

Date of Hearing: April 23, 2019

ASSEMBLY COMMITTEE ON ARTS, ENTERTAINMENT, SPORTS, TOURISM, AND
INTERNET MEDIA

Kansen Chu, Chair

AB 309 (Maienschein) – As Introduced January 29, 2019

SUBJECT: Vehicles that appear to be used by law enforcement: ownership or operation by public historical society, museum, or institutional collection.

SUMMARY: Extends exemptions from the general prohibition against owning or operating a vehicle with law enforcement markings, as defined, to include a vehicle possessed by a historical society, museum, or institutional collection that is open to the public and the vehicle is secured from unauthorized operation.

EXISTING LAW:

- 1) Provides that when a motor vehicle formerly used in law enforcement is sold for use other than law enforcement, the vehicle shall be painted and any insignia or other marking of the vehicle identifying it as a traffic law enforcement vehicle shall be removed before it shall be operated on any street or highway.
- 2) Prohibits any person to 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.
- 3) Provides exceptions from the above prohibitions for specified purposes.

FISCAL EFFECT: This measure has been keyed as non-fiscal by the Legislative Counsel.

COMMENTS:

- 1) *Author and supporters statement of need: To allow museums to maintain historically accurate post-1979 law enforcement vehicles.* According to the Author, “Museums and police historical societies that promote community relations, are at risk of violating California Vehicle Code, because the obsolete police cars – which are considered some of their most visible and interesting artifacts – may be technically in violation of the Vehicle Code prohibition against ownership of facsimile law enforcement vehicles.” The sponsor, San Diego Police Historical Association, adds, “For many, an antique vehicle occupies a special place in nostalgic memories. Whether it reminds people of a simpler era, a special time in their life, or simply a long sought dream vehicle, car shows are as popular now as they have ever been. Police departments throughout the Golden State recognize this phenomenon and often use antique police cars at community relations events, recruiting fairs and other community outreach. ... Approval of AB 309 will allow not just the San Diego Police Museum to own and display post 1979 police cars – some of which have significant historical value – but every museum and other educational institution in the State of California stymied by existing law.”
- 2) *Current exemptions for ownership and operation motor vehicles with police markings.* Under existing law the prohibition against owning and operating law enforcement vehicles or vehicles with light bars do not apply to vehicles which are painted one solid color or to

vehicles first registered on or before January 1, 1979, in addition to vehicles; Owned by vehicle manufacturers or dealers; Used by law enforcement agencies, as specified; 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; Owned by persons or companies who use the vehicles exclusively for funeral escort purposes, or; Motorcycles without insignia.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Association of Museums
California State Sheriffs' Association
Napa Police Historical Society
San Diego Police Historical Association

Opposition

There is no opposition on file.

Analysis Prepared by: Dana Mitchell / A.,E.,S.,T., & I.M. / (916) 319-3450