall be mounted outside or with the horn opening facing forward ahead of the radiator with a relatively open path for the sound to project forward. The horn axis shall be parallel to the road and vehicle centerline.
- (c) Dual Speakers. Dual speakers for electronic sirens shall be connected in phase and mounted so that the speaker axis is parallel to the vehicle centerline or angled outward not more than 10 degrees to the sides.

(d) Speakers in Lightbars. Electronic siren speakers may be mounted facing forward behind a speaker grille in a lightbar.

(e) Transfer. A siren . . . meeting the requirements established by the department at the time it was first installed on an authorized emergency vehicle may be transferred between authorized emergency vehicles by the owner or sold by the owner for use on other authorized emergency vehicles.

Chapter 5. Special Vehicles -AUTHORIZED EMERGENCY VEHICLES--PERMITS

§ 1120. Scope of Regulations.

The provisions of this article shall apply to authorized emergency vehicles operated under permits issued by the department pursuant to Vehicle Code Section 2416.

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§ 1121. Permit Issuance and Retention.

Issuance and retention of authorized emergency vehicle permits shall be subject to the following conditions.

(a) Application. A separate application for each vehicle shall be made on forms prescribed by the department.

(b) Brake Adjustment Certificate. An official brake adjustment certificate shall be submitted with each application for a permit and shall be dated not more than 45 days prior to the application date. Submission of the certificate may be waived by the department when a licensed brake adjusting station is not located within 30 miles and provided the applicant certifies that the brake system meets requirements of the Vehicle Code.

(c) Photographs. Two vehicle photographs, not less than 3 x 4 inches and taken close enough so that the vehicle fills the picture, shall be submitted, one showing the front and left side view and the other the rear and right side view. An application for reissuance of a permit need not be accompanied by new photographs, provided no changes have been made in the vehicle appearance.

(d) Vehicle Inspection Report. Each application shall include a certified departmental inspection report showing satisfactory completion of a compliance inspection performed not more than 30 days prior to the application. For an initial permit, the vehicle inspection shall be performed and the report certified by a representative of the department. For a renewal permit, the report may be certified by the permittee. Upon notice by the department, the vehicle shall be made available for an inspection by a representative of the department to verify compliance with equipment requirements.

(e) Eligibility Verification. Information may be required as needed to verify the applicant's eligibility for the permit.

(f) Permit Retention in Vehicle. The permit shall be carried in the vehicle for which it is issued.

(g) Permit Surrender and Cancellation. The permit remains the property of the department, is not transferable, and shall be surrendered to the department for cancellation upon:

- (1) Change of ownership or possession of the vehicle,
- (2) Loss of eligibility, when either the permittee or vehicle fails to meet established prerequisites,
- (3) Expiration, suspension, or revocation of the permit,
- (4) Discovery that the permit was issued through error or fraud.

(h) Permit Expiration and Reissuance. A permit for an authorized emergency vehicle shall expire not more than two years from the date of issuance or upon loss of eligibility. Expiration dates may be varied by the department as deemed necessary to facilitate scheduling of vehicle inspections. An application for reissuance may be submitted within the 30 days prior to expiration.

(i) Corrections or Changes. Corrections or any change of name, not involving a change of ownership, or a change of address or relocation of the permittee or vehicle shall be reported to the department within 10 days thereafter. Surrender of the permit for replacement to reflect such changes or other corrections may be required at the discretion of the department.

§ 1122. Special Requirements.

The vehicle for which a permit is issued may be operated as an authorized emergency vehicle only when specially equipped and maintained as follows:

- (a) Special Devices. Each vehicle shall be equipped with:

(1) A siren and at least one steady burning red warning lamp that meet requirements established by the department;

(2) Seat belts, or equivalent passive restraints, for each seat utilized by personnel when such vehicles are being operated.

(b) Maintenance. The body, mechanical parts of the vehicle, and all required equipment shall be maintained in serviceable condition at all times.

§ 1123. Prohibitions.

Permitted authorized emergency vehicles shall not be operated displaying the red warning lamp and/or sounding a siren ("Code 3 operation") unless:

(a) Operated by the person or entity to whom the permit is issued, and

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(b) There is reasonable cause to believe that an emergency exists or to apprehend a suspected violator of the law, and

(c) The vehicle is equipped and maintained as required by the Vehicle Code and regulations adopted herein.

§ 1124. Permit Denial, Suspension, or Revocation.

Grounds for denial, suspension, or revocation include but are not limited to the following:

(a) Denial.

(1) The permit shall be denied unless the vehicle, proposed usage, and the applicant qualify as specified in Vehicle Code Section 2416 and this article.

(2) The permit may be denied if the applicant has had a permit suspended or revoked or has committed any act which, if committed by any permittee, would be grounds for the suspension or revocation of a permit.

(b) Suspension or Revocation. The permit may be suspended or revoked upon a determination by the department that:

(1) The vehicle was operated as an emergency vehicle without reasonable cause.

(2) The vehicle is not equipped or maintained as required by the Vehicle Code or by regulations adopted thereunder.

(3) The vehicle or permittee no longer meets the prerequisites for the permit.

(4) The vehicle was operated in violation of any other provisions of law.

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