

**CERTIFICATION**

The undersigned Secretary of the Bay Area Infrastructure Financing Authority certifies that the documents attached hereto as Exhibits A through M are full, true, correct, and complete copies of the following:

- A. Bay Area Infrastructure Financing Authority Toll Facility Ordinance dated July 27, 2016, as amended and restated January 22, 2020 and September 23, 2020 (being considered for adoption)
- B. BATA Resolution No. 52, Revised
- C. Vehicle Code Sections 40250 through 40273
- D. Vehicle Code Section 21655.5
- E. Vehicle Code Section 23301.5
- F. Vehicle Code Section 23302
- G. Vehicle Code Section 5205.5
- H. Vehicle Code Section 4850.5
- I. Vehicle Code Section 5200
- J. Vehicle Code Section 4773
- K. Government Code Sections 50020 through 50033
- L. 23 USC Section 166
- M. California Code of Regulations, Division 2, Title 21, Chapter 16

DATE: August 6, 2020

DocuSigned by:  
*Kimberly Ward*  
B34A6461955440D...

---

Kimberly Ward  
Secretary  
Bay Area Infrastructure Financing Authority

**BAY AREA INFRASTRUCTURE FINANCING AUTHORITY  
TOLL FACILITY ORDINANCE**

**July 27, 2016**

(as amended and restated January 22, 2020 and September 23, 2020)

**BAY AREA INFRASTRUCTURE FINANCING AUTHORITY  
TOLL FACILITY ORDINANCE**

The Bay Area Infrastructure Financing Authority ordains as follows:

**Section 1. Purpose.**

The purpose of this ordinance is to establish tolls and a toll collection process for the BAIFA toll facilities, to establish civil penalties for the evasion of those tolls or noncompliance with other policies set forth in this ordinance, and to establish a program that addresses how motorists can enroll and participate in BAIFA's toll facility program.

**Section 2. Scope.**

Every motorist entering a BAIFA toll facility shall be subject to and must abide by this ordinance.

**Section 3. Definitions.**

These definitions apply to this ordinance. Unless specifically defined below, the words and phrases used in this ordinance shall have the same meaning as they have in common usage. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The words "shall" and "must" are always mandatory and not merely directive.

"Applicable toll" means the toll for a vehicle entering a BAIFA toll facility established by this ordinance as determined from information collected by the FasTrak® system.

“Attachment A to this ordinance” means Attachment A to this ordinance as amended from time to time pursuant to Section 10.

“Authorized emergency vehicle” means a vehicle satisfying all of the conditions specified in Vehicle Code section 21655.5 or section 23301.5 for an exemption from paying a toll on a BAIFA toll facility.

“BAIFA” means the Bay Area Infrastructure Financing Authority, a joint exercise of powers agency formed under the California Joint Exercise of Powers Act with jurisdiction over the operation of the BAIFA toll facilities.

“BAIFA toll facility” means each high occupancy vehicle lane within the geographic jurisdiction of MTC that is operated by BAIFA as a toll lane and that is listed in Attachment A to this ordinance.

“BAIFA toll facility website” means the website at <http://mtc.ca.gov/express-lanes>.

“BATA” means the Bay Area Toll Authority.

“Caltrans” means the State of California Department of Transportation.

“Clean air vehicle” means a motor vehicle described in Section (b)(5) of Section 166 of Title 23 of the United States Code that displays a valid decal, label or other identifier issued pursuant to Vehicle Code Section 5205.5(a) or any other California law that enables toll-free or reduced-rate passage on the BAIFA toll facilities.

“CTOC” means the California Toll Operators Committee.

“Discount” means a reduced-rate toll expressed as a percent of the full toll.

“FasTrak<sup>®</sup>” or “FasTrak<sup>®</sup> system” means the electronic toll collection system administered by BATA for the BAIFA toll facilities, as well as the electronic toll collection systems administered by other members of CTOC.

“FasTrak<sup>®</sup> Account” means an account by that name established with BATA or any other CTOC member.

“FasTrak Flex<sup>®</sup> toll tag” means a FasTrak<sup>®</sup> toll tag featuring a switch for indicating the number of occupants in the vehicle.

“FasTrak<sup>®</sup> toll tag” means a FasTrak<sup>®</sup> electronic toll payment device issued by BATA (or any other member of CTOC) that meets the specifications of California Code of Regulations Title 21. “FasTrak<sup>®</sup> toll tag” includes non-revenue FasTrak<sup>®</sup> toll tags and FasTrak Flex<sup>®</sup> toll tags.

“High occupancy vehicle” means a vehicle with the minimum number of occupants specified by BAIFA for entering a BAIFA toll facility zone as a high occupancy vehicle as set forth in Attachment A to this ordinance and as displayed on BAIFA signs and other official signs or traffic control devices.

“Hours of operation” of a BAIFA toll facility zone means the hours when BAIFA is operating the BAIFA toll facility on any day within the maximum hours of operation set forth in Attachment A to this ordinance and as displayed on BAIFA signs and other official signs or traffic control devices. The hours of operation of a BAIFA toll facility zone shall not extend beyond the hours when the zone is otherwise restricted to use by high occupancy vehicles.

“HOV 3+” means a high occupancy vehicle requirement of three or more occupants.

“HOV 2+” means a high occupancy vehicle requirement of two or more occupants.

“Motorist” means the registered owner, rentee, lessee, or driver of a vehicle.

“MTC” means the Metropolitan Transportation Commission.

“Non-revenue FasTrak® toll tag” means a FasTrak® toll tag that does not result in a toll being charged.

“Over-the-road bus serving the public” means a bus that is characterized by an elevated passenger deck located over a baggage compartment and that serves the public.

“Pay-by-plate” means use of on-road vehicle license plate identification recognition technology to accept payment of tolls in accordance with BATA or CTOC policies.

“Penalty” means the monetary amounts assessed as civil penalties for each Violation, including the unpaid tolls and the toll evasion penalty, and shall constitute a toll evasion penalty under Vehicle Code Section 40252.

“Public transportation vehicle” means a public transportation vehicle as defined in Section 166 of Title 23 of the United States Code that meets BAIFA’s requirements for identifying public transportation vehicles specified at the BAIFA toll facility website.

“Segment” means two or more zones of a BAIFA toll facility that are designated as a BAIFA toll facility segment by the executive director of BAIFA.

“Vehicle Code” means the California Vehicle Code.

“Violation” has the meaning assigned in Section 8.2.

“Zone” means the portion of each BAIFA toll facility listed in Attachment A to this ordinance as a zone.

#### **Section 4. Timing.**

The tolls and Penalties for Violations imposed by this ordinance shall apply to motorists entering a BAIFA toll facility zone from and after the date and time when BAIFA opens the BAIFA toll facility zone for use by the public as a toll facility, unless explicitly stated otherwise in Attachment A to this ordinance.

## **Section 5. Toll Tag or Pay-by-Plate Account Required.**

5.1 Every motorist traveling in a BAIFA toll facility during its hours of operation is required to be in a vehicle with either (1) a properly-mounted and properly-functioning FasTrak® toll tag on board, or (2) valid vehicle license plates properly attached pursuant to Vehicle Code Section 4850.5 or 5200, and, in either case, being associated with a valid FasTrak® account having a balance sufficient to pay the applicable toll. Every motorist traveling in a BAIFA toll facility during its hours of operation is required to pay the applicable toll using that FasTrak® account.

5.2 To be “properly-mounted” means that, except as specified in Section 5.3, the FasTrak® toll tag shall be located in or on the vehicle in a location so as to be accurately read by the FasTrak® system and be visible for the purposes of enforcement at all times while the vehicle is located in the BAIFA toll facility.

5.3 A motorcyclist shall use any one of the methods specified in Vehicle Code Section 23302(a)(3) to comply with the requirement to have a properly-mounted FasTrak Flex® toll tag, as long as the FasTrak Flex® toll tag is able to be read by BAIFA’s detection equipment.

5.4 Every motorist entering a BAIFA toll facility during its hours of operation and having a FasTrak Flex® toll tag must use the toll tag to accurately declare the number of occupants in the vehicle or, if permitted under Section 7, accurately indicate toll-exempt or Discount status.

5.5 A license plate account surcharge as specified in Attachment A to this ordinance shall apply to pay-by-plate toll payments.

## **Section 6. Tolls.**

6.1 Each motorist entering a BAIFA toll facility during its hours of operation who is not entitled to an exemption from tolls under Sections 7.1(B) through (F), inclusive, or Sections 7.4 or 7.5, shall be charged the then-applicable toll. The tolls charged by BAIFA are intended to manage the demand to use BAIFA toll facilities by varying the toll amount that is charged as established from time to time by the executive director of BAIFA. The amount charged may be determined pursuant to a methodology approved by the executive director of BAIFA, but the resulting tolls shall not be less than the minimum tolls set forth in Attachment A to this ordinance; provided, however, that the executive director of BAIFA may elect to reduce the minimum toll per zone during off-peak hours if the executive director determines, in consultation with Caltrans, that such reduction is necessary to alleviate traffic congestion in the non-tolled lanes. The current tolls upon entering a BAIFA toll facility zone or segment shall be displayed on BAIFA signs. BAIFA reserves the right to adjust tolls dynamically and in real-time. As such, the toll applicable to a motorist entering a BAIFA toll facility zone or segment is the toll displayed on the last BAIFA pricing sign before such motorist enters the zone or segment. Further, the total toll charged is determined based on the zones or segments of the BAIFA toll facility in which such motorist is detected. General information about tolls for BAIFA toll facilities is available online at the BAIFA toll facility website.

## **Section 7. Exemptions from Tolls; Discount Tolls.**

7.1 The following vehicles are exempt from paying tolls imposed by this ordinance.  
(A) vehicles entering a BAIFA toll facility outside the hours of operation of that facility.  
(B) high occupancy vehicles.  
(C) motorcycles.

- (D) public transportation vehicles and over-the-road buses that serve the public.
- (E) California Highway Patrol vehicles policing a BAIFA toll facility.
- (F) authorized emergency vehicles.

7.2 To enjoy the exemption from tolls afforded under Section 7.1(B), (C), (D), (E) or (F), every motorist entering a BAIFA toll facility during its hours of operation who is entitled to that exemption must use a properly-mounted FasTrak Flex® toll tag to accurately indicate a toll-exempt status or follow such other methods for indicating eligibility for exemption as shall be specified by BAIFA at the BAIFA toll facility website. Otherwise, such motorist entering a BAIFA toll facility during its hours of operation shall be charged the applicable toll.

7.3 Motorists having a properly-mounted, non-revenue FasTrak® toll tag are exempt from paying tolls and Penalties for Violations imposed by this ordinance.

7.4 Two-occupant vehicles traveling in a HOV 3+ BAIFA toll facility shall pay the applicable discounted toll, if any, specified for vehicles with two persons in Attachment A to this ordinance. To be eligible for the discounted toll, two-occupant vehicles must use a properly-mounted FasTrak Flex® toll tag to accurately indicate their occupancy status (by switching the tag to the '2' setting) or follow such other methods for indicating eligibility for the discount as shall be specified by BAIFA online at the BAIFA toll facility website. An exception is for class I vehicles designed by the manufacturer to be occupied by not more than two persons, including the driver; in this case, if the vehicle is occupied by two persons, the vehicle qualifies as toll-exempt, but must use a properly-mounted FasTrak Flex® toll tag switched to the '3+' setting or follow such other methods for indicating eligibility for exemption as shall be specified by BAIFA at the BAIFA toll facility website.

7.5 Motorists driving clean air vehicles shall be eligible to claim the discounted toll, if any, specified for clean air vehicles in Attachment A to this ordinance. Prior to the opening of BAIFA's I-880 Oakland to Milpitas toll facilities to paying traffic, clean air vehicles must: (i) use a properly-mounted FasTrak Flex® toll tag to accurately indicate clean air vehicle status (by switching the tag to the '2' or '3+' setting), (ii) use a properly mounted FasTrak® CAV toll tag accurately declaring the number of occupants in the vehicle (by switching the tag to the '1', '2' or '3+' setting), or (iii) follow such other methods for indicating eligibility for the discount as shall be specified by BAIFA online at the BAIFA toll facility website. Upon the opening of BAIFA's I-880 Oakland to Milpitas toll facilities to paying traffic, clean air vehicles on all BAIFA toll facilities must (i) use a properly mounted FasTrak® CAV toll tag accurately declaring the number of occupants in the vehicle (by switching the tag to the '1', '2' or '3+' setting), or (ii) follow such other methods for indicating eligibility for the discount as shall be specified by BAIFA online at the BAIFA toll facility website.

## **Section 8. Enforcement and Penalties.**

8.1 This ordinance adopts and incorporates by this reference, as though fully set forth herein, the administrative procedures and penalties in Article 4, Chapter 1 of Division 17 of the Vehicle Code as amended from time to time hereafter. The processing of notices of toll evasion violations and notices of delinquent toll evasion violations shall be conducted in accordance with those procedures and penalties by BATA, as the processing agency for BAIFA within the meaning of Section 40253 of the Vehicle Code. The FasTrak® Regional Customer Service Center Policies set forth in Attachment A to BATA Resolution No. 52, Revised, as amended from time to time, shall be applicable to the BAIFA toll facilities and this ordinance (except to the extent they conflict

with the provisions of this ordinance) and are hereby adopted and incorporated by reference into this ordinance as though fully set forth herein.

8.2 It shall be a Violation to:

- (A) fail to comply with Section 5.1;
- (B) fail to comply with Section 5.2;
- (C) fail to comply with Section 5.3; or
- (D) fail to comply with Section 5.4.

8.3. The Penalties for Violations under this ordinance shall be the penalties set forth in Attachment A to this ordinance.

8.4 Vehicle occupancy violations while in the BAIFA toll facilities, including using a FasTrak Flex® toll tag to declare an occupancy status for toll exempt or discounted tolls when such declaration is not permitted hereunder, and other moving violations while in the BAIFA toll facilities, including entry into a BAIFA toll facility by a vehicle that is not authorized by the laws of the State of California to travel in such facility, are subject to citation by the California Highway Patrol.

8.5 BAIFA may use any lawful method to verify compliance with requirements for Discount and toll-exempt trips in the BAIFA toll facilities. Toll violations, including using a FasTrak Flex® toll tag to declare an occupancy status for toll exempt or discounted tolls when such declaration is not permitted hereunder, are subject to enforcement by BAIFA, as detailed in Sections 8.1 and 8.2 or as specified by BAIFA online at the BAIFA toll facility website, with Penalties as provided in Section 8.3.

8.6 BAIFA or BATA may access data saved electronically by the toll system in order to investigate Violations under this ordinance. Such data may include, but is not limited to, the vehicle license plate number, FasTrak Flex® toll tag setting, and FasTrak® toll tag account number, as permitted by law.

### **Section 9. Severability.**

The provisions of this ordinance are severable, and if any provisions of this ordinance, or application of any provision of this ordinance to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this ordinance, shall not be affected thereby.

**Section 10. Amendment.**

The provisions of this ordinance, including Attachment A to this ordinance, may be amended from time to time in accordance with the procedures set forth in Section 50020 and following of the California Government Code. The concurrence in or consent to any such amendment by any federal or State of California entity with jurisdiction over highways shall be obtained before that amendment is adopted, but only to the extent expressly required by federal or California law.

**Section 11. Delegated Authority.**

Any action permitted to be taken or decision permitted to be made by the executive director of BAIFA hereunder may be taken or made by a designee of the executive director.

**Section 12. Effective Date.**

This amended and restated ordinance will take effect and be in force 30 days after its adoption; and the existing Toll Facilities Ordinance shall remain in full force and effect at all times until this amended and restated ordinance becomes effective. Upon adoption, this amended and restated ordinance shall be signed by the Chair of the governing board of BAIFA and shall be published by the Secretary of BAIFA once, within 15 days of its adoption, in a newspaper of general circulation printed and published in the City and County of San Francisco, California, and in a newspaper of general circulation in each of Alameda County, Contra Costa County, and Solano County, California.

BAY AREA INFRASTRUCTURE FINANCING AUTHORITY

---

Scott Haggerty, Chair

The above ordinance was first adopted by the Bay Area Infrastructure Financing Authority at a regularly-scheduled meeting of BAIFA held in San Francisco, California, on July 27, 2016, and amended and restated by the Authority at a regularly-scheduled meeting of BAIFA held in San Francisco, California, on January 22, 2020, and further amended and restated by the Authority at a regularly-scheduled meeting of BAIFA held in San Francisco, California and at other remote locations, on September 23, 2020.



ATTACHMENT A TO  
BAY AREA INFRASTRUCTURE FINANCING AUTHORITY TOLL FACILITY ORDINANCE

**Facilities and Tolls**

Under the Bay Area Infrastructure Financing Authority Toll Facility Ordinance, the minimum toll per zone, the hours of operation, and Discounts available for high occupancy vehicles (HOVs) and clean air vehicles for each BAIFA toll facility listed below shall be as set forth in this table:

BAIFA Toll Facilities and Zones	Minimum Toll per Zone	Maximum Hours of Operation	HOV Requirement and Occupancy Discount*	Clean Air Vehicle Discount*
<p><b>I-680 San Ramon to Martinez</b> Five zones southbound**:</p> <ol style="list-style-type: none"> <li>1. Monument Zone: Marina Vista Avenue to Monument Boulevard</li> <li>2. South Main Zone: Monument Boulevard to South Main Street</li> <li>3. El Cerro Zone: South Main Street to El Cerro Boulevard</li> <li>4. Crow Canyon Zone: El Cerro Boulevard to Crow Canyon Road</li> <li>5. Alcosta Zone: Crow Canyon Road to Alcosta Boulevard</li> </ol> <p>Two zones northbound:</p> <ol style="list-style-type: none"> <li>6. Crow Canyon Zone: Alcosta Boulevard to Crow Canyon Road</li> <li>7. Livorna Zone: Crow Canyon Road to Livorna Road</li> </ol>	\$0.50	Monday to Friday from 5AM to 8PM	100% for two or more persons (HOV 2+)	100% until the I-880 Oakland to Milpitas Toll Facility opens to paying traffic, at which time the CAV Discount shall be 50%
<p><b>I-880 Oakland to Milpitas</b> Six zones southbound:</p> <ol style="list-style-type: none"> <li>1. Washington/238 Zone: Hegenberger Road to Washington Avenue/238</li> <li>2. Tennyson Zone: Washington Avenue/238 to Tennyson Road</li> <li>3. Alvarado-Niles Zone: Tennyson Road to Alvarado-Niles Road</li> <li>4. Thornton Zone: Alvarado-Niles Road to Thornton Avenue</li> <li>5. Auto Mall Zone: Thornton Avenue to Auto Mall Parkway</li> <li>6. Dixon Landing Zone: Auto Mall Parkway to Dixon Landing Road</li> </ol> <p>Five zones northbound:</p> <ol style="list-style-type: none"> <li>7. Auto Mall Zone: Dixon Landing Road to Auto Mall Parkway</li> <li>8. Mowry Zone: Auto Mall Parkway to Mowry Avenue</li> <li>9. Decoto/84 Zone: Mowry Avenue to Decoto Road/84</li> <li>10. Whipple Zone: Decoto Road/84 to Whipple Road</li> <li>11. Hesperian/238 Zone: Whipple Road to Hesperian Boulevard/238</li> </ol>	\$0.50	Monday to Friday from 5AM to 8PM	100% for three or more persons (HOV 3+)  50% for two persons, with the exception of 100% for two persons in a class 1 vehicle designed by the manufacturer to be occupied by no more than two persons, including the driver.	50%

\*Discounts cannot be combined across discount categories; for example, a two-person clean air vehicle on I-880 cannot receive a 100% discount (50% for two persons plus 50% for clean air vehicle).

*\*\*Under this September 23,2020 amended and restated ordinance, the I-680 Express Lane is being extended from Martinez to Walnut Creek in the southbound direction, adding three new toll zones: Monument, South Main and El Cerro. Once the three new zones open to toll-paying traffic, the El Cerro Zone will be from South Main Street to El Cerro Boulevard and the Crow Canyon Zone will be from El Cerro Boulevard to Crow Canyon Road. Until the three new zones open to toll-paying traffic, the southbound Crow Canyon Zone is from Rudgear Road to Crow Canyon Road and the Minimum Toll per Zone, Maximum Hours of Operation, HOV Requirement and Occupancy Discount and Clean Air Vehicle Discount in the southbound direction apply only from Rudgear Road to Alcosta Boulevard.*

For all BAIFA toll facilities, the surcharge for “pay-by-plate” transactions shall be \$0.

## Penalties for Violations

### All Violations

1<sup>st</sup> Notice  
Toll + \$25 penalty

2<sup>nd</sup> Notice  
Toll + \$70 penalty

#### Exceptions:

1. If the violation is determined to be the fault of the toll agency.
2. For 1<sup>st</sup> time offense, a non-customer can open a FasTrak® account and the \$25 penalty will be waived.
3. For FasTrak® account holders in good standing, toll-only will be posted to the account balance. If the account balance is less than the amount of the toll, the account balance must be brought to the opening balance amount prior to posting the violation toll amount.

A processing fee will be applied to violations sent to the Department of Motor Vehicles (DMV) for a registration hold in the amount of the DMV recording fee authorized pursuant to Vehicle Code Section 4773 (currently \$3, as said amount may subsequently be revised by the DMV).

Date: July 28, 2004  
W.I.: 1252  
Referred by: BATA Oversight  
Revised: 07/26/06-BATA 10/24/12-BATA  
07/27/16-BATA 02/28/18-BATA

### ABSTRACT

#### BATA Resolution No. 52, Revised

This resolution adopts the FasTrak<sup>®</sup> Regional Customer Service Center Policies, effective May 30, 2005, for the state-owned toll bridges in the Bay Area.

Attachment A to this Resolution was revised on July 26, 2006 to revise the policies for toll tag deposit and prepaid toll balances for the FasTrak<sup>®</sup> program, effective October 1, 2006.

Attachment A to this Resolution was revised on October 24, 2012 to amend the policies to add license plate and one-time payment accounts and to delete the commercial post-paid account from the FasTrak<sup>®</sup> program, effective December 8, 2012 or upon commencement of Golden Gate Bridge Highway and Transportation District All Electronic Toll Collection Program.

This resolution was revised on July 27, 2016, to clarify that the FasTrak<sup>®</sup> Regional Customer Service Center Policies are applicable to all facilities served by the FasTrak<sup>®</sup> Regional Customer Service Center. Attachment A to this Resolution was also revised on July 27, 2016 to update the minimum balance for License Plate and One Time Payment Accounts and to make other clarifying changes.

Attachment A to this Resolution was revised on February 28, 2018 to amend the policies to increase the California Department of Motor Vehicles (DMV) Hold fee consistent with DMV fee increases.

Further discussion of this resolution is contained in the Executive Director's memoranda dated July 7, 2004; July 5, 2006, October 3, 2012, July 6, 2016, and February 7, 2018.

Date: July 28, 2004  
W.I.: 1252  
Referred by: BATA Oversight  
Revised: 02/28/18-BATA

Re: Adoption of the FasTrak® Regional Customer Service Center (RCSC) Policies, effective May 30, 2005, for the state-owned toll bridges in the Bay Area, as revised for all facilities served by the RCSC

BAY AREA TOLL AUTHORITY  
RESOLUTION No. 52, Revised

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”); and

WHEREAS, Streets and Highways Code §§ 30950 *et seq.* transfers to BATA certain duties and responsibilities of the California Transportation Commission (“CTC”) and California Department of Transportation (“Caltrans”) for the toll bridges owned and operated by Caltrans in the San Francisco Bay Area; and

WHEREAS, in accordance with Streets and Highways Code § 30950.2, BATA is responsible for programming, administering, and allocating all toll revenues, except revenues from the seismic retrofit surcharge, from state-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission; and

WHEREAS, Bay Area bridges are defined in Streets and Highways Code § 30910 to include the Antioch, Benicia-Martinez, Carquinez, Richmond-San Rafael, San Francisco-Oakland, San Mateo-Hayward, and Dumbarton Bridges, and

WHEREAS, the California Department of Transportation (Caltrans) implemented electronic toll collection on all Bay Area state-owned toll bridges on December 31, 2000, and

WHEREAS, pursuant to the BATA-Caltrans Cooperative Agreement dated July 1, 2004, Caltrans delegated to BATA certain responsibilities related to the administration of the electronic toll collection program, and

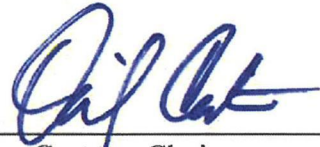
WHEREAS, BATA and the Golden Gate Bridge Highway and Transportation District entered into a Cooperative Agreement on August 26, 2003 to consolidate FasTrak™ Service Center operations, and

WHEREAS, the consolidated Regional Customer Service Center requires a common set of operating policies, and

WHEREAS, BATA has contracted and will contract to provide other entities and toll facility operators, including those operating express lanes, with some or all of the services of its consolidated Regional Customer Service Center; now, therefore, be it

RESOLVED, that BATA hereby adopts the FasTrak™ Regional Customer Service Center Policies, effective May 30, 2005, as revised, as set forth in Attachment A to this Resolution, and incorporated herein as though set forth at length.

BAY AREA TOLL AUTHORITY

A handwritten signature in blue ink, appearing to read 'Dave Cortese', is written over a horizontal line.

Dave Cortese, Chair

The above resolution, revising and superseding the resolution approved on July 28, 2004, was entered into by the Bay Area Toll Authority at a regular meeting of the Authority held in San Francisco, California, on July 27, 2016.

Date: July 28, 2004  
W.I.: 1252  
Referred by: BATA Oversight  
Revised: 07/26/06-BATA 10/24/12-BATA  
07/27/16-BATA 02/28/18-BATA

Attachment A  
Resolution No. 52  
Page 1 of 4

**FasTrak® Regional Customer Service Center (RCSC) Policies,  
effective December 8, 2012 on the  
San Francisco Bay Area State-Owned Toll Bridges, as revised for all  
facilities served by the RCSC**

**Attachment A**



**Regional Customer Service Center Policies**  
**effective December 8, 2012, as revised on February 28, 2018**

	<b>Policy</b>	<b>Regional CSC effective December 8, 2012, as revised on February 28, 2018</b>
1.	<b>General</b>	
2.	Terms & Conditions	Regional CSC license agreement
3.	Privacy Policy	Regional CSC privacy policy
4.	<b>Account types</b>	
5.	Prepaid Accounts	- Private, Business, Non-revenue, Anonymous
6.	Commercial Post Paid Accounts	Deleted
7.	License Plate Account	Yes
8.	One Time Payment	Yes
9.	<b>Account policies</b>	
10.	Prepaid Toll Account Opening Balance	Credit Card Account - \$25 per tag Cash/check Account- \$50 per tag N/A for License Plate Account and One Time Payment
11.	Replenishment Amount	<b>Private:</b> Credit card - \$25 per tag min. Cash/check - \$40 per tag min. or 1-month average based on previous 90 days usage  <b>Business:</b> Credit card - \$25 per tag min. Cash/check - \$40 per tag min. or 45-day average based on previous 90 days usage  N/A for License Plate Account and One Time Payment
12.	Replenishment Threshold	Credit Card Account - \$15 min. or 2-week average use based on previous 90 days  Cash/check Account - \$30 min. or 2-week average use based on previous 90 days  N/A for License Plate Account and One Time Payment
13.	License Plate Account and One Time Payment Minimum Balance	Credit card – Charged to credit card Cash/check - \$7.25 or current toll rate on GGB for 2 axle vehicle
14.	Tag Deposit	Credit Card Account - \$20 per tag, waived for first 3 tags  Cash/check Account - \$20 per tag  N/A for License Plate Account and One Time Payment



**Attachment A**



**Regional Customer Service Center Policies**  
**effective December 8, 2012, as revised on February 28, 2018**

	<b>Policy</b>	<b>Regional CSC effective December 8, 2012, as revised on February 28, 2018</b>
15.	Max number of tags	None
16.	Lost/stolen tags maximum liability	\$0 after notification, No maximum
17.	Low Balances	Credit Card Account - Automatic replenishment Cash/check Account - Send notice requesting replenishment; In-lane display shows low balance message
18.	Account Suspension	Immediate tag suspension when account balance is less than zero
19.	Account Revocation	Negative Balance for 90 days OR No activity for one year
20.	One Time Payment Account Closure	Limited term – account closed after 30 days Balance not refundable
21.	Reciprocity	
22.	Toll Discounts apply to customers of other toll facilities	Yes
23.	Guarantee of tolls to other toll agencies based on Regional CSC tag and plate files	Yes
24.	Account fees	
25.	Additional Statement Fee	1. \$1 for monthly paper statements 2. \$1 statement regeneration 3. \$7 for disk (business and commercial accounts only)
26.	Bad Check Fee	\$25
27.	Tag Replacement Charges	\$20 interior \$20 exterior
28.	Infrequent User Fee	None.
29.	Account Maintenance Fee	None.
30.	Tags Fees/Sales	None.
31.	Post Paid License Plate Toll Invoices	Golden Gate Bridge Only

**Attachment A**



**Regional Customer Service Center Policies**  
**effective December 8, 2012, as revised on February 28, 2018**

	Policy	Regional CSC effective December 8, 2012, as revised on February 28, 2018
32.	Violation Policies	
33.	Toll Evasion	<p><u>All Violations</u></p> <p>1<sup>st</sup> Notice Toll + \$25 penalty</p> <p>2<sup>nd</sup> Notice Toll + \$70 penalty</p> <p>Exceptions:</p> <ol style="list-style-type: none"> <li>1. If the violation is determined to be the fault of the toll agency.</li> <li>2. For 1<sup>st</sup> time offense, a non-customer can open a FasTrak account and the \$25 penalty will be waived.</li> <li>3. For FasTrak account holders in good standing, toll-only will be posted to the account balance. If the account balance is less than the amount of the toll, the account balance must be brought to the replenishment threshold amount prior to posting the violation toll amount.</li> </ol> <p>Processing fee of \$4 for DMV registration holds or as otherwise set by the DMV, when applicable.</p>


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)
**Code:** 
**Section:** 



[Up^](#)   [Add To My Favorites](#)

### VEHICLE CODE - VEH

**DIVISION 17. OFFENSES AND PROSECUTION [40000.1 - 41610]** ( *Division 17 enacted by Stats. 1959, Ch. 3.*  )

**CHAPTER 1. Offenses [40000.1 - 40273]** ( *Chapter 1 enacted by Stats. 1959, Ch. 3.*  )

**ARTICLE 4. Procedure on Toll Evasion Violations [40250 - 40273]** ( *Article 4 added by Stats. 1995, Ch. 739, Sec. 8.*  )

**40250.** (a) Except where otherwise specifically provided, a violation of a statute, regulation, or ordinance governing the evasion of tolls on toll facilities under this code, under a federal or state statute or regulation, or under an ordinance enacted by a local authority including a joint powers authority, or a district organized pursuant to Part 3 (commencing with Section 27000) of Division 16 of the Streets and Highways Code is subject to a civil penalty. The enforcement of a civil penalty is governed by the civil administrative procedures set forth in this article.

(b) Except as provided in Section 40264, the registered owner, driver, rentee, or lessee of a vehicle cited for a toll evasion violation of a toll facility, under an applicable statute, regulation, or ordinance shall be jointly and severally liable for the toll evasion penalty imposed under this article, unless the owner can show that the vehicle was used without the express or implied consent of that person. A person who pays a toll evasion penalty, a civil judgment, costs, or administrative fees pursuant to this article has the right to recover the same from the driver, rentee, or lessee.

(c) The driver of a vehicle who is not the vehicle owner but who uses or operates the vehicle with the express or implied permission of the owner is the agent of the owner to receive a notice of a toll evasion violation served in accordance with this article and may contest the notice of violation.

(d) If the driver of the vehicle is in violation of a statute, regulation, or ordinance governing toll evasion violations, and if the driver is arrested pursuant to Article 1 (commencing with Section 40300) of Chapter 2, this article does not apply.

(e) For the purposes of this article, the following definitions apply:

(1) "Issuing agency" is an entity, public or private, authorized to collect tolls.

(2) "Registered owner" is either of the following:

(A) A person described in Section 505.

(B) A person registered as the owner of the vehicle by the appropriate agency or authority of another state, the District of Columbia, or a territory or possession of the United States.

(Amended by Stats. 2007, Ch. 150, Sec. 1. Effective July 27, 2007.)

**40251.** All toll evasion penalties collected by the processing agency, as defined in Section 40253, including all administrative fees, process service fees, and fees and collection costs related to civil debt collection, shall be deposited to the account of the issuing agency, except that those sums attributable to the issuance of a toll evasion violation by a member of the California Highway Patrol shall be deposited in accordance with Article 1 (commencing with Section 42200) of Chapter 2 of Division 18 in the city or county where the violation occurred. At the end of each fiscal year, the issuing agencies of facilities which have been developed pursuant to Section 143 of the Streets and Highways Code shall deposit in the State Highway Account in the State Transportation Fund any amounts collected under Section 40253 in excess of the sum of the unpaid toll, administrative fees, other costs incurred by the issuing agency that are related to toll evasion, process service fees, and fees and collection costs related to civil debt collection.

(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)

**40252.** (a) An issuing agency may elect to contract with the state, the county, a local authority, or a district organized pursuant to Part 3 (commencing with Section 27000) of Division 16 of the Streets and Highways Code, or with a private vendor, for the processing of notices of toll evasion violations and notices of delinquent toll evasion violations, prior to filing with the court pursuant to Section 40256.

(b) As used in this article, "toll evasion penalty" includes, but is not limited to, any late payment penalty, administrative fee, fine, assessment, and costs of collection as provided by law.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40253.** If a contract is entered into pursuant to Section 40252, for the purpose of this article, "processing agency" means the party responsible for the processing of the notices of toll evasions and notices of delinquent toll evasions. Absent such contract, "processing agency" shall be synonymous with "issuing agency."

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40254.** (a) If a vehicle is found, by automated devices, visual observation, or otherwise, to have evaded tolls on a toll road or toll bridge, and subdivision (d) of Section 40250 does not apply, an issuing agency or a processing agency, as the case may be, shall, within 21 days of the violation, forward to the registered owner a notice of toll evasion violation setting forth the violation, including reference to the section violated, the approximate time thereof, and the location where the violation occurred. If accurate information concerning the identity and address of the registered owner is not available to the processing agency within 21 days of the violation, the processing agency shall have an additional 45 calendar days to obtain such information and forward the notice of toll evasion violation. If the registered owner is a repeat violator, the processing agency shall forward the notice of toll evasion violation within 90 calendar days of the violation. "Repeat violator" means any registered owner for whom more than five violations have been issued pursuant to this section in any calendar month within the preceding 12-month period. The notice of toll evasion violation shall also set forth, if applicable, all of the following:

- (1) The vehicle license plate number.
- (2) If practicable, the registration expiration date and the make of the vehicle.
- (3) If a vehicle is found, by automated devices, to have evaded the toll through failure to meet occupancy requirements in a high-occupancy toll lane, a copy of photographic evidence on which the determination was based.
- (4) A clear and concise explanation of the procedures for contesting the violation and appealing an adverse decision pursuant to Sections 40255 and 40256.

(b) After the authorized person has notified the processing agency of a toll evasion violation, the processing agency shall prepare and forward the notice of violation to the registered owner of the vehicle cited for the violation. Any person, including the authorized person and any member of the person's department or agency, or any peace officer who, with intent to prejudice, damage, or defraud, is found guilty of altering, concealing, modifying, nullifying, or destroying, or causing to be altered, concealed, modified, nullified, or destroyed, the face of the original or any copy of a notice that was retained by the authorized person before it is filed with the processing agency or with a person authorized to receive the deposit of the toll evasion violation is guilty of a misdemeanor.

(c) If, after a copy of the notice of toll evasion violation has been sent to the registered owner, the issuing person determines that, due to a failure of proof of apparent violation, the notice of toll evasion violation should be dismissed, the issuing agency may recommend, in writing, that the charges be dismissed. The recommendation shall cite the reasons for the recommendation and shall be filed with the processing agency.

(d) If the processing agency makes a finding that there are grounds for dismissal, the notice of toll evasion violation shall be canceled pursuant to Section 40255.

(e) A personal relationship with any law enforcement officer, public official, law enforcement agency, processing agency, or toll operating agency or entity shall not be grounds for dismissal of the violation.

(f) The processing agency shall use its best efforts to obtain accurate information concerning the identity and address of the registered owner for the purpose of forwarding a notice of toll evasion violation pursuant to subdivision (a).

*(Amended by Stats. 2019, Ch. 497, Sec. 278. (AB 991) Effective January 1, 2020.)*

**40255.** (a) Within 21 days from the issuance of the notice of toll evasion violation, or within 15 days from the mailing of the notice of delinquent toll evasion, whichever occurs later, a person may contest a notice of toll evasion violation or a notice of delinquent toll evasion. In that case, the processing agency shall do the following:

(1) The processing agency shall either investigate with its own records and staff or request that the issuing agency investigate the circumstances of the notice with respect to the contestant's written explanation of reasons for contesting the toll evasion violation. If, based upon the results of that investigation, the processing agency is satisfied that the violation did not occur or that the registered owner was not responsible for the violation, the processing agency shall cancel the notice of toll evasion violation and make an adequate record of the reasons for canceling the notice. The processing agency shall mail the results of the investigation to the person who contested the notice of toll evasion violation or the notice of delinquent toll evasion violation.

(2) If the person contesting a notice of toll evasion violation or notice of delinquent toll evasion violation is not satisfied with the results of the investigation provided for in paragraph (1), the person may, within 15 days of the mailing of the results of the investigation, deposit the amount of the toll evasion penalty and request an administrative review. After January 1, 1996, an administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding any time tolled pursuant to this article. The person requesting the hearing may request one continuance, not to exceed 21 calendar days.

(b) The administrative review procedure shall consist of the following:

(1) The person requesting an administrative review shall indicate to the processing agency his or her election for a review by mail or personal conference.

(2) If the person requesting an administrative review is a minor, that person shall be permitted to appear at an administrative review or admit responsibility for a toll evasion violation without the necessity of the appointment of a guardian. The processing agency may proceed against that person in the same manner as if that person were an adult.

(3) (A) The administrative review shall be conducted before a reviewer designated to conduct the review by the issuing agency's governing body or chief executive officer. In the case of violations on facilities developed pursuant to Section 143 of the Streets and Highways Code, the processing agency shall contract with a public agency or a private entity that has no financial interest in the facility for the provision of administrative review services pursuant to this subdivision. The costs of those administrative review services shall be included in the administrative fees authorized by this article.

(B) In addition to any other requirements of employment, a reviewer shall demonstrate those qualifications, training, and objectivity prescribed by the issuing agency's governing body or chief executive as are necessary and which are consistent with the duties and responsibilities set forth in this article.

(C) The examiner's continued employment, performance evaluation, compensation, and benefits shall not be directly or indirectly linked to the amount of fines collected by the examiner.

(4) The officer or person authorized to issue a notice of toll evasion violation shall not be required to participate in an administrative review. The issuing agency shall not be required to produce any evidence other than the notice of toll evasion violation or copy thereof, information received from the department identifying the registered owner of the vehicle, and a statement under penalty of perjury from the person reporting the violation. The documentation in proper form shall be considered prima facie evidence of the violation.

(5) For a toll evasion violation that occurs on a vehicular crossing or toll highway where the issuing agency allows pay-by-plate toll payment, as defined in subdivision (e) of Section 23302, the officer or person authorized to issue a notice of toll evasion violation shall not be required to participate in an administrative review. The issuing agency shall not be required to produce any evidence other than the notice of toll evasion violation or copy thereof, information received from the department identifying the registered owner of the vehicle, and a statement from the officer or person authorized to issue a notice of toll evasion that the tolls or other charges and any applicable fee was not paid in accordance with the issuing agency's policies for pay-by-plate toll payment. Any officer or person who knowingly provides false information pursuant to this paragraph shall be subject to a civil penalty for each violation in the minimum amount of two hundred fifty dollars (\$250) up to a maximum amount of two thousand five hundred dollars (\$2,500). An action for a civil penalty may be brought by any public prosecutor in the name of the people of the State of California. The documentation in proper form shall be considered prima facie evidence of the violation.

(6) The review shall be conducted in accordance with the written procedure established by the processing agency which shall ensure fair and impartial review of contested toll evasion violations. The agency's final decision may be delivered personally or by first-class mail.

*(Amended by Stats. 2009, Ch. 459, Sec. 3. (AB 628) Effective January 1, 2010.)*

**40256.** (a) Within 20 days after the mailing of the final decision described in subdivision (b) of Section 40255, the contestant may seek review by filing an appeal to the superior court, where the same shall be heard de novo, except that the contents of the processing agency's file in the case on appeal shall be received in evidence. A copy

of the notice of toll evasion violation shall be admitted into evidence as prima facie evidence of the facts stated therein. A copy of the notice of appeal shall be served in person or by first-class mail upon the processing agency by the contestant. For purposes of computing the 20-day period, Section 1013 of the Code of Civil Procedure shall be applicable. A proceeding under this subdivision is a limited civil case.

(b) Notwithstanding Section 72055 of the Government Code, the fee for filing the notice of appeal shall be twenty-five dollars (\$25). If the appellant prevails, this fee, together with any deposit of toll evasion penalty, shall be promptly refunded by the processing agency in accordance with the judgment of the court.

(c) The conduct of the hearing on appeal under this section is a subordinate judicial duty which may be performed by commissioners and other subordinate judicial officials at the direction of the presiding judge of the court.

(d) If no notice of appeal of the processing agency's decision is filed within the period set forth in subdivision (a), the decision shall be deemed final.

(e) If the toll evasion penalty has not been deposited and the decision is adverse to the contestant, the processing agency may, promptly after the decision becomes final, proceed to collect the penalty under Section 40267.

*(Amended by Stats. 2002, Ch. 784, Sec. 602. Effective January 1, 2003.)*

**40257.** The notice of toll evasion violation shall be accompanied by a written notice of the toll evasion penalty due for that violation and the address of the person authorized to receive a deposit of the toll evasion penalty, to whom payments may be sent, and a statement in bold print that payments of the toll evasion penalty for the toll evasion violation may be sent through the mail.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40258.** (a) The schedule of toll evasion penalties for toll evasion violations shall be limited to one hundred dollars (\$100) for the first violation, two hundred fifty dollars (\$250) for a second violation within one year, and five hundred dollars (\$500) for each additional violation within one year.

(b) Toll evasion penalties under this article shall be collected as civil penalties.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40259.** If the toll evasion penalty is received by the person authorized to receive the deposit of the toll evasion penalty and there is no contest as to that toll evasion violation, the proceedings under this article shall terminate.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40260.** (a) If the payment of the toll evasion penalty is not received by the person authorized to receive a deposit of the toll evasion penalty by the time and date fixed for appearance on the notice of toll evasion violation under Section 40254, the processing agency shall serve or mail to the registered owner a notice of delinquent toll evasion violation.

(b) Delivery of a notice of delinquent toll evasion violation under this section may be made by personal service or by first-class mail addressed to the registered owner.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40261.** (a) Within 10 days from the mailing of a notice of delinquent toll evasion violation, any person or his or her agent, may request by mail or in person a photostatic copy or an electronically produced facsimile of the original notice of toll evasion violation. The issuing agency may charge a fee sufficient to recover the actual cost of providing the copy, not to exceed two dollars (\$2). Within 15 days of the request, the processing agency shall mail or otherwise provide the copy. Until the issuing agency complies with a request for a copy of the original notice of toll evasion violation, the processing agency may not proceed pursuant to subdivision (i) of Section 22651, or Section 22651.7 or 40267.

(b) If the description of the vehicle on the notice of toll evasion violation does not match the department's corresponding vehicle registration record, the processing agency may, on written request of the person, cancel the notice of toll evasion violation without the necessity of an appearance by that person.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40262.** The notice of delinquent toll evasion violation shall contain the information specified in Section 40254 and, additionally shall contain a notice to the registered owner that, unless the registered owner pays the toll evasion penalty or contests the notice within 15 days after mailing of the notice of delinquent toll evasion violation or completes and files an affidavit of nonliability which complies with Section 40263 or 40264, the renewal of the

vehicle registration shall be contingent upon compliance with the notice of delinquent toll evasion violation. If the registered owner, by appearance or by mail, makes payment to the processing agency within 15 days of the mailing of the notice of delinquent toll evasion violation, the toll evasion penalty shall consist of the amount of the original penalty without any additional administrative fees or charges.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40262.5.** If the registered owner fails to pay the toll evasion penalty, as required in Section 40262, or fails to contest the violation, as provided in Section 40255, the registered owner shall be deemed liable for the violation by operation of law, and the toll evasion penalty and any administrative fees or charges shall be considered a debt due and owing the issuing agency by the registered owner.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40263.** The notice of delinquent toll evasion violation shall contain, or be accompanied with, an affidavit of nonliability and information of what constitutes nonliability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the issuing agency.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40264.** If the affidavit of nonliability is returned to the agency within 30 days of the mailing of the notice of toll evasion violation together with the proof of a written rental agreement or lease between a bona fide renting or leasing company and its customer which identifies the rentee or lessee and provides the driver's license number, name, and address of the rentee or lessee, the processing agency shall serve or mail to the rentee or lessee identified in the affidavit of nonliability a notice of delinquent toll evasion violation. If payment is not received within 15 days of the mailing of the notice of delinquent toll evasion violation, the processing agency may proceed against the rentee or lessee pursuant to Section 40267.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40265.** (a) If the affidavit of nonliability is returned and indicates that the registered owner served has made a bona fide sale or transfer of the vehicle and has delivered possession of the vehicle to the purchaser prior to the date of the alleged violation, the processing agency shall obtain verification from the department that the registered owner has complied with subdivision (b) of Section 5602.

(b) If the registered owner has complied with subdivision (b) of Section 5602, the processing agency shall cancel the notice of toll evasion violation with respect to the registered owner.

(c) If the registered owner has not complied with subdivision (b) of Section 5602, the processing agency shall inform the registered owner that the notice shall be paid in full or contested pursuant to Section 40255 unless the registered owner delivers evidence within 15 days of the notice that establishes that the transfer of ownership and possession of the vehicle occurred prior to the date of the alleged violation. If the registered owner does not comply with this notice, the processing agency shall proceed pursuant to Section 40220. If the registered owner delivers the evidence within 15 days of the notice, the processing agency shall cancel the notice of delinquent toll evasion violation or violations with respect to the registered owner.

(d) For purposes of subdivision (c), evidence sufficient to establish that the transfer of ownership and possession occurred prior to the date of the alleged violation or violations shall include, but is not limited to, a copy of the executed agreement showing the date of the transfer of vehicle ownership.

(e) This section does not limit or impair the ability or the right of the processing agency to pursue the collection of delinquent toll evasion penalties from the person having ownership and possession of the vehicle on the date the alleged violation occurred.

*(Amended by Stats. 2008, Ch. 741, Sec. 6. Effective January 1, 2009.)*

**40266.** (a) If the registered owner, or an agent of the registered owner, or a rentee or lessee who was served with the notice of delinquent toll evasion violation pursuant to Section 40260 or 40264, or any other person who presents the notice of toll evasion violation or notice of delinquent toll evasion violation after the notice of delinquent toll evasion violation has been issued for delivery under Section 40260, deposits that toll evasion violation penalty with a person authorized to receive it, the processing agency shall do both of the following:

(1) Deliver a copy of the notice of delinquent toll evasion violation issued under Section 40260, or a listing of the notice information presented in a notice of delinquent toll evasion violation to the person and record the name, address, and driver's license number of the person actually given the copy in the records of the issuing agency.

For the purposes of this paragraph, a copy of the notice of delinquent toll evasion violation may be a photostatic copy.

(2) Determine whether the notice of delinquent toll evasion violation has been filed with the department pursuant to subdivision (b) of Section 40267 or a civil judgment has been entered pursuant to Section 40267.

(b) If the notice of delinquent toll evasion violation has not been filed with the department or judgment entered and payment of the toll evasion penalty and any applicable assessments is received, the proceedings under this article shall terminate.

(c) If the notice of delinquent toll evasion violation has been filed with the department, has been returned to the processing agency pursuant to subdivision (b) or (c) of Section 4770 or pursuant to Section 4774, and payment of the toll evasion penalty together with the administrative service fee of the processing agency for costs of service and any applicable assessment is received, the proceedings under this article shall terminate.

(d) If the notice of delinquent toll evasion violation has been filed with the department and has not been returned to the processing agency pursuant to Section 4770, 4772, or 4774, and payment of the toll evasion penalty together with the administrative fee of the department established under Section 4773, and administrative service fee of the issuing agency for costs of service, and any applicable assessments is received by the processing agency, the processing agency shall do all of the following:

(1) Immediately transmit the payment information to the department in the manner prescribed by the department.

(2) Terminate proceedings on the notice of delinquent toll evasion violation.

(3) Transmit for deposit all toll evasion penalties and assessments in accordance with law.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40267.** Except as otherwise provided in Sections 40268 and 40269, the processing agency shall proceed under one or more of the following options to collect an unpaid toll evasion penalty:

(a) The processing agency may file an itemization of unpaid toll evasion penalties and administrative and service fees with the department for collection with the registration of the vehicle pursuant to Section 4770.

(b) (1) If more than four hundred dollars (\$400) in unpaid penalties and fees have been accrued by a person or registered owner, the processing agency may file proof of that fact with the court with the same effect as a civil judgment. Execution may be levied and other measures may be taken for the collection of the judgment as are authorized for the collection of an unpaid civil judgment entered against a defendant in an action on a debt. The court may assess costs against a judgment debtor to be paid upon satisfaction of the judgment. The processing agency shall send a notice by first-class mail to the person or registered owner indicating that a judgment shall be entered for the unpaid penalties, fees, and costs and that, after 30 days from the date of the mailing of the notice, the judgment shall have the same effect as an entry of judgment against a judgment debtor. The person or registered owner shall also be notified at that time that execution may be levied against his or her assets, liens may be placed against his or her property, his or her wages may be garnished, and other steps may be taken to satisfy the judgment. The filing fee plus any costs of collection shall be added to the judgment amount.

(2) Notwithstanding any other provision of law, the processing agency shall pay the established first paper civil filing fee, if required by law, at the time an entry of civil judgment is requested.

(c) If the registration of the vehicle has not been renewed for 60 days beyond the renewal date, and the notice has not been collected by the department pursuant to Section 4770, the processing agency may file proof of unpaid penalties and fees with the court with the same effect as a civil judgment as provided in subdivision (b), except that if the amount of the unpaid penalties and fees is not more than four hundred dollars (\$400), the filing fee shall be collectible by the court from the debtor.

(d) The issuing agency may contract with a collection agency to collect unpaid toll evasion penalties, fees, and charges.

(e) This section does not apply to the registered owner of a vehicle if the toll evasion violation occurred prior to the registered owner taking possession of the vehicle and the department has notified the processing agency pursuant to Section 4774.

*(Amended by Stats. 2008, Ch. 741, Sec. 7. Effective January 1, 2009.)*

**40268.** The processing agency shall not file a civil judgment with the court relating to a toll evasion violation which has been filed with the department unless the processing agency has determined that the registration of the vehicle has not been renewed for 60 days beyond the renewal date and the notice has not been collected by the department pursuant to Section 4770.



*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40269.** (a) The processing agency shall terminate proceedings on the notice of a delinquent toll evasion violation in any of the following cases:

- (1) Upon receipt of collected penalties and administrative fees remitted by the department under Section 4772 for that notice of delinquent toll evasion violation. The termination under this subdivision is by satisfaction of the toll evasion penalty.
  - (2) If the notice of delinquent toll evasion violation was returned to the processing agency pursuant to Section 4774 and five years have elapsed since the date of the violation. The termination under this subdivision is by the running of a statute of limitation of proceedings.
  - (3) The processing agency receives information, which it shall verify with the department, that the penalty has been paid to the department pursuant to Section 4772.
  - (4) If the registered owner of the vehicle provides proof to the processing agency that he or she was not the registered owner on the date of the toll evasion violation.
- (b) This section does not limit or impair the ability or the right of the processing agency to pursue the collection of delinquent toll evasion penalties from the person who was the registered owner or lessee of the vehicle on the date of the alleged toll evasion violation.

*(Amended by Stats. 2008, Ch. 741, Sec. 8. Effective January 1, 2009.)*

**40270.** If the notice of delinquent toll evasion violation is filed with the department pursuant to subdivision (b) of Section 40267 and the department returns the notice of delinquent toll evasion violation by notice of noncollection pursuant to subdivision (b) of Section 4770 or Section 4774, the processing agency may cancel the notice of delinquent toll evasion violation.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40271.** The time limitation provided by law for commencement of a civil action for a violation specified in Section 40250 shall be tolled from and after the date a notice of delinquent toll evasion violation is filed with the department pursuant to subdivision (b) of Section 40267 until the notice is returned to the processing agency under subdivision (b) of Section 4770, or Section 4772 or 4774, or is recalled by the processing agency pursuant to subdivision (b) of Section 40255.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40272.** Notwithstanding any other provision of law, an imposition of civil liability for a violation of Section 23302.5 shall not be deemed a conviction of a driver, rentee, lessee, or registered owner and shall not be made part of the driving record of the person upon whom that liability is imposed, nor shall it be used for insurance purposes in connection with the provision of motor vehicle insurance coverage.

*(Added by Stats. 1995, Ch. 739, Sec. 8. Effective January 1, 1996.)*

**40273.** Any information obtained pursuant to this article through the use of automated devices shall not be used for any purpose other than to identify, and obtain the mailing address information of, either of the following:

- (a) Toll evasion violators, to facilitate the serving of notices of toll evasion violations and notices of delinquent toll evasion violations.
- (b) Persons entering a vehicular crossing and toll highway where pay-by-plate toll payment, as defined in Section 23302, is permitted by the toll operator to facilitate the collection of tolls.

*(Amended by Stats. 2009, Ch. 459, Sec. 4. (AB 628) Effective January 1, 2010.)*


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)

 Code: 

 Section: 


[Up^](#)
[<< Previous](#)
[Next >>](#)
[cross-reference chaptered bills](#)
[PDF](#)
[Add To My Favorites](#)

 Search Phrase: 


### VEHICLE CODE - VEH

**DIVISION 11. RULES OF THE ROAD [21000 - 23336]** (*Division 11 enacted by Stats. 1959, Ch. 3.*)

**CHAPTER 3. Driving, Overtaking, and Passing [21650 - 21760]** (*Chapter 3 enacted by Stats. 1959, Ch. 3.*)

### ARTICLE 1. Driving on Right Side [21650 - 21664]

 (*Article 1 enacted by Stats. 1959, Ch. 3.*)

**21655.5.** (a) The Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, may authorize or permit exclusive or preferential use of highway lanes for high-occupancy vehicles. Prior to establishing the lanes, competent engineering estimates shall be made of the effect of the lanes on safety, congestion, and highway capacity.

(b) The Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, shall place and maintain, or cause to be placed and maintained, signs and other official traffic control devices to designate the exclusive or preferential lanes, to advise motorists of the applicable vehicle occupancy levels, and, except where ramp metering and bypass lanes are regulated with the activation of traffic signals, to advise motorists of the hours of high-occupancy vehicle usage. A person shall not drive a vehicle upon those lanes except in conformity with the instructions imparted by the official traffic control devices. A motorcycle, a mass transit vehicle, a blood transport vehicle that is clearly and identifiably marked as such on all sides of the vehicle, or a paratransit vehicle that is clearly and identifiably marked on all sides of the vehicle with the name of the paratransit provider may be operated upon those exclusive or preferential use lanes unless specifically prohibited by a traffic control device.

(c) When responding to an existing emergency or breakdown in which a mass transit vehicle is blocking an exclusive or preferential use lane, a clearly marked mass transit vehicle, mass transit supervisor's vehicle, or mass transit maintenance vehicle that is responding to the emergency or breakdown may be operated in the segment of the exclusive or preferential use lane being blocked by the mass transit vehicle, regardless of the number of persons in the vehicle responding to the emergency or breakdown, if both vehicles are owned or operated by the same agency, and that agency provides public mass transit services.

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

- (1) "Blood transport vehicle" means a vehicle owned and operated by the American Red Cross or a blood bank that is transporting blood between collection points and hospitals or storage centers.
- (2) "Mass transit vehicle" means a transit bus regularly used to transport paying passengers in mass transit service.
- (3) "Paratransit vehicle" as defined in Section 462.

(e) It is the intent of the Legislature, in amending this section, to stimulate and encourage the development of ways and means of relieving traffic congestion on California highways and, at the same time, to encourage individual citizens to pool their vehicular resources and thereby conserve fuel and lessen emission of air pollutants.

(f) The provisions of this section regarding mass transit vehicles and paratransit vehicles shall only apply if the Director of Transportation determines that the application will not subject the state to a reduction in the amount of federal aid for highways.

(g) The authority for a blood transport vehicle to use exclusive or preferential lanes in accordance with subdivision (b) shall only be operative under either of the following circumstances:

- (1) The Director of Transportation determines that the use of those lanes by those vehicles will not cause a reduction of federal aid funds for highways or otherwise be inconsistent with federal law or regulations, or with any agreement between the state and a federal agency or department, and the director posts that determination on the Department of Transportation's Internet Web site.

(2) The Federal Highway Administration of the United States Department of Transportation, upon the request of the director, makes that determination and the director posts the determination on the Department of Transportation's Internet Web site.

*(Amended by Stats. 2017, Ch. 392, Sec. 2. (SB 406) Effective January 1, 2018.)*


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)

 Code: 

 Section: 


[Up^](#)   [<< Previous](#)   [Next >>](#)
[cross-reference chaptered bills](#)
[PDF](#)
[Add To My Favorites](#)

 Search Phrase: 


## VEHICLE CODE - VEH

**DIVISION 11. RULES OF THE ROAD [21000 - 23336]** (*Division 11 enacted by Stats. 1959, Ch. 3.*)

**CHAPTER 13. Vehicular Crossings and Toll Highways [23250 - 23336]** (*Heading of Chapter 13 amended by Stats. 1992, Ch. 1241, Sec. 22.*)

### ARTICLE 3. Tolls and Other Charges [23300 - 23303]

 (*Article 3 enacted by Stats. 1959, Ch. 3.*)

**23301.5.** (a) An authorized emergency vehicle is exempt from any requirement to pay a toll or other charge on a vehicular crossing, toll highway, or high-occupancy toll (HOT) lane, including the requirements of Section 23301, if all of the following conditions are satisfied:

(1) The authorized emergency vehicle is properly displaying an exempt California license plate, and is properly identified or marked as an authorized emergency vehicle, including, but not limited to, displaying an external surface-mounted red warning light, blue warning light, or both, and displaying public agency identification, including, but not limited to, "Fire Department," "Sheriff," or "Police."

(2) (A) The vehicle is being driven while responding to or returning from an urgent or emergency call, engaged in an urgent or emergency response, or engaging in a fire station coverage assignment directly related to an emergency response.

(B) For purposes of this paragraph, an "urgent" response or call means an incident or circumstance that requires an immediate response to a public safety-related incident, but does not warrant the use of emergency warning lights. "Urgent" does not include any personal use, commuting, training, or administrative uses.

(C) Notwithstanding subparagraph (A), an authorized emergency vehicle, when returning from an urgent or emergency call, or from being engaged in an urgent or emergency response, or from engaging in a fire station coverage assignment directly related to an emergency response, shall not be exempt from any requirement to pay a toll or other charge imposed while traveling on a HOT lane.

(3) The driver of the vehicle determines that the use of the toll facility shall likely improve the availability or response and arrival time of the authorized emergency vehicle and its delivery of essential public safety services.

(b) If the operator of a toll facility elects to send a bill or invoice to the public agency for the use of the toll facility by an authorized emergency vehicle, exempt pursuant to subdivision (a), the fire chief, police chief, county sheriff, head of the public agency, or his or her designee, is authorized to certify in writing that the authorized emergency vehicle was responding to or returning from an emergency call or response and is exempt from the payment of the toll or other charge in accordance with this section. The letter shall be accepted by the toll operator in lieu of payment and is a public document.

(c) An authorized emergency vehicle that does not comply with this section is not exempt from the requirement to pay a toll or other charge on a toll highway, vehicular crossing, or HOT lane. Upon information and belief of the toll operator that an authorized emergency vehicle is not in compliance with this section, the fire chief, police chief, county sheriff, head of the public agency, or his or her designee, upon the written request of the owner or operator of the toll facility, shall provide or otherwise make accessible to the toll operator the dispatch records or log books relevant to the time period when the vehicle was in use on the toll highway, vehicular crossing, or HOT lane.

(d) This section does not prohibit or amend an agreement entered into between the owner or operator of a toll facility and a local emergency service provider that establishes mutually agreed upon terms for the use of the toll facility by the emergency service provider. This section shall not prohibit the owner or operator of a toll facility from having a policy that meets or exceeds this section. If at any time an emergency service provider or the owner or operator of a toll facility opts to terminate an agreement regarding the payment and processing of tolls or other

charges, this section shall apply to the emergency service provider and the toll facility. An agreement between an emergency service provider and the owner or operator of a toll facility does not exempt other emergency service providers not named in the original agreement and the toll facility from the requirements of this section when those other emergency service providers use a toll facility in the jurisdiction of the owner or operator of the toll facility.

(e) Sections 23302 and 23302.5 do not apply to authorized emergency vehicles exempt pursuant to this section.

(f) As used in this section, "toll facility" includes a toll road, HOT lane, toll bridge, toll highway, a vehicular crossing for which payment of a toll or charge is required, or any other toll facility.

*(Amended by Stats. 2017, Ch. 561, Sec. 255. (AB 1516) Effective January 1, 2018.)*


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)

 Code: 

 Section: 


[Up^](#)
[<< Previous](#)
[Next >>](#)
[cross-reference chaptered bills](#)
[PDF](#)
[Add To My Favorites](#)

 Search Phrase: 


## VEHICLE CODE - VEH

**DIVISION 11. RULES OF THE ROAD [21000 - 23336]** ( *Division 11 enacted by Stats. 1959, Ch. 3.* )

**CHAPTER 13. Vehicular Crossings and Toll Highways [23250 - 23336]** ( *Heading of Chapter 13 amended by Stats. 1992, Ch. 1241, Sec. 22.* )

### ARTICLE 3. Tolls and Other Charges [23300 - 23303]

 ( *Article 3 enacted by Stats. 1959, Ch. 3.* )

**23302.** (a) (1) It is unlawful for a driver to fail to pay tolls or other charges on any vehicular crossing or toll highway. Except as otherwise provided in subdivision (b), (c), or (d), it is prima facie evidence of a violation of this section for a person to drive a vehicle onto any vehicular crossing or toll highway without either lawful money of the United States in the driver's immediate possession in an amount sufficient to pay the prescribed tolls or other charges due from that driver or a transponder or other electronic toll payment device associated with a valid Automatic Vehicle Identification account with a balance sufficient to pay those tolls.

(2) Except as specified in paragraph (3), if a transponder or other electronic toll payment device is used to pay tolls or other charges due, the device shall be located in or on the vehicle in a location so as to be visible for the purpose of enforcement at all times when the vehicle is located on the vehicular crossing or toll highway. Where required by the operator of a vehicular crossing or toll highway, this requirement applies even if the operator offers free travel or nontoll accounts to certain classes of users.

(3) If a motorcyclist uses a transponder or other electronic toll payment device to lawfully enter a vehicle crossing or toll highway, the motorcyclist shall use any one of the following methods as long as the transponder or device is able to be read by the toll operator's detection equipment:

(A) Place the transponder or other electronic toll payment device in the motorcyclist's pocket.

(B) Place the transponder or other electronic toll payment device inside a cycle net that drapes over the gas tank of the motorcycle.

(C) Mount the transponder or other electronic toll payment device on license plate devices provided by the toll operator, if the toll operator provides those devices.

(D) Keep the transponder or other electronic toll payment device in the glove or storage compartment of the motorcycle.

(E) Mount the transponder or other electronic toll payment device on the windshield of the motorcycle.

(b) For vehicular crossings and toll highways that use electronic toll collection as the only method of paying tolls or other charges, it is prima facie evidence of a violation of this section for a driver to drive a vehicle onto the vehicular crossing or toll highway without a transponder or other electronic toll payment device associated with a valid Automatic Vehicle Identification account with a balance sufficient to pay those tolls.

(c) For vehicular crossings and toll highways where the issuing agency, as defined in Section 40250, permits pay-by-plate payment of tolls and other charges, in accordance with policies adopted by the issuing agency, it is prima facie evidence of a violation of this section for a driver to drive a vehicle onto the vehicular crossing or toll highway without at least one of the following:

(1) Lawful money of the United States in the driver's immediate possession in an amount sufficient to pay the prescribed tolls or other charges due from that person.

(2) A transponder or other electronic toll payment device associated with a valid Automatic Vehicle Identification account with a balance sufficient to pay those tolls.

(3) Valid vehicle license plates properly attached pursuant to Section 4850.5 or 5200 to the vehicle in which that driver enters onto the vehicular crossing or toll highway.

(d) For vehicular crossings and toll highways where the issuing agency, as defined in Section 40250, permits pay-by-plate payment of tolls and other charges in accordance with policies adopted by the issuing agency, and where electronic toll collection is the only other method of paying tolls or other charges, it is prima facie evidence of a violation of this section for a driver to drive a vehicle onto the vehicular crossing or toll highway without either a transponder or other electronic toll payment device associated with a valid Automatic Vehicle Identification account with a balance sufficient to pay those tolls or valid vehicle license plates properly attached to the vehicle pursuant to Section 4850.5 or 5200 in which that driver enters onto the vehicular crossing or toll highway.

(e) As used in this article, "pay-by-plate toll payment" means an issuing agency's use of on-road vehicle license plate identification recognition technology to accept payment of tolls in accordance with policies adopted by the issuing agency.

(f) This section does not require an issuing agency to offer pay-by-plate toll processing as a method for paying tolls.

*(Amended by Stats. 2012, Ch. 81, Sec. 1. (AB 1890) Effective January 1, 2013.)*


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)
**Code:** 
**Section:** 


[Up^](#)   [<< Previous](#)   [Next >>](#)
[cross-reference chaptered bills](#)
[PDF](#)
[Add To My Favorites](#)

**Search Phrase:** 


### VEHICLE CODE - VEH

**DIVISION 3. REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE [4000 - 9808]** (*Division 3 enacted by Stats. 1959, Ch. 3.*)

**CHAPTER 1. Original and Renewal of Registration; Issuance of Certificates of Title [4000 - 5506]** (*Chapter 1 enacted by Stats. 1959, Ch. 3.*)

**ARTICLE 9. Display of Plates, Tabs, and Stickers [5200 - 5206]** (*Article 9 enacted by Stats. 1959, Ch. 3.*)

**5205.5.** (a) (1) For purposes of implementing Section 21655.9, the department shall make available for issuance, for a fee determined by the department to be sufficient to reimburse the department for the reasonable costs incurred pursuant to this section, and pursuant to the eligibility provisions in subdivision (b), distinctive decals, labels, and other identifiers that clearly distinguish the following vehicles from other vehicles:

(A) A vehicle that meets the state's super ultra-low emission vehicle (SULEV) standard for exhaust emissions and the federal inherently low-emission vehicle (ILEV) evaporative emission standard, as defined in Part 88 (commencing with Section 88.101-94) of Title 40 of the Code of Federal Regulations.

(B) A vehicle that was produced during the 2004 model year or earlier and meets the state's ultra-low emission vehicle (ULEV) standard for exhaust emissions and the federal ILEV standard. A decal, label, or other identifier issued pursuant to this paragraph is valid until January 1, 2019.

(C) A vehicle that meets the state's enhanced advanced technology partial zero-emission vehicle (enhanced AT PZEV) standard or transitional zero-emission vehicle (TZEV) standard.

(2) (A) A decal, label, or other identifier issued pursuant to subparagraph (A) or (C) of paragraph (1) before January 1, 2017, is valid until January 1, 2019.

(B) (i) A decal, label, or other identifier issued pursuant to subparagraph (A) or (C) of paragraph (1) on or after January 1, 2017, and before March 1, 2018, is valid until January 1, 2019.

(ii) A decal, label, or other identifier issued pursuant to subparagraph (A) or (C) of paragraph (1) between March 1, 2018, and January 1, 2019, is valid until January 1, 2022.

(iii) A decal, label, or other identifier issued pursuant to subparagraph (A) or (C) of paragraph (1) on or after March 1, 2018, for a vehicle that had been issued a decal, label, or other identifier pursuant to subparagraph (A) or (C) of paragraph (1) between January 1, 2017, and March 1, 2018, is valid until January 1, 2022.

(C) Except as provided in clause (iii) of subparagraph (B), a decal, label, or other identifier issued pursuant to subparagraph (A) or (C) of paragraph (1) on or after January 1, 2019, is valid until January 1 of the fourth year after the year of issuance.

(3) (A) Notwithstanding the validity timeframe specified in clause (iii) of subparagraph (B) of paragraph (2), commencing January 1, 2020, and until January 1, 2024, a decal, label, or other identifier may be issued pursuant to subparagraph (A) or (C) of paragraph (1) for a vehicle that had previously been issued a decal, label, or other identifier, and the decal, label, or other identifier shall be valid until January 1, 2024, if the applicant for the decal, label, or other identifier has a household income at or below 80 percent of the state median income, as designated by the Department of Housing and Community Development's list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code. The determination of income eligibility shall be made by a governmental or nonprofit entity selected by the department, in a format prescribed by the department.

(B) A person who obtained a decal, label, or other identifier for a vehicle prior to January 1, 2017, shall not be issued another decal, label, or other identifier pursuant to this paragraph, notwithstanding the person's qualifying



income.

(C) The department shall report to the Legislature the number of decals, labels, and other identifiers issued pursuant to this paragraph. The report shall be issued after January 1, 2023, but before June 1, 2023.

(4) Except as provided in clause (iii) of subparagraph (B) of paragraph (2) and paragraph (3), a vehicle shall not be issued a decal, label, or other identifier more than once.

(b) (1) The department shall not issue a decal, label, or other identifier to an applicant who has received a consumer rebate pursuant to the Clean Vehicle Rebate Project, established as part of the Air Quality Improvement Program pursuant to Article 3 (commencing with Section 44274) of Chapter 8.9 of Part 5 of Division 26 of the Health and Safety Code, for a vehicle purchased on or after January 1, 2018, unless the rebate was issued to a buyer whose gross annual income falls below one hundred fifty thousand dollars (\$150,000) for a person who files a tax return as a single person, two hundred four thousand dollars (\$204,000) for a person who files a tax return as a head of household, and three hundred thousand dollars (\$300,000) for a person who files a joint tax return.

(2) The department shall collaborate with the State Air Resources Board to establish procedures to implement this subdivision, including, but not limited to, all of the following:

(A) The application form for a decal, label, or other identifier issued pursuant to this section and the application for a rebate under the Clean Vehicle Rebate Project shall include a statement indicating that the applicant cannot participate in both programs unless the applicant meets the income restrictions in paragraph (1). Each application shall require the applicant to provide a signature to confirm that the applicant understands this condition.

(B) Notify consumers of the eligibility criteria and conditions using existing education and outreach efforts.

(C) Establish appropriate compliance and enforcement measures.

(D) Establish information sharing between the department and the board to implement the requirements of this subdivision.

(c) The department shall include a summary of the provisions of this section on each motor vehicle registration renewal notice, or on a separate insert, if space is available and the summary can be included without incurring additional printing or postage costs.

(d) The Department of Transportation shall remove individual HOV lanes, or portions of those lanes, during periods of peak congestion from the access provisions provided in subdivision (a), following a finding by the Department of Transportation as follows:

(1) The lane, or portion of the lane, exceeds a level of service C, as discussed in subdivision (b) of Section 65089 of the Government Code.

(2) The operation or projected operation of the vehicles described in subdivision (a) in these lanes, or portions of those lanes, will significantly increase congestion.

(3) The finding shall also demonstrate the infeasibility of alleviating the congestion by other means, including, but not limited to, reducing the use of the lane by noneligible vehicles or further increasing vehicle occupancy.

(e) The State Air Resources Board shall publish and maintain a list of all vehicles eligible for participation in the programs described in this section. The board shall provide that list to the department.

(f) (1) For purposes of subdivision (a), the Department of the California Highway Patrol and the department, in consultation with the Department of Transportation, shall design and specify the placement of the decal, label, or other identifier on the vehicle. Each decal, label, or other identifier issued for a vehicle shall display a unique number, which shall be printed on, or affixed to, the vehicle registration.

(2) Except as provided in clause (iii) of subparagraph (B) of paragraph (2) of subdivision (a), decals, labels, or other identifiers issued pursuant to subparagraph (A) or (C) of paragraph (1) of subdivision (a) before January 1, 2019, shall be distinguishable from the decals, labels, or other identifiers issued on or after January 1, 2019.

(g) If the Metropolitan Transportation Commission, serving as the Bay Area Toll Authority, grants toll-free and reduced-rate passage on toll bridges under its jurisdiction to a vehicle pursuant to Section 30102.5 of the Streets and Highways Code, it shall also grant the same toll-free and reduced-rate passage to a vehicle displaying a valid identifier issued by the department pursuant to subparagraph (A) or (B) of paragraph (1) of subdivision (a).

(h) (1) Notwithstanding Section 21655.9, and except as provided in paragraph (2), a vehicle described in subdivision (a) that displays a valid decal, label, or identifier issued pursuant to this section shall be granted a toll-free or reduced-rate passage in high-occupancy toll lanes as described in Section 149.7 of the Streets and Highways Code unless prohibited by federal law.

(2) (A) Paragraph (1) does not apply to the imposition of a toll imposed for passage on a toll road or toll highway, that is not a high-occupancy toll lane as described in Section 149.7 of the Streets and Highways Code.

(B) Paragraph (1) does not apply to the imposition of a toll charged for crossing a state-owned bridge.

(i) If the Director of Transportation determines that federal law does not authorize the state to allow vehicles that are identified by distinctive decals, labels, or other identifiers on vehicles described in subdivision (a) to use highway lanes or highway access ramps for high-occupancy vehicles regardless of vehicle occupancy, the Director of Transportation shall submit a notice of that determination to the Secretary of State.

(j) This section shall become inoperative on the date the federal authorization pursuant to Section 166 of Title 23 of the United States Code expires, or the date the Secretary of State receives the notice described in subdivision (i), whichever occurs first.

(k) If this section becomes inoperative pursuant to subdivision (j) the driver of a vehicle with an otherwise valid decal, label, or other identifier issued pursuant to this section shall not be cited for a violation of Section 21655.9 within 60 days of the date that this section becomes inoperative.

(l) This section is repealed as of September 30, 2025.

*(Amended (as amended by Stats. 2018, Ch. 46, Sec. 7) by Stats. 2018, Ch. 367, Sec. 1. (SB 957) Effective January 1, 2019. Inoperative on date prescribed in subd. (j). Repealed as of September 30, 2025, by its own provisions.)*

[Home](#)[Bill Information](#)[California Law](#)[Publications](#)[Other Resources](#)[My Subscriptions](#)[My Favorites](#)Code: Section: [Up^](#) [<< Previous](#) [Next >>](#)[cross-reference chaptered bills](#)[PDF](#)[Add To My Favorites](#)Search Phrase: **VEHICLE CODE - VEH**

**DIVISION 3. REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE [4000 - 9808]** (*Division 3 enacted by Stats. 1959, Ch. 3.*)

**CHAPTER 1. Original and Renewal of Registration; Issuance of Certificates of Title [4000 - 5506]** (*Chapter 1 enacted by Stats. 1959, Ch. 3.*)

**ARTICLE 7. License Plates [4850 - 4853]** (*Article 7 enacted by Stats. 1959, Ch. 3.*)

**4850.5.** (a) Notwithstanding subdivision (a) of Section 4850 and Section 5200, the department, upon registering a truck tractor, shall issue to the owner one suitable license plate or other device which identifies the vehicle for which it is issued and for the period of its validity. The license plate or other device shall be attached to the front of the vehicle.

(b) This section shall become operative only when and if the Department of the California Highway Patrol implements a program which requires identifying numbers on the right and left sides of truck tractors.

*(Added by Stats. 1985, Ch. 183, Sec. 1. Conditionally operative by its own provisions.)*

[Home](#)[Bill Information](#)[California Law](#)[Publications](#)[Other Resources](#)[My Subscriptions](#)[My Favorites](#)Code: Section: [Up^](#) [<< Previous](#) [Next >>](#)[cross-reference chaptered bills](#)[PDF](#)[Add To My Favorites](#)Search Phrase: **VEHICLE CODE - VEH****DIVISION 3. REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE [4000 - 9808]** (*Division 3 enacted by Stats. 1959, Ch. 3. )***CHAPTER 1. Original and Renewal of Registration; Issuance of Certificates of Title [4000 - 5506]** (*Chapter 1 enacted by Stats. 1959, Ch. 3. )***ARTICLE 9. Display of Plates, Tabs, and Stickers [5200 - 5206]** (*Article 9 enacted by Stats. 1959, Ch. 3. )***5200.** (a) When two license plates are issued by the department for use upon a vehicle, they shall be attached to the vehicle for which they were issued, one in the front and the other in the rear.

(b) When only one license plate is issued for use upon a vehicle, it shall be attached to the rear thereof, unless the license plate is issued for use upon a truck tractor, in which case the license plate shall be displayed in accordance with Section 4850.5.

*(Amended by Stats. 2003, Ch. 594, Sec. 27. Effective January 1, 2004.)*


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)
**Code:** 
**Section:** 


[Up^](#)   [<< Previous](#)   [Next >>](#)
[cross-reference chaptered bills](#)
[PDF](#)
[Add To My Favorites](#)

**Search Phrase:** 


## VEHICLE CODE - VEH

**DIVISION 3. REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE [4000 - 9808]** ( *Division 3 enacted by Stats. 1959, Ch. 3. )*

**CHAPTER 1. Original and Renewal of Registration; Issuance of Certificates of Title [4000 - 5506]** ( *Chapter 1 enacted by Stats. 1959, Ch. 3. )*

**ARTICLE 6.5. Refusal of Registration for Nonpayment of Toll Evasion Penalties [4770 - 4775]** ( *Article 6.5 added by Stats. 1995, Ch. 739, Sec. 5. )*

**4773.** (a) The department shall assess a fee for the recording of the notice of delinquent toll evasion violation, which is given to the department by a processing agency pursuant to Section 40267, in an amount, as determined by the department, that is sufficient to provide a total amount equal to at least its actual costs of administering Sections 4770, 4771, 4774, and 4775, and administering the system described in Section 4456.2.

(b) This section shall become operative January 1, 2018.

*(Repealed (in Sec. 13) and added by Stats. 2016, Ch. 90, Sec. 14. (AB 516) Effective January 1, 2017. Section operative January 1, 2018, by its own provisions.)*


[Home](#)
[Bill Information](#)
[California Law](#)
[Publications](#)
[Other Resources](#)
[My Subscriptions](#)
[My Favorites](#)
**Code:** 
**Section:** 



[Up^](#)   [Add To My Favorites](#)

### GOVERNMENT CODE - GOV

**TITLE 5. LOCAL AGENCIES [50001 - 57607]** ( Title 5 added by Stats. 1949, Ch. 81. )

**DIVISION 1. CITIES AND COUNTIES [50001 - 52203]** ( Division 1 added by Stats. 1949, Ch. 81. )

**PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5]** ( Part 1 added by Stats. 1949, Ch. 81. )

**CHAPTER 1. General [50001 - 50290]** ( Chapter 1 added by Stats. 1949, Ch. 81. )

**ARTICLE 2. Powers and Duties of Legislative Bodies [50020 - 50033]** ( Article 2 added by Stats. 1949, Ch. 81. )

**50020.** When a statute requires a local agency to take legislative action by resolution and the local agency is required by its charter to take legislative action by ordinance, action by ordinance is compliance with the statute for all purposes.

(Added by Stats. 1949, Ch. 81.)

**50022.1.** (a) "Code," as used in this article, means any statute, or any published compilation of rules, regulations or standards adopted by the federal government or the State of California, or by any agency of either of them. It shall include any codification or compilation of existing ordinances of the adopting local agency. It shall include any nationally recognized or approved published compilations of proposed rules, regulations or standards of any private organization or institution which has been in existence for a period of at least three years.

(b) "Primary code," as used in this article, means any code which is directly adopted by reference, in whole or in part, by any ordinance passed pursuant to this article.

(c) "Secondary code," as used in this article, means any code which is incorporated by reference, directly or indirectly, in whole or in part, in any primary code or in any secondary code.

(d) "Published," as used in this article, means issued in printed, lithographed, multigraphed, mimeographed or similar form.

(e) "Approved," as used in this article, means the approval of the legislative body of the local agency, as the result of investigation and tests conducted by such agency or by reason of the accepted principles or tests by recognized national or state authorities, technical, or scientific organizations.

(Amended by Stats. 1961, Ch. 1890.)

**50022.2.** Provided that all the procedures and requirements of this article are complied with, any local agency is hereby authorized to enact any ordinance which adopts any code by reference, in whole or in part; and such primary code, thus adopted, may in turn adopt by reference, in whole or in part, any secondary codes duly described therein. Every primary code which is incorporated in any such adopting ordinance shall be specified in the title of the ordinance. A local agency ordinance may adopt a code, the adoption of which is expressly required or permitted as a condition of compliance with a state statute, by reference without complying with the procedures and requirements of this article.

(Amended by Stats. 1957, Ch. 685.)

**50022.3.** After the first reading of the title of the adopting ordinance and of the title of the code to be adopted thereby, and of the title of the secondary codes therein adopted by reference, the legislative body shall schedule a public hearing thereon. Notice of the hearing shall be published pursuant to Section 6066 in a newspaper of general circulation in or nearest to the adopting local agency. If there is no such newspaper in the county the notice shall be posted in the same manner as provided for the posting of a proposed ordinance. The notice shall state the time and place of the hearing. It shall also state that copies of the primary code and also copies of the secondary codes, if

any, being considered for adoption, are on file with the clerk of the legislative body, and are open to public inspection. The notice shall also contain a description which the legislative body deems sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

*(Amended by Stats. 1957, Ch. 357.)*

**50022.4.** After the hearing, the legislative body may amend, adopt or reject the adopting ordinance in the same manner in which it is empowered to act in the case of other ordinances; and, except as to the adoption of a code of existing ordinances of the adopting agency, nothing in this article shall be deemed to permit the adoption by reference of any penalty clauses which may appear in any code which is adopted by reference. Any such penalty clauses may be enacted only if set forth in full, and published, in the adopting ordinance. It is further provided that all changes or additions to any code made by the legislative body shall be published in the manner which is required for ordinances.

*(Added by Stats. 1953, Ch. 1466.)*

**50022.5.** Nothing contained in this article shall be deemed to relieve any local agency from the requirement of publishing in full the ordinance that adopts any code, and all provisions applicable to the publication shall be fully carried out.

*(Amended by Stats. 1996, Ch. 124, Sec. 43. Effective January 1, 1997.)*

**50022.6.** At least one copy of each primary code adopted by reference, and of each secondary code pertaining thereto, all certified to be true copies by the clerk of the legislative body, shall be filed in the office of the clerk of the legislative body at least 15 days preceding the hearing, and shall be kept there for public inspection while the ordinance is in force. However, after the adoption of the code by reference, one copy of the primary code and of each secondary code may be kept in the office of the chief enforcement officer instead of in the office of the clerk of the legislative body.

*(Amended by Stats. 2008, Ch. 709, Sec. 10.1. Effective January 1, 2009.)*

**50022.7.** If at any time any code which any local agency has previously adopted by reference, shall be amended by the agency which originally promulgated or adopted it, then the legislative body may adopt such amendment or amended code by reference through the same procedure as required for the adoption of the original code; or an ordinance may be enacted in regular manner, setting forth the entire text of such amendment.

*(Added by Stats. 1953, Ch. 1466.)*

**50022.8.** Copies of such codes in published form, duly certified by the clerk of the legislative body, shall be received without further proof as prima facie evidence of the provisions of such codes or public records in all courts and administrative tribunals of this State.

*(Added by Stats. 1953, Ch. 1466.)*

**50022.9.** A city may enact ordinances which adopt by reference county ordinances, codes, or any parts thereof and any amendments thereto by complying with the requirements of this article.

*(Added by Stats. 1959, Ch. 374.)*

**50022.10.** A code adopted and fully published or adopted by reference as provided in this article, may be subsequently recodified or recompiled and thereafter adopted by reference in the same manner as prescribed by this article for the original adoption by reference of the code.

*(Added by Stats. 1961, Ch. 277.)*

**50023.** The legislative body of a local agency, directly or through a representative, may attend the Legislature and Congress, and any committees thereof, and present information to aid the passage of legislation which the legislative body deems beneficial to the local agency or to prevent the passage of legislation which the legislative body deems detrimental to the local agency. The legislative body of a local agency, directly or through a representative, may meet with representatives of executive or administrative agencies of state, federal, or local government to present information requesting action which the legislative body deems beneficial to, or opposing action deemed detrimental to, such local agency. The cost and expense incident thereto are proper charges against the local agency.

*(Amended by Stats. 1969, Ch. 1182.)*

**50024.** The legislative bodies of local agencies may enter into associations and through a representative of the associations attend the Legislature and Congress, and any committees thereof, and present information to aid the passage of legislation which the association deems beneficial to the local agencies in the association, or to prevent the passage of legislation which the association deems detrimental to the local agencies in the association. The cost and expense incident thereto are proper charges against the local agencies comprising the association.

*(Amended by Stats. 1949, Ch. 942.)*

**50025.** By resolution, a legislative body may withdraw from the association at any time.

*(Added by Stats. 1949, Ch. 81.)*

**50026.** The legislative body of any local agency, chartered or general law, which is otherwise authorized by law or charter to impose any tax on the privilege of earning a livelihood by an employee or any other tax, fee or charge on or measured by the earnings, or any part thereof, of any employee, shall not impose any such tax, fee or charge on the earnings of any employee, when such employee is not a resident of the taxing jurisdiction, unless exactly the same tax, fee or charge at the same rate, with the same credits and deductions, is imposed on the earnings of all residents of the taxing jurisdiction who are employed therein.

This section shall not be construed as authorizing any tax prohibited by Section 17041.5 of the Revenue and Taxation Code or any other provision of law, nor shall it be construed so as to prohibit the levy or collection of any otherwise authorized tax upon a business measured by or according to gross receipts.

*(Added by Stats. 1968, Ch. 559.)*

**50026.5.** (a) The legislative body of any local agency, chartered or general law, which is otherwise authorized by law or charter to impose any tax, shall not impose any tax, fee, or charge on or measured by the sale of any stocks, bonds, or any other securities.

(b) It is the intent of the Legislature to prohibit any imposition of any local tax, fee, or charge, in connection with the sale of those securities, whether that imposition is imposed on the transaction itself, on the privilege of engaging in any transaction, or in any other form.

(c) The Legislature finds and declares that the need for uniform statewide regulation and taxation of securities transactions is a matter of statewide concern, and it is the Legislature's intent to regulate the subject matter of securities comprehensively and to occupy the field to the exclusion of local action.

*(Added by Stats. 1995, Ch. 962, Sec. 1. Effective January 1, 1996.)*

**50027.** Any city, county, or city and county in the State of California may, pursuant to such provisions as may be prescribed by its governing body, prohibit or regulate the practice of astrology for compensation. In connection therewith, the governing body may prescribe such rules and regulations as it deems advisable to protect users of such astrological services. The power granted cities, counties, and cities and counties pursuant to this section is in addition to any authority granted by Section 37101 or by charter provision or by Sections 16000 and 16100 of the Business and Professions Code.

*(Added by Stats. 1974, Ch. 583.)*

**50028.** (a) The legislative body of any county, city, or city and county, whether general law or chartered, may adopt, by ordinance, such rules and regulations as it deems necessary, which require any coin-operated viewing machine to have permanently attached thereto a tally counter that will count each coin, and accumulate that count or the accumulated amount of money, deposited in the coin-operated viewing machine. The tally counter shall be resistant to tampering, and shall not be capable of being reset to a lower number, and shall display the count in such a manner that the accumulated total is readily visible near the coin insertion slot or opening. For purposes of this section, "coin-operated viewing machine" means any projector, machine, television, or other device that displays for viewing motion pictures, projection slides, filmstrips, photographic pictures, video recordings, or drawings, and that is operated by the viewer, or for the viewer, by means of inserting a coin into the device, an attachment thereto, an enclosure surrounding the device, or any other device electrically or mechanically connected thereto. For purposes of this section, "coin" means any physical object, including, but not limited to, a piece of metal issued by the federal government as money. "Coin-operated viewing machine" does not include an electronic video game of skill wherein the image is created, generated, or synthesized electronically, or coin-operated television receivers that display commercial or public service broadcasts.

(b) Notwithstanding any other provision of law, any county ordinance adopted pursuant to this section shall be enforceable within the incorporated, as well as the unincorporated, area of the county, whether general law or



chartered, unless a city ordinance in direct conflict with that county ordinance has been adopted, in which case the county ordinance shall be enforceable in the area of the county outside the city.

(c) (1) Any person who violates the provisions of the ordinance adopted pursuant to this section shall be subject to a civil penalty not to exceed ten thousand dollars (\$10,000) for each machine and each day in which a violation occurs.

(2) In determining the amount of the penalty, the court shall take into consideration all relevant circumstances, including, but not limited to, the frequency of inspection, the cashflow through the machine, the amount of revenue derived by other machines in the vicinity, prior revenues generated, the nature and persistence of the violation, and prior violations by the same person or establishment.

(d) No peace officer, as defined in Section 830 of the Penal Code, shall check tally counters, provided, however, that an ordinance adopted pursuant to this section may provide for checking of tally counters by a person or persons employed by the adopting county, city, or city and county, other than a peace officer, on a predetermined schedule.

(e) The provisions of this section shall not be construed to limit, or otherwise affect, any other power of a county, city, or city and county to license, tax, or regulate business or commercial enterprises or property within their jurisdiction, but shall be in addition to those powers.

*(Amended by Stats. 2009, Ch. 88, Sec. 53. (AB 176) Effective January 1, 2010.)*

**50029.** The board of supervisors of the County of Orange or the city council of any city in that county may, by resolution, establish a fee program requiring the payment of a fee as a condition of issuing a building permit for purposes of defraying the actual or estimated cost of constructing bridges over waterways, railways, freeways, and canyons, or constructing major thoroughfares pursuant to the procedures set forth in Section 66484.3.

*(Added by Stats. 1985, Ch. 195, Sec. 1. Effective July 10, 1985.)*

**50030.** Any permit fee imposed by a city, including a chartered city, a county, or a city and county, for the placement, installation, repair, or upgrading of telecommunications facilities such as lines, poles, or antennas by a telephone corporation that has obtained all required authorizations to provide telecommunications services from the Public Utilities Commission and the Federal Communications Commission, shall not exceed the reasonable costs of providing the service for which the fee is charged and shall not be levied for general revenue purposes.

*(Amended by Stats. 1997, Ch. 17, Sec. 56. Effective January 1, 1998.)*

**50031.** (a) A city, including a charter city, county, including a charter county, or city and county, including a charter city and county, that approves a building permit for the construction of an electrified security fence shall notify the local fire department and fire marshal and provide them with a copy of the approved permit.

(b) For purposes of this section, the term "electrified security fence" has the same meaning as that term is defined in Section 835 of the Civil Code.

*(Added by Stats. 2017, Ch. 138, Sec. 1. (AB 549) Effective January 1, 2018.)*

**50033.** (a) Notwithstanding any other provision of law:

(1) The legislative body of a city, county, or city and county shall not grant credit for service to an elective officer for service that the elective officer has not performed.

(2) The legislative body of a city, county, or city and county shall not pay contributions for credit for service if an elective officer has not performed the service, regardless of the fact that the elected officer may personally elect to contribute for additional credit for service.

(b) The prohibition provided by this section does not preclude an elective officer from choosing to receive credit for service in a retirement system by paying his or her own contributions for that purpose pursuant to the applicable provisions of the retirement system.

*(Added by Stats. 2006, Ch. 355, Sec. 7. Effective January 1, 2007.)*

Subsecs. (b)(2)(A)(ii), (c)(6)(A)(i). Pub. L. 114-94, §1109(c)(5), substituted “surface transportation block grant program” for “surface transportation program”.

Subsec. (c)(7). Pub. L. 114-94, §1446(a)(11), substituted “paragraphs (1) through (4) of section 133(c) and section 133(b)(12)” for “paragraphs (2), (4), (7), (8), (14), and (19) of section 133(b)”.

2012—Pub. L. 112-141 amended section generally. Prior to amendment, section related to Puerto Rico highway program.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

**§ 166. HOV facilities**

(a) IN GENERAL.—

(1) AUTHORITY OF PUBLIC AUTHORITIES.—A public authority that has jurisdiction over the operation of a HOV facility shall establish the occupancy requirements of vehicles operating on the facility.

(2) OCCUPANCY REQUIREMENT.—Except as otherwise provided by this section, no fewer than two occupants per vehicle may be required for use of a HOV facility.

(b) EXCEPTIONS.—

(1) IN GENERAL.—Notwithstanding the occupancy requirement of subsection (a)(2), the exceptions in paragraphs (2) through (5) shall apply with respect to a public authority operating a HOV facility.

(2) MOTORCYCLES AND BICYCLES.—

(A) IN GENERAL.—Subject to subparagraph (B), the public authority shall allow motorcycles and bicycles to use the HOV facility.

(B) SAFETY EXCEPTION.—

(i) IN GENERAL.—A public authority may restrict use of the HOV facility by motorcycles or bicycles (or both) if the authority certifies to the Secretary that such use would create a safety hazard and the Secretary accepts the certification.

(ii) ACCEPTANCE OF CERTIFICATION.—The Secretary may accept a certification under this subparagraph only after the Secretary publishes notice of the certification in the Federal Register and provides an opportunity for public comment.

(3) PUBLIC TRANSPORTATION VEHICLES.—The public authority may allow public transportation vehicles to use the HOV facility if the authority—

(A) establishes requirements for clearly identifying the vehicles;

(B) establishes procedures for enforcing the restrictions on the use of the facility by the vehicles; and

(C) provides equal access under the same rates, terms, and conditions for all public transportation vehicles and over-the-road buses serving the public.

(4) HIGH OCCUPANCY TOLL VEHICLES.—The public authority may allow vehicles not other-

wise exempt pursuant to this subsection to use the HOV facility if the operators of the vehicles pay a toll charged by the authority for use of the facility and the authority—

(A) establishes a program that addresses how motorists can enroll and participate in the toll program;

(B) develops, manages, and maintains a system that will automatically collect the toll; and

(C) establishes policies and procedures to—

(i) manage the demand to use the facility by varying the toll amount that is charged;

(ii) enforce violations of use of the facility; and

(iii) ensure that over-the-road buses serving the public are provided access to the facility under the same rates, terms, and conditions as public transportation buses.

(5) LOW EMISSION AND ENERGY-EFFICIENT VEHICLES.—

(A) SPECIAL RULE.—Before September 30, 2025, if a public authority establishes procedures for enforcing the restrictions on the use of a HOV facility by vehicles described in clauses (i) and (ii), the public authority may allow the use of the HOV facility by—

(i) alternative fuel vehicles; and

(ii) any motor vehicle described in section 30D(d)(1) of the Internal Revenue Code of 1986.

(B) OTHER LOW EMISSION AND ENERGY-EFFICIENT VEHICLES.—Before September 30, 2019, the public authority may allow vehicles certified as low emission and energy-efficient vehicles under subsection (e), and labeled in accordance with subsection (e), to use the HOV facility if the operators of the vehicles pay a toll charged by the authority for use of the facility and the authority—

(i) establishes a program that addresses the selection of vehicles under this paragraph; and

(ii) establishes procedures for enforcing the restrictions on the use of the facility by the vehicles.

(C) AMOUNT OF TOLLS.—Under this paragraph, a public authority may charge no toll or may charge a toll that is less than or equal to tolls charged under paragraph (4).

(c) REQUIREMENTS APPLICABLE TO TOLLS.—

(1) IN GENERAL.—Notwithstanding section 301, tolls may be charged under paragraphs (4) and (5) of subsection (b), subject to the requirements of section 129.

(2) TOLL REVENUE.—Toll revenue collected under this section is subject to the requirements of section 129(a)(3).

(d) HOV FACILITY MANAGEMENT, OPERATION, MONITORING, AND ENFORCEMENT.—

(1) IN GENERAL.—A public authority that allows vehicles to use a HOV facility under paragraph (4) or (5) of subsection (b) shall submit to the Secretary a report demonstrating that the facility is not already degraded, and that the presence of the vehicles will not cause the facility to become degraded, and certify to the

Secretary that the authority will carry out the following responsibilities with respect to the facility:

(A) Establishing, managing, and supporting a performance monitoring, evaluation, and reporting program for the facility that provides for continuous monitoring, assessment, and reporting on the impacts that the vehicles may have on the operation of the facility and adjacent highways and submitting to the Secretary annual reports of those impacts.

(B) Establishing, managing, and supporting an enforcement program that ensures that the facility is being operated in accordance with the requirements of this section.

(C) Limiting or discontinuing the use of the facility by the vehicles whenever the operation of the facility is degraded.

(D) MAINTENANCE OF OPERATING PERFORMANCE.—

(i) SUBMISSION OF PLAN.—Not later than 180 days after the date on which a facility is degraded under paragraph (2), the public authority with jurisdiction over the facility shall submit to the Secretary for approval a plan that details the actions the public authority will take to make significant progress toward bringing the facility into compliance with the minimum average operating speed performance standard through changes to the operation of the facility, including—

(I) increasing the occupancy requirement for HOV lanes;

(II) varying the toll charged to vehicles allowed under subsection (b) to reduce demand;

(III) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or

(IV) increasing the available capacity of the HOV facility.

(ii) NOTICE OF APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date of receipt of a plan under clause (i), the Secretary shall provide to the public authority a written notice indicating whether the Secretary has approved or disapproved the plan based on a determination of whether the implementation of the plan will make significant progress toward bringing the HOV facility into compliance with the minimum average operating speed performance standard.

(iii) ANNUAL PROGRESS UPDATES.—Until the date on which the Secretary determines that the public authority has brought the HOV facility into compliance with this subsection, the public authority shall submit annual updates that describe—

(I) the actions taken to bring the HOV facility into compliance; and

(II) the progress made by those actions.

(E) COMPLIANCE.—If the public authority fails to bring a facility into compliance under subparagraph (D), the Secretary shall subject the public authority to appropriate

program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded.

(F) WAIVER.—

(i) IN GENERAL.—Upon the request of a public authority, the Secretary may waive the compliance requirements of subparagraph (E), if the Secretary determines that—

(I) the waiver is in the best interest of the traveling public;

(II) the public authority is meeting the conditions under subparagraph (D); and

(III) the public authority has made a good faith effort to improve the performance of the facility.

(ii) CONDITION.—The Secretary may require, as a condition of providing a waiver under this subparagraph, that a public authority take additional actions, as determined by the Secretary, to maximize the operating speed performance of the facility, even if such performance is below the level set under paragraph (2).

(2) DEGRADED FACILITY.—

(A) DEFINITION OF MINIMUM AVERAGE OPERATING SPEED.—In this paragraph, the term “minimum average operating speed” means—

(i) 45 miles per hour, in the case of a HOV facility with a speed limit of 50 miles per hour or greater; and

(ii) not more than 10 miles per hour below the speed limit, in the case of a HOV facility with a speed limit of less than 50 miles per hour.

(B) STANDARD FOR DETERMINING DEGRADED FACILITY.—For purposes of paragraph (1), the operation of a HOV facility shall be considered to be degraded if vehicles operating on the facility are failing to maintain a minimum average operating speed 90 percent of the time over a consecutive 180-day period during morning or evening weekday peak hour periods (or both).

(C) MANAGEMENT OF LOW EMISSION AND ENERGY-EFFICIENT VEHICLES.—In managing the use of HOV lanes by low emission and energy-efficient vehicles that do not meet applicable occupancy requirements, a public authority may increase the percentages described in subsection (f)(3)(B)(i).

(e) CERTIFICATION OF LOW EMISSION AND ENERGY-EFFICIENT VEHICLES.—Not later than 180 days after the date of enactment of this section, the Administrator of the Environmental Protection Agency shall—

(1) issue a final rule establishing requirements for certification of vehicles as low emission and energy-efficient vehicles for purposes of this section and requirements for the labeling of the vehicles; and

(2) establish guidelines and procedures for making the vehicle comparisons and performance calculations described in subsection (f)(3)(B), in accordance with section 32908(b) of title 49.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) **ALTERNATIVE FUEL VEHICLE.**—The term “alternative fuel vehicle” means a vehicle that is solely operating on—

(A) methanol, denatured ethanol, or other alcohols;

(B) a mixture containing at least 85 percent of methanol, denatured ethanol, and other alcohols by volume with gasoline or other fuels;

(C) natural gas;

(D) liquefied petroleum gas;

(E) hydrogen;

(F) coal derived liquid fuels;

(G) fuels (except alcohol) derived from biological materials;

(H) electricity (including electricity from solar energy); or

(I) any other fuel that the Secretary prescribes by regulation that is not substantially petroleum and that would yield substantial energy security and environmental benefits, including fuels regulated under section 490 of title 10, Code of Federal Regulations (or successor regulations).

(2) **HOV FACILITY.**—The term “HOV facility” means a high occupancy vehicle facility.

(3) **LOW EMISSION AND ENERGY-EFFICIENT VEHICLE.**—The term “low emission and energy-efficient vehicle” means a vehicle that—

(A) has been certified by the Administrator as meeting the Tier II emission level established in regulations prescribed by the Administrator under section 202(i) of the Clean Air Act (42 U.S.C. 7521(i)) for that make and model year vehicle; and

(B)(i) is certified by the Administrator of the Environmental Protection Agency, in consultation with the manufacturer, to have achieved not less than a 50-percent increase in city fuel economy or not less than a 25-percent increase in combined city-highway fuel economy (or such greater percentage of city or city-highway fuel economy as may be determined by a State under subsection (d)(2)(C)) relative to a comparable vehicle that is an internal combustion gasoline fueled vehicle (other than a vehicle that has propulsion energy from onboard hybrid sources); or

(ii) is an alternative fuel vehicle.

(4) **OVER-THE-ROAD BUS.**—The term “over-the-road bus” has the meaning given the term in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181).

(5) **PUBLIC AUTHORITY.**—The term “public authority” as used with respect to a HOV facility, means a State, interstate compact of States, public entity designated by a State, or local government having jurisdiction over the operation of the facility.

(6) **PUBLIC TRANSPORTATION VEHICLE.**—The term “public transportation vehicle” means a vehicle that—

(A) provides designated public transportation (as defined in section 221 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12141) or provides public school transportation (to and from public or private primary, secondary, or tertiary schools); and

(B)(i) is owned or operated by a public entity;

(ii) is operated under a contract with a public entity; or

(iii) is operated pursuant to a license by the Secretary or a public authority to provide motorbus or school vehicle transportation services to the public.

(g) **CONSULTATION OF MPO.**—If a HOV facility charging tolls under paragraph (4) or (5) of subsection (b) is on the Interstate System and located in a metropolitan planning area established in accordance with section 134, the public authority shall consult with the metropolitan planning organization for the area concerning the placement and amount of tolls on the facility.

(Added Pub. L. 109-59, title I, §1121(a), Aug. 10, 2005, 119 Stat. 1192; amended Pub. L. 110-244, title I, §101(p), June 6, 2008, 122 Stat. 1576; Pub. L. 112-141, div. A, title I, §1514, July 6, 2012, 126 Stat. 572; Pub. L. 114-94, div. A, title I, §1411(b), Dec. 4, 2015, 129 Stat. 1413.)

#### REFERENCES IN TEXT

Section 30D(d)(1) of the Internal Revenue Code of 1986, referred to in subsec. (b)(5)(A)(ii), is classified to section 30D(d)(1) of Title 26, Internal Revenue Code.

The date of enactment of this section, referred to in subsec. (e), is the date of enactment of Pub. L. 109-59, which was approved Aug. 10, 2005.

#### AMENDMENTS

2015—Pub. L. 114-94, §1411(b)(1), substituted “the authority” for “the agency” wherever appearing.

Subsec. (a)(1). Pub. L. 114-94, §1411(b)(2), substituted “authority of public authorities” for “Authority of state agencies” in heading and “public authority” for “State agency” in text.

Subsec. (b). Pub. L. 114-94, §1411(b)(3)(A), substituted “public authority” for “State agency” wherever appearing.

Subsec. (b)(3)(C). Pub. L. 114-94, §1411(b)(3)(B), added subpar. (C).

Subsec. (b)(4)(C)(iii). Pub. L. 114-94, §1411(b)(3)(C), added cl. (iii).

Subsec. (b)(5)(A). Pub. L. 114-94, §1411(b)(3)(D)(i), added subpar. (A) and struck out former subpar. (A). Prior to amendment, text read as follows: “Before September 30, 2017, the State agency may allow vehicles that are certified as inherently low-emission vehicles pursuant to section 88.311-93 of title 40, Code of Federal Regulations (or successor regulations), and are labeled in accordance with section 88.312-93 of such title (or successor regulations), to use the HOV facility if the agency establishes procedures for enforcing the restrictions on the use of the facility by the vehicles.”

Subsec. (b)(5)(B). Pub. L. 114-94, §1411(b)(3)(D)(ii), substituted “2019” for “2017” in introductory provisions.

Subsec. (c)(1). Pub. L. 114-94, §1411(b)(4)(A), added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: “Tolls may be charged under paragraphs (4) and (5) of subsection (b) notwithstanding section 301 and, except as provided in paragraphs (2) and (3), subject to the requirements of section 129.”

Subsec. (c)(2), (3). Pub. L. 114-94, §1411(b)(4)(B), redesignated par. (3) as (2) and struck out former par. (2). Prior to amendment, text of par. (2) read as follows: “Notwithstanding section 129, tolls may be charged under paragraphs (4) and (5) of subsection (b) on a HOV facility on the Interstate System.”

Subsec. (d)(1). Pub. L. 114-94, §1411(b)(5)(A), substituted “public authority” for “State agency” in introductory provisions.

Subsec. (d)(1)(D) to (F). Pub. L. 114-94, §1411(b)(5)(B), added subpars. (D) to (F) and struck out former subpars. (D) and (E), which related to maintenance of operating performance and compliance, respectively.

Subsec. (d)(2)(C). Pub. L. 114-94, §1411(b)(5)(A), substituted “public authority” for “State agency”.

Subsec. (f)(1). Pub. L. 114-94, §1411(b)(6)(A), inserted “solely” before “operating” in introductory provisions.

Subsec. (f)(4). Pub. L. 114-94, §1411(b)(6)(E), added par. (4). Former par. (4) redesignated (6).

Subsec. (f)(4)(B)(iii). Pub. L. 114-94, §1411(b)(6)(B), substituted “public authority” for “State agency”.

Subsec. (f)(5). Pub. L. 114-94, §1411(b)(6)(C), (E), added par. (5) and struck out former par. (5). Prior to amendment, text read as follows:

“(A) IN GENERAL.—The term ‘State agency’, as used with respect to a HOV facility, means an agency of a State or local government having jurisdiction over the operation of the facility.

“(B) INCLUSION.—The term ‘State agency’ includes a State transportation department.”

Subsec. (f)(6). Pub. L. 114-94, §1411(b)(6)(D), redesignated par. (4) as (6).

Subsec. (g). Pub. L. 114-94, §1411(b)(7), added subsec. (g).

2012—Subsec. (b)(5)(A), (B). Pub. L. 112-141, §1514(1)(A), (B), substituted “2017” for “2009”.

Subsec. (b)(5)(C). Pub. L. 112-141, §1514(1)(C), substituted “this paragraph” for “subparagraph (B)” and inserted “or equal to” after “less than”.

Subsec. (c)(3). Pub. L. 112-141, §1514(2), added par. (3) and struck out former par. (3). Prior to amendment, text read as follows: “If a State agency makes a certification under section 129(a)(3) with respect to toll revenues collected under paragraphs (4) and (5) of subsection (b), the State, in the use of toll revenues under that sentence, shall give priority consideration to projects for developing alternatives to single occupancy vehicle travel and projects for improving highway safety.”

Subsec. (d)(1). Pub. L. 112-141, §1514(3)(A), in introductory provisions, substituted “shall submit to the Secretary a report demonstrating that the facility is not already degraded, and that the presence of the vehicles will not cause the facility to become degraded, and certify” for “in a fiscal year shall certify” and struck out “in the fiscal year” before the colon.

Subsec. (d)(1)(A). Pub. L. 112-141, §1514(3)(B), inserted “and submitting to the Secretary annual reports of those impacts” before period at end.

Subsec. (d)(1)(C). Pub. L. 112-141, §1514(3)(C), substituted “whenever the operation of the facility is degraded” for “if the presence of the vehicles has degraded the operation of the facility”.

Subsec. (d)(1)(D), (E). Pub. L. 112-141, §1514(3)(D), added subpars. (D) and (E).

2008—Subsec. (b)(5)(C). Pub. L. 110-244 substituted “paragraph (4)” for “paragraph (3)”.

#### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

### § 167. National highway freight program

#### (a) IN GENERAL.—

(1) POLICY.—It is the policy of the United States to improve the condition and performance of the National Highway Freight Network established under this section to ensure that the Network provides the foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).

(2) ESTABLISHMENT.—In support of the goals described in subsection (b), the Administrator

of the Federal Highway Administration shall establish a national highway freight program in accordance with this section to improve the efficient movement of freight on the National Highway Freight Network.

(b) GOALS.—The goals of the national highway freight program are—

(1) to invest in infrastructure improvements and to implement operational improvements on the highways of the United States that—

(A) strengthen the contribution of the National Highway Freight Network to the economic competitiveness of the United States;

(B) reduce congestion and bottlenecks on the National Highway Freight Network;

(C) reduce the cost of freight transportation;

(D) improve the year-round reliability of freight transportation; and

(E) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

(2) to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;

(3) to improve the state of good repair of the National Highway Freight Network;

(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Highway Freight Network;

(5) to improve the efficiency and productivity of the National Highway Freight Network;

(6) to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address highway freight connectivity; and

(7) to reduce the environmental impacts of freight movement on the National Highway Freight Network.

#### (c) ESTABLISHMENT OF NATIONAL HIGHWAY FREIGHT NETWORK.—

(1) IN GENERAL.—The Administrator shall establish a National Highway Freight Network in accordance with this section to strategically direct Federal resources and policies toward improved performance of the Network.

(2) NETWORK COMPONENTS.—The National Highway Freight Network shall consist of—

(A) the primary highway freight system, as designated under subsection (d);

(B) critical rural freight corridors established under subsection (e);

(C) critical urban freight corridors established under subsection (f); and

(D) the portions of the Interstate System not designated as part of the primary highway freight system.

#### (d) DESIGNATION AND REDESIGNATION OF THE PRIMARY HIGHWAY FREIGHT SYSTEM.—

(1) INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—The initial designation of the primary highway freight system shall be the 41,518-mile network identified during the designation process for the primary freight network under section 167(d) of this title, as in effect on the day before the date of enactment of the FAST Act.

# CALIFORNIA CODE OF REGULATIONS, DIVISION 2, TITLE 21, CHAPTER 16

## Title 21

## Department of Transportation

## § 1701.1

### HISTORY

1. Amendment filed 1-17-85; effective thirtieth day thereafter (Register 85, No. 3).

### Article 6. Planning [Repealed]

NOTE: Authority cited: Sections 14031 and 14033, Government Code. Reference: Sections 14031 and 14033, Government Code.

### HISTORY

1. Repealer of Article 6 (Sections 1678 and 1679) filed 1-17-85; effective thirtieth day thereafter (Register 85, No. 3).

### Article 7. Programming [Repealed]

NOTE: Authority cited: Sections 14031 and 14033, Government Code. Reference: Sections 14031 and 14033, Government Code.

### HISTORY

1. Repealer of Article 7 (Sections 1680 and 1681) filed 1-17-85; effective thirtieth day thereafter (Register 85, No. 3).

### Article 8. Implementation [Repealed]

NOTE: Authority cited: Sections 14031 and 14033, Government Code. Reference: Sections 14031 and 14033, Government Code.

### HISTORY

1. Repealer of Article 8 (Sections 1685 and 1686) filed 1-17-85; effective thirtieth day thereafter (Register 85, No. 3).

### Article 9. Accounting, Reporting, and Auditing [Repealed]

NOTE: Authority cited: Sections 14031 and 14033, Government Code. Reference: Sections 14031 and 14033, Government Code.

### HISTORY

1. Repealer of Article 9 (Sections 1688 and 1689) filed 1-17-85; effective thirtieth day thereafter (Register 85, No. 3).

### Article 10. Settlement of Conflicts [Repealed]

NOTE: Authority cited: Sections 14031 and 14033, Government Code. Reference: Sections 14031 and 14033, Government Code.

### HISTORY

1. Repealer of Article 10 (Section 1690) filed 1-17-85; effective thirtieth day thereafter (Register 85, No. 3).

## Chapter 16. Compatibility Specifications for Automatic Vehicle Identification Equipment

### Article 1. Two Automatic Vehicle Identification Equipment Protocols

#### § 1700. Summary. [Renumbered]

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

### HISTORY

1. New chapter 16, articles 1-4 and sections 1700-1705.8, not consecutive filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Renumbering of former article 1 (sections 1700-1701) to article 2 and renumbering of former section 1700 to section 1701.1 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

#### § 1700.1. General.

Articles 2 through 5 specify the current automatic vehicle identification (AVI) equipment specifications in use referred to here as the "Title

21 protocol" and Articles 6 through 8 specify new automatic vehicle identification equipment specifications referred to herein as the "6C protocol."

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

### HISTORY

1. Renumbering of former article 1 (sections 1700-1701) to article 2 and new article 1 (sections 1700.1-1700.3) and section filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

#### § 1700.2. Operation.

All toll facility operators shall have the capability to read and process transponders on the roadway using the 6C protocol no later than January 1, 2019.

The Title 21 and 6C protocols shall operate concurrently.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

### HISTORY

1. New section filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

#### § 1700.3. Repeal.

Articles 2 through 5 shall be repealed effective January 1, 2024.

Nothing in these regulations shall preclude the toll facility operators from discontinuing the operation and support of the Title 21 protocol as defined in Articles 2 through 5 at an earlier date if a written request is submitted to and approved by the California Department of Transportation (Caltrans).

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

### HISTORY

1. New section filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

#### § 1701. Definition of Technical Terms. [Renumbered]

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

### HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment of subsections (c)-(e), new subsection (o), subsection relettering, and amendment of newly designated subsection (r) filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Renumbering of former section 1701 to new section 1701.2 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

## Article 2. Summary of Key Compatibility Specifications for Automatic Vehicle Identification Equipment

#### § 1701.1. Summary.

The compatibility specifications for automatic vehicle identification (AVI) equipment in Articles 2 through 5 have been developed around two principal components, a reader and a transponder. The minimum role of the reader is to:

- 1) trigger or activate a transponder.
- 2) poll the transponder for specific information, and
- 3) provide an acknowledge message to the transponder after a valid response to the polling message has been received.

A half-duplex communications system is envisioned where the transponder takes its cues from the reader. The specification is meant to define a standard two way communications protocol and to further define an initial set of data records. A summary of the key compatibility specifications found in Articles 2 through 5 are set forth below:

#### Reader Specifications:

Reader Trigger Signal	33 microseconds of unmodulated RF
Reader Send Mode (Downlink)	
Carrier Frequency:	915 ± 13 MHz (subject to FCC assignment)
Carrier Modulation:	Unipolar ASK (Manchester Encoded)
Data Bit Rate:	300 kbps
No. Data Bits:	Application Specific
Field Strength at Transponder Antenna:	500 mV/m (minimum)

*Transponder Specifications:*

Technology Type:	Modulated Backscatter
Transponder Antenna Polarization:	Horizontal
Field-of-View:	Operation within 90° conical angle
Location:	Front of Vehicle
Transponder Send Mode (Uplink)	
Carrier Frequency:	Same as Reader Send Mode
Carrier Modulation:	Subcarrier AM
Subcarrier Modulation:	FSK
Subcarrier Frequencies:	600 kHz ± 10% and 1200 kHz ± 10%
Data Bit Rate:	300 kbps
No. Data Bits:	Application Specific
Receiver Field-Strength	
Threshold:	500 mV/m ± 50 mV/m (minimum)

NOTE: All mV/m specifications are in RMS voltage.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

## HISTORY

1. Renumbering and amendment of section 1700 to new section 1701.1 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1701.2. Definition of Technical Terms.**

The following are definitions of technical terms used throughout Articles 2 through 5:

- (a) AM – Amplitude modulation
- (b) ASK – Amplitude shift keying
- (c) BCC – Block check character
- (d) CRC – Cyclic redundancy check
- (e) CW – Continuous wave
- (f) EIRP – effective isotropically radiated power = gain x net power
- (g) EM – Electromagnetic
- (h) FCC – Federal Communications Commission
- (i) FSK – Frequency-shift keying
- (j) ID – Device identification
- (k) kbps – kilobits per second
- (l) kHz – kilohertz (10<sup>3</sup> hertz)
- (m) kph – kilometer per hour
- (n) MHz – megahertz
- (o) m/Vm – milliVolts/meter
- (p) Reader – A fixed-position reader, associated transmit and receive (Tx/Rx) antenna(s), and modulation and demodulation hardware and software.
- (q) RF – Radio frequency
- (r) Transponders – Electronic devices that contain information which can be communicated to the reader. The transponders may have the capability to read and write information.
- (s) CTCOC—California Toll Operators Committee—A collaborative organization composed of California's toll facility operators/owners. CTCOC is the primary resource for interoperability and coordination among tolling facilities, and education and advocacy regarding tolling in California.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

## HISTORY

1. Renumbering and amendment of former section 1701 to new section 1701.2 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**Article 3. Introduction****§ 1702.1. Objectives.**

Articles 3 through 5 define the compatibility requirements for automatic vehicle identification (AVI) equipment. Supplemental agency (e.g., toll authority) specifications will detail the technical, environmental, and operational specifics for each site implementation. The immediate mandate for this compatibility specification is for electronic toll collection.

AVI equipment will essentially consist of two functional elements: vehicle-mounted transponders and fixed-position reader units. The specification defines a standard communications protocol and further defines an initial set of data records. The initial data records are designed for voluntary implementations of electronic toll collection.

It is further envisioned that more complex data records will be developed to handle anonymous transactions, secure funds transfers, information transfers, and other transactions between the reader and the transponder that will be defined as needed. The transponders may have the capability to read and write information. The California Department of Transportation (Caltrans) shall function as the standards monitoring authority to authorize the use of new record types and to assign record type numbers to newly authorized records. Caltrans shall pass this responsibility to an appropriate standards setting organization when one is established and recognized with Caltrans retaining representation in the standards setting organization.

Nothing in these regulations shall preclude the addition of functions and technologies to the transponder and/or reader systems.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

## HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment adding last sentence filed 2-16-93; operative 3-18-93 (Register 93, No. 8).
3. Amendment of first and fourth paragraphs filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
4. Renumbering of former article 2.0 (sections 1702.1-1703) to article 3 (sections 1702.1-1702.2) and amendment of section filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1702.2. Definitions for Data Codes.**

(a) Agency Code: This 16-bit code field identifies the agency that has authority to conduct the transaction.

(b) Byte Order: Numeric fields shall be transmitted by the most significant bit first. If a numeric field is represented as multiple bytes, the most significant bit of the most significant byte is transmitted first. This document represents the most significant and first transmitted to the left on a line and to the top of a multi line tabulation.

(c) Error Detection Code: The error detection code utilized in the defined records is the CRC-CCITT, with a generator polynomial of  $X^{16}+X^{12}+X^5+1$ . This results in a 16-bit BCC transmitted with each data message. The data field protected by the CRC excludes any preceding header in every case.

(d) Filler Bits: Filler bits are used to adjust the data message length to a desired length and shall be set to zero.

(e) Header Code: The header is the first field in each data message for either reader or transponder transmissions and consists of an 8-bit and a 4-bit word for a total of 12 bits. The header provides a signal that may be used by a receiver to self-synchronize (selsyn) with the data being transmitted, thus the notation selsyn. The selsyn signal has binary and hexadecimal values: 10101010 and AA, respectively.

The header code also provides for a unique, 4 bit flag that is recognized by a receiver decoder as the end of the header with the data message to follow. The flag signal has binary and hexadecimal values: 1100 and C respectively.

(f) Reader ID Number: This 32-bit field is used to uniquely identify the reader conducting the transaction.

(g) Transaction Record Type Code: This 16-bit code uniquely identified a specific type of valid transaction between a reader and a transponder. This code uniquely defines the transponder message fields and functions permissible with the transaction type specified by the polling message as described in Section 1703.5(e)(1). Hexadecimal numbers 1 through 7FFF are set aside for transponder message structures and 8000 through FFFF are dedicated for reader-to-transponder message structures.

(h) Transaction Status Code: Used to provide status information to the transponder.

(i) Transponder ID Number: This 32-bit code uniquely identifies which transponder is responding to a polling request or is being acknowledged.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

## HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).

2. Repealer of former section 1702.2 and renumbering of former section 1703 to new section 1702.2, including amendment of subsections (b) and (g), filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1703. Definitions for Data Codes. [Renumbered]**

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment of subsections (a), (c), (e) and (g) filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Renumbering of former section 1703 to new section 1702.2 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**Article 4. Reader Specifications**

**§ 1703.1. General.**

The reader will transmit a RF trigger pulse to activate (turn-on) the transponders. After a time delay, the reader then will transmit an encoded signal, referred to as the polling message which, upon detection and decoding by the transponder, will provide initial information to the transponder including the type of transaction the reader wishes to conduct.

The reader will then transmit an unmodulated CW RF signal for the transponder to modulate with a data message while backscattering to the reader. The reader may repeat the polling-to-backscattering sequence until it obtains an error free data message from the transponder. The reader will then transmit an encoded acknowledge message to the transponder providing status information and requesting that the transponder not respond to the same polling message again for a fixed time period.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. Renumbering of former article 3 (sections 1704.1-1704.6) to article 4 (sections 1703.1-1703.6) and renumbering of former section 1704.1 to new section 1703.1 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1703.2. RF Carrier Frequency.**

The RF carrier frequency shall be taken from the 915 MHz ± 13 MHz range. Specific frequency and bandwidth depend upon pending FCC assignment.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. Renumbering of former section 1704.2 to new section 1703.2 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1703.3. Reader Antenna Specifications.**

**(a) Reader Antenna Polarizations.**

The reader transmit and receive antennas shall have predominant EM field components that are co-polarized to the horizontal polarization specified for the transponder transmit and receive antennas in section 1704.3(a). Horizontal, linear, circular or elliptical polarizations are allowed.

**(b) Reader Antenna Location.**

The reader antenna location is site specific.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. Renumbering of former section 1704.3 to new section 1703.3, including amendment of subsection (a), filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1703.4. Reader-to-Transponder Trigger Pulse.**

**(a) Trigger Pulse Definition.**

The reader shall provide a wakeup trigger for the transponder. The trigger shall consist of a 33 microsecond long, RF pulse at the assigned carrier frequency that is modulated with a continuous string of ones. The trigger pulse shall be followed immediately by a delay (i.e., no RF transmission) of 100 microseconds in duration. The wakeup pulse is intended to signal a dormant transponder to fully activate itself.

**(b) Trigger Pulse Field Strength.**

The required horizontal component of field strength produced by the trigger pulse at the maximum downlink range (site dependent) of the reader shall be greater than 500 mV/m.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. Renumbering of former section 1704.4 to new section 1703.4, including amendment of subsection (a), filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1703.5. Reader Communications Protocol.**

**(a) AM Modulation Scheme.**

The downlink (reader-to-transponder) modulation scheme shall be unipolar ASK of the RF carrier using Manchester encoding. A data bit '1' is transmitted by sending an RF pulse during the first half of the bit period and no signal during the second half, while for a '0' data bit the reverse order is used; i.e., no signal during the first half of the bit period and an RF pulse transmission during the second half.

**(b) Data Bit Rates.**

The data bit rate for reader-to-transponder messages shall be 300 kbps.

**(c) Field Strength.**

The field strength of a reader data message at the transponder shall be greater than 500 mV/m.

**(d) Standard Reader Data Message Format.**

The standard portion of a reader data message shall consist of a header and transaction record type code. The subsequent length, data content, and error detection scheme shall then be established by the definition for that transaction record type.

**(e) Reader Data Message Formats for AVI.**

There may be several reader-to-transponder data message formats. The format is determined by the transaction record type code sent by the reader. The following is the reader-to-transponder message format presently specified for AVI electronic toll collection applications:

**(1) Reader Transaction Record Type 1 (Polling Message).**

The polling message (which follows the 100 microsecond delay after the trigger signal) tells the transponder the type of transaction the reader wishes to conduct. For AVI electronic toll collection applications, reader transaction record type 1 (polling message) also would identify the agency or toll authority. For AVI applications, the reader-to-transponder type 1 polling message shall be structured using the following ordered data bit fields:

Field Definition	No. Bits	Hexadecimal Value
Header Code		
Selsyn	8	AA
Flag	4	C
Transaction Record Type Code	16	8000
Agency Code	16	
Error Detection Code	16	
Total:		60

**(2) Reader Transaction Record Type 2 (Acknowledge Message).**

A reader-to-transponder acknowledge data message shall be provided to inform specific transponders that they have been successfully processed and to stop responding to further identical reader polling requests. The acknowledge message is used to terminate the transaction, and is only sent if the transaction is successfully completed. Reader transaction record type 2 (acknowledge message) shall consist of the following ordered data bit fields:

Field Definition	No. Bits	Hexadecimal Value
Header		
Selsyn	8	AA
Flag	4	C
Transaction Record Type Code	16	C000
Transponder ID Number	32	
Reader ID Number	32	
Transaction Status Code	16	
Error Detection Code	16	
Total:		124

**(f) Reader End-of-Message Frame.**

The end-of-message signal for reader-to-transponder data messages shall consist of a minimum of 10 microseconds of no RF carrier signal.



Transponder decoders shall have the ability to detect this condition as an invalid Manchester code.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. Renumbering of former section 1704.5 to new section 1703.5 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1703.6. Reader Field Strength for Modulated Backscattering.**

The electric field strength produced by a reader is a function of the EIRP. The EIRP required to detect a modulated backscattered RF signal from a transponder with a reasonably high signal-to-noise ratio is determined by the maximum range to the transponder and the detection sensitivity of the reader receiver plus any gain margin. If the overall gain characteristics of the transponder were held constant, the required EIRP then becomes site dependent.

The electric field strength to accomplish modulated backscattering is expected to be lower than that required for triggering a transponder or for sending a reader data message. Sensitive reader receivers likely will be necessary, however, such as that obtained with homodyne or heterodyne technology.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. Renumbering of former section 1704.6 to new section 1703.6 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**Article 5. Transponder Specifications**

**§ 1704.1. General Description.**

Transponders will be encoded with unique identification data together with other coded data as described in this section. On passing through any AVI reader zone, the transponder will provide the coded data to the reader only on receipt of a valid reader polling command. Transponders must be capable of being turned on and off as specified herein. Transponders must be capable of two-way data communications. Transponders may be portable. The transponders may have the capability to read and write information.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Renumbering of former article 4 (sections 1705.1-1705.8) to article 5 (sections 1704.1-1704.8), renumbering of former section 1704.1 to new section 1703.1 and renumbering of former section 1705.1 to section 1704.1 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1704.2. Transponder RF Carrier Frequency.**

The transponder RF carrier frequency in a backscatter system is identical to that used by the reader; the frequency will be in the range of 915 MHz  $\pm$  13 MHz. The transponder shall be capable of operating over the full  $\pm$  13 MHz band to allow site flexibility in reader implementation.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Renumbering of former section 1704.2 to section 1703.2 and renumbering of former section 1705.2 to section 1704.2 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1704.3. Transponder Transmit and Receive Antennas.**

(a) Antenna Polarizations.

The transponder transmit and receive antennas shall have EM field components that are predominantly horizontally polarized transverse to normal traffic flow. Horizontal, linear, circular or elliptical polarizations are allowed.

(b) Antenna Field of Views.

The transponder transmit and receive antennas shall have a field of view which is a 90° cone in front of the vehicle. The projection of the hor-

izontal component of the cone's axis shall be parallel to the lane and the vertical component of the cone's axis shall be 35° horizontal.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment of subsection (a) filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Renumbering of former section 1704.3 to section 1703.3 and renumbering of former section 1705.3 to section 1704.3 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1704.4. Transponder Activation.**

(a) Activation Timing.

Within 1 millisecond of entry into the reader's modulated RF field, a transponder shall be fully activated and ready to decode the polling message from the reader within 100 microseconds of receipt of a 33 microsecond long modulated RF trigger pulse from the reader.

(b) Activation Timing for Battery Power Management.

As an alternative to 1704.4(a), a delay of 20 additional milliseconds is permissible for a transponder using multiple-stage activation to conserve battery life. Within 21 milliseconds of entry into the reader's modulated RF field, such a transponder shall be fully activated and ready to decode the polling message from the reader within 100 microseconds of receipt of a 33 microsecond long modulated trigger pulse from the reader.

(c) Activation Field Strength.

The transponder receiver shall be capable of recognizing and acting on a trigger signal and polling message when the free-space field strength at the transponder location exceeds 550 mV/m and will not respond to field strengths below 450 mV/m (Electric field strengths are to be measured in free-space and in the absence of any vehicle). After completion of the polling message, the transponder shall begin modulating and backscattering RF with continuous zero bits. 100 microseconds after completion of the polling message, the transponder shall begin transmitting its message. If a newly activated transponder does not immediately receive a polling message, it shall remain activated and ready to receive a subsequent reader message for at least 20 milliseconds.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Renumbering of former section 1704.4 to section 1703.4 and renumbering of former section 1705.4 to section 1704.4, including amendment of subsection (b), filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1704.5. Transponder Communications Protocol.**

(a) Subcarrier Modulation Scheme.

The transponder-to-reader (uplink) modulation scheme shall be amplitude modulation of an RF carrier backscatter created by varying the reflecting crosssection of the antenna as seen by the incident carrier signal. The antenna crosssection shall be varied between upper and lower limits with a 50 percent duty cycle and rise and fall times of less than 75 nanoseconds. The transponder baseband message signal shall modulate the subcarrier using FSK modulation with a center frequency of 900 kHz and frequency deviation of  $\pm$  300 kHz. The lower and upper subcarrier frequencies correspond to data bits '0' and '1' respectively. The message information is conveyed by the subcarrier modulation frequencies of the transponder backscattered signal and not by amplitude or phase.

(b) Data Bit Rates.

The data bit rate for transponder-to-reader data messages shall be 300 kbps.

(c) Field Strength.

The field strength at which a transponder data message is transmitted using backscatter technology is dependent upon the incident field strength from the reader, the transponder receive and transmit antenna gains, and any RF gain internal to the transponder. The transponder and antenna gain taken together shall effect a change in the backscattering cross section of between 45 and 100 square centimeters.

(d) Standard Transponder Data Message Format.

The standard portion of a transponder data message shall consist of a header and transaction record type code. The subsequent length, data content, and error detection scheme shall then be established by the definition for that transaction record type.

(e) Transponder Data Message Formats for AVI Toll Collection.

There may be numerous transponder-to-reader data message formats. The format is determined by the transaction record type code sent by the transponder. The following is the reader-to-transponder message format presently specified for AVI electronic toll collection applications:

(1) Transponder Transaction Type 1 (Data Message).

Transponder transaction type 1 (data message) allows for unencrypted transponder ID numbers to be transmitted. Type 1 (data messages) shall be structured using the following ordered data bit fields:

Field Definition	No. Bits	Hexadecimal Value
Header Code		
Selsyn	8	AA
Flag	4	C
Transaction Record Type Code	16	1
Transponder ID Number	32	
Error Detection Code	16	
Total:	76	

(f) Transponder End-of-Message Frame

The End-of-Message signal for transponder data messages shall consist of a minimum of 10 microseconds with no modulation.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment of subsections (d)-(f) filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Change without regulatory effect amending subsection (e)(1) filed 7-10-98 pursuant to section 100, title 1, California Code of Regulations (Register 98, No. 28).
4. Renumbering of former section 1704.5 to section 1703.5 and renumbering of former section 1705.5 to section 1704.5, including amendment of subsection (f), filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

§ 1704.6. Transponder Response to Reader Acknowledge Message.

The transponder shall discontinue responding to identical reader polling requests for a period of 10 seconds once a valid reader acknowledgement message has been received. The transponder shall, however, respond to polling messages that are not identical to the polling messages that lead to the valid acknowledgement.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Renumbering of former section 1704.6 to section 1703.6 and renumbering and amendment of former section 1705.6 to section 1704.6 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

§ 1704.7. Multiple Transponder Responses to a Reader Polling Message.

Each transponder data message transmittal must be in response to a reader polling message.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. Renumbering of former section 1705.7 to new section 1704.7 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

§ 1704.8. Transponder Positioning.

Transponders shall be positioned at the front of the vehicle with a clear line of sight to the reader antenna without degrading the performance of the reader-transponder system below minimum specified standards. As a minimum, transponders shall operate up to a maximum of 76cm (30") offset from the longitudinal center line of the vehicle.

The front of the vehicle shall be defined as that portion of the vehicle from the driver's eyes forward.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. Renumbering of former section 1705.8 to new section 1704.8 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

Article 6. Summary of New Automatic Vehicle Identification Equipment

§ 1705.1. Definition of Terms.

The following are definitions of terms used throughout Articles 6 through 8:

(a) Reader — A device with associated transmit and receive (Tx/Rx) antenna(s), and modulation and demodulation hardware and software.

(b) RF — Radio frequency

(c) Transponders — Electronic devices that contain information which can be communicated to the reader. The transponders may have the capability to store new or modified data received from a reader.

(d) CTOC — California Toll Operators Committee—Collaborative organization composed of California's toll facility operators/owners. CTOC is the primary resource for interoperability and coordination among tolling facilities, and education and advocacy regarding tolling in California.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Change without regulatory effect amending section filed 7-10-98 pursuant to section 100, title 1, California Code of Regulations (Register 98, No. 28).
4. Renumbering of former article 4 (sections 1705.1-1705.8) to article 5, new article 6 (section 1705.1), renumbering of former section 1705.1 to section 1704.1 and new section 1705.1 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

§ 1705.2. Transponder RF Carrier Frequency.

[Renumbered]

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Renumbering of former section 1705.2 to section 1704.2 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

§ 1705.3. Transponder Transmit and Receive Antennas.

[Renumbered]

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment of subsection (a) filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Renumbering of former section 1705.3 to section 1704.3 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

§ 1705.4. Transponder Activation. [Renumbered]

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Repealer and new section filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Renumbering of former section 1705.4 to section 1704.4 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

§ 1705.5. Transponder Communications Protocol.

[Renumbered]

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

HISTORY

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment of subsections (d)-(e)(1) filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Renumbering of former section 1705.5 to section 1704.5 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1705.6. Transponder Response to Reader Acknowledge Message. [Renumbered]**

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Amendment filed 5-1-98; operative 5-31-98 (Register 98, No. 18).
3. Renumbering of former section 1705.6 to section 1704.6 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1705.7. Multiple Transponder Responses to a Reader Polling Message. [Renumbered]**

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Renumbering of former section 1705.7 to new section 1704.7 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**§ 1705.8. Transponder Positioning. [Renumbered]**

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. New section filed 6-26-92; operative 7-27-92 (Register 92, No. 26).
2. Renumbering of former section 1705.8 to new section 1704.8 filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**Article 7. Introduction**

**§ 1706.1. Objectives.**

Articles 7 through 8 define the compatibility requirements for AVI equipment. The mandate for this compatibility specification is for electronic toll collection.

Nothing in these regulations shall preclude the addition of functions and technologies to the transponder and/or reader systems.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. New article 7 (section 1706.1) and section filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**Article 8. Reader and Transponder Specifications**

**§ 1707.1. General.**

The automatic vehicle identification equipment shall be compliant with Type C of the International Standards Organization document(s):

Document Incorporated by Reference: ISO/IEC 18000-6 First edition 2004-08-15 AMENDMENT 1 2006-06-15 Information technology—Radio frequency identification for item management—Part 6: Parameters for air interface communications at 860 MHz to 960 MHz. AMENDMENT 1: Extension with Type C and update of Types A and B. Or

Document Incorporated by Reference: ISO/IEC 18000-6 Second edition 2010-12-01 Information technology—Radio frequency identification for item management—Part 6: Parameters for air interface communications at 860 MHz to 960 MHz. Or

Document Incorporated by Reference: ISO/IEC 18000-63 Second edition 2015-10-15 Information technology—Radio frequency identification for item management—Part 63: Parameters for air interface communications at 860 MHz to 960 MHz Type C.

Document Incorporated by Reference: Automatic vehicle identification equipment shall be compliant with the California 6C Electronic Toll Collection Standard Version 1.0 dated May 5, 2017.

Supplemental toll facility operator specifications may detail the optional functions, technical specifications, environmental, operational and other specific needs for each site installation.

[The next page is 75.]

All readers shall operate with any transponder model that meets the requirements in this Article.

All toll facility operators and suppliers collecting any information shall observe and follow all applicable legal authority regarding intellectual property.

NOTE: Authority cited: Section 27565, Streets and Highways Code. Reference: Sections 27564 and 27565, Streets and Highways Code.

**HISTORY**

1. New article 8 (section 1707.1) and section filed 11-28-2017; operative 1-1-2018 (Register 2017, No. 48).

**Chapter 19. Placement of Motorist Services Informational Signs Near Highway Exits Along Interstate Route 5**

**Article 1. Introduction**

**§ 2100. Purpose.**

The purpose of these regulations is to establish standards for signs, displays and devices on the motorist services informational signs (LOGO Sign Program) to be erected by the State Department of Transportation in the interest of the traveling public at highway exits within the right-of-way of those portions of highways described in the Streets and Highways Code Section 101.7.

NOTE: Authority cited: Section 101.7, Streets and Highways Code. Reference: Section 101.7, Streets and Highways Code.

**HISTORY**

1. New chapter 19 (articles 1-6, sections 2100-2120) filed 5-18-93; operative 6-17-93 (Register 93, No. 21). For prior history, see Register 81, No. 45.

**§ 2101. Severability.**

If any provisions or clauses of this subchapter or application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the subchapter that can be given effect without the invalid provision or application, and to this end the provisions of this subchapter are severable.

NOTE: Authority cited: Section 101.7, Streets and Highways Code. Reference: Section 101.7, Streets and Highways Code.

**HISTORY**

1. New section filed 5-18-93; operative 6-17-93 (Register 93, No. 21).

**§ 2102. Intent.**

The intent of the Department in the adoption of these regulations is to provide guidelines for the placement of motorist services informational signs (LOGO Signs) along those portions of highways described in the Streets and Highways Code Section 101.7.

NOTE: Authority cited: Section 101.7, Streets and Highways Code. Reference: Section 101.7, Streets and Highways Code.

**HISTORY**

1. New section filed 5-18-93; operative 6-17-93 (Register 93, No. 21).

**§ 2103. Objective.**

The objective of the LOGO sign program is to inform motorists of specific "FUEL," "FOOD," "LODGING," AND "CAMPING" roadside services available at locations conveniently accessible from a freeway exit.

NOTE: Authority cited: Section 101.7, Streets and Highways Code. Reference: Section 101.7, Streets and Highways Code.

**HISTORY**

1. New section filed 5-18-93; operative 6-17-93 (Register 93, No. 21).

**§ 2104. Enforcement.**

The Division of Right of Way of the Department of Transportation and its authorized representatives in each district office are hereby authorized and directed to enforce the provisions of Section 101.7 of the Streets and Highways Code and these regulations and are further authorized and di-