DRIVING INFORMATION for MILITARY PERSONNEL In California

DRIVER'S LICENSE

Military Vehicle

Civilian license not required. Operator must have a military driver's license in possession.

Privately-Owned Vehicle

- ***California resident on active duty*** - must have in possession a current California driver's license.
- ***Nonresident on active duty*** - must have in possession either a current California driver's license or a valid license issued by the military person's state of residence. Contact the Department of Motor Vehicles (DMV) or equivalent agency in your state for the extension or renewal procedure for military personnel and their dependents.
- ***Dependents*** - must have in possession a current driver's license issued by either California or the person's state of residence.
- ***Minor dependents*** - minors between 16 and 18 who are California residents must have in their possession a valid California provisional license or a valid California license. Nonresident minors must have in their possession a valid license from their state of residence and a Nonresident Minor's Certificate issued by the DMV.
- ***Motorcyclists*** - military personnel and dependents must possess either a Class M California driver's license or a license from the state of residence. The out-of-state license must be endorsed for motorcycle operation if required by the issuing state. Drivers who want to obtain a California Class M license must take written and riding skills tests.
- ***Former duty station*** - if you obtained a driver's license in the state of a former duty station (other than California) it must be replaced with one issued by California or your state of residence within 10 days of entering California. A written test is always required, but the DMV usually will not require a driving test.

Lost or Expired Driver's License

If a California resident loses his or her license while stationed in another state or country, the driver can get a replacement at any DMV office when he returns to California. For a lost license, test is not necessary. For a renewal, the written test must be taken. The driving test normally is not required.

California's Graduated Driver License

Once a teen gets a provisional license, the following conditions apply:

First Year Restrictions

- Shall not drive between the hours of 11 p.m. and 5 a.m. unless accompanied and supervised by a licensed driver who is the parent/guardian, a licensed driver who is 25 years of age or older, or a certified driving instructor.
- Shall not transport passengers who are under the age of 20 unless accompanied and supervised by a licensed driver who is the parent/guardian, a licensed driver who is 25 years of age or older, or a certified driving instructor.

*The following exceptions apply:

- Medical necessity
- Employment necessity
- School-authorized activities
- Parental consent
- Emancipated minor

*Each exception requires the appropriate documentation.

EQUIPMENT

Muffler and Exhaust – Modifications are not allowed to increase or amplify the noise from your vehicle.

Vehicle must be equipped with an adequate exhaust system to prevent any unusual or excessive noise.

Tinted Windows – After market tint may only be affixed to windows behind the drivers seat (front seat). No tint, regardless of how light, can be placed on the front side windows, wind wings or windshield.

Any tinting, regardless of how light, is illegal on front side windows, wind wings, and windshield.

If the back window is tinted, the vehicle must be equipped with outside mirrors on the left and right.

Suspension – Raised suspension on a vehicle CANNOT exceed the legal height limitations which are based on the "gross vehicle weight rating."

Call any California Highway Patrol office for information before you change the height of your vehicle.

Parking Lights – It is unlawful at any time to drive with only parking lights on.

FAILURE TO APPEAR

A valid excuse should demonstrate that your failure to appear was not deliberate or intentional, including but not limited to the following:

- Military duty
- Jail incarceration
- Medical incapacitation

You should provide documents to demonstrate your failure to appear was not deliberate or intentional, including but not limited to the following:

- Military
- Sheriff's booking or jail release papers
- Medical excuse from a doctor or hospital

MILITARY PERSONNEL AWAY FROM HOME

If you are out of state on active duty military service in the United States Armed Forces, your California driver's license will continue to be valid beyond its normal expiration date. Section 12817 of the California Vehicle Code (CVC) authorizes the extension of your license. Call 916-657-7790 to update your driving record and the DMV will send you a DL 236 card to carry with your driver's license. The DL 236 card states CVC Section 12817. It is important to update your record as this will prevent it from being purged.

When you return to California, you will need to:

- Visit a DMV office (make an appointment(s) for faster service).
- Complete a Driver's License or Identification Card Application form DL 44 or DL 44C. An original DL 44 or 44C form must be submitted. Copies will not be accepted.
- Give a thumb print.
- Have your picture taken.
- Pay the application fee.
- Pass a vision exam.
- Pass a traffic laws and sign test.

INSURANCE

Valid proof of insurance may be any of the following:
A photocopy of the official card issued by an insurance company showing:

- The name of the insurance company
- Policy number
- Effective (beginning and ending) dates of the policy (policy must be in effect at the time of violation)
- Name of the defendant or vehicle information (must match person or vehicle listed on the citation)
- Photocopy of the actual insurance policy providing all of the above information
- A statement on the insurance company's letterhead providing all of the above information

CHECK AHEAD FOR ROAD AND WEATHER CONDITIONS

Road Information from California Telephones
1-800-427-7623 (ROAD)

California Road Information from Outside the State
1-916-445-1534

On the Internet
www.dot.ca.gov • www.chp.ca.gov

CHP 919 (Rev. 10/09) OPI 015

CALIFORNIA HIGHWAY PATROL

DRIVING INFORMATION for MILITARY PERSONNEL In California

- *General Rules of the Road*
- *Driver's License and Registration*

REGISTRATION

All motorists in California must carry a registration certificate.

Out-of-State Vehicles

Nonresident military registration – Active duty members and spouses may register their vehicle(s) in California under a special Vehicle Code provision at a reduced fee provided the member or spouse is listed as the primary owner.

If you are a nonresident member of the military stationed in California, you may operate a vehicle as long as it has valid license plates from your home state or the state from which you are regularly assigned. The vehicle must be registered to you or to your spouse, and it must be insured.

It is necessary to carry the registration certificate for your vehicle if your home state requires that it be carried.

Out-of-state registration is valid if the owner is a member of the U.S. armed forces or the spouse of a member and the vehicle is currently registered in the owner's state of residence or last duty station.

Out-of-state registration is NOT valid if a military member purchases a vehicle from a nonresident, unless the vehicle is immediately registered in the purchaser's state of residence or California.

VEHICLE TAXES

A sales (use) tax will be required when registering a vehicle purchased overseas with the INTENT of using it in California.

SOME LAWS TO BE AWARE OF

Text Messaging Law Effective January 1, 2009

- The new wireless communications device law makes it an infraction to write, send, or read text-based communication on an electronic wireless communications device, such as a cell phone, while driving a motor vehicle. A violation of California Vehicle Code section 23123.5 Vc.

Cellular Phone Laws Effective July 1, 2008

Prohibits all drivers from using a handheld wireless telephone while operating a motor vehicle. A violation of California Vehicle Code section 23123.

The base fine for the first offense is $20.00 and $50.00 for subsequent convictions. With penalty assessments, the fine can be more than triple the base fine amount.

The violation is a reportable offense: however, a violation point will NOT be assigned to your DMV record.

A violation of this section gives an officer probable cause to make an enforcement stop.

Safety Belt Laws

All persons riding in a motor vehicle must be buckled up, even if the vehicle is registered in another state.

The safety belt laws apply to passengers riding in the back of pickup trucks or in campers with shells. These passengers must be secured in federally-approved after-market seats equipped with safety belts.

Children from birth until four years of age and weighing 40 pounds must be properly secured in a child restraint that meets federal safety standards. Children up to six years of age or up to 60 pounds must be secured in a booster seat that meets federal safety standards.

Helmet Laws

California Vehicle Code, Division 12, Chapter 5, Article 7, Section 27803.

(a) A driver and any passenger shall wear a safety helmet meeting requirements established pursuant to Section 27802 CVC when riding on a motorcycle, motordriven cycle, or motorized bicycle.

(b) It is unlawful to operate a motorcycle, motor-driven cycle, or motorized bicycle if the driver or any passenger is not wearing a safety helmet as required by subdivision (a).

(c) It is unlawful to ride as a passenger on a motorcycle, motor-driven cycles, or motorized bicycle if the driver or any passenger is not wearing a safety helmet as required by subdivision (a).

(d) This section applies to persons who are riding on motorcycles, motor-driven cycles, or motorized bicycles operated on the highways.

(e) For the purposes of this section, 'wear a safety helmet' or 'wearing a safety helmet' means having a safety helmet meeting the requirements of Section 27802 on the person's head that is fastened with the helmet straps and that is of a size that fits the wearing person's head securely without excessive lateral or vertical movement.

(f) In enacting this section, it is the intent of the legislature to ensure that all persons are provided with an additional safety benefit while operating or riding a motorcycle, motor-driven cycle, or motorized bicycle.

Lane Splitting

Many motorcyclists new to California ask about "lane splitting." There is no "lane splitting" law as such. Perhaps the most relevant statute is California Vehicle Code section 21658 (see below).
21658. Whenever any roadway has been divided into two or more clearly marked lanes for traffic in one direction, the following rules apply:
(a) A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from the lane until such movement can be made with reasonable safety.

(b) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction, and drivers of vehicles shall obey the directions of the traffic device. "Lane splitting" by motorcycles is permissible but must be done in a safe and prudent manner.

Slow Moving Vehicles

California Vehicle Code Section 21656 states: On a two-lane highway where passing is unsafe because of traffic in the opposite direction or other conditions, a slow-moving vehicle, including a passenger vehicle, behind which five or more vehicles are formed in line, shall turn off the roadway at the nearest place designated as a turnout by signs erected by the authority having jurisdiction over the highway, or wherever sufficient area for a safe turnout exists, in order to permit the vehicles following it to proceed.
As used in this section a slow-moving vehicle is one which is proceeding at a rate of speed less than the normal flow of traffic at the particular time and place.

California Vehicle Code Section 21654 (a) states: Notwithstanding the prima facie speed limits, any vehicle proceeding upon a highway at a speed less than the normal speed of traffic moving in the same direction at such time shall be driven in the righthand lane for traffic or as close as practicable to the right-hand side edge or curb, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into private road or driveway.

(b) If a vehicle is being driven at a speed less than the normal speed of traffic moving in the same direction at such time, and is not being driven in the right-hand lane of traffic or as close as practicable to the right-hand edge or curb, it shall constitute prima facie evidence that the driver is operating the vehicle in violation of subdivision (a) of this section.

(c) The Department of Transportation, with respect to state highways, and local authorities, with respect highways under their jurisdiction, may place and maintain upon highways official signs directing slow-moving traffic to use the right-hand traffic lane except when overtaking and passing another vehicle or preparing for a left turn.

Driving Under the Influence (DUI) Laws

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

Implied Consent – Any person who has been granted the privilege of driving a motor vehicle in California is presumed to have given implied consent to law enforcement to conduct chemical testing of the motorist's blood or breath.

0.08 DUI Law – Any person driving a vehicle under the influence of alcohol or drugs is in violation of the law, as is anyone driving with a blood alcohol reading of 0.08 percent or higher is in violation of the law.

Truckers' DUI – It is illegal for a driver to operate a commercial vehicle with a blood alcohol reading of 0.04 percent or higher. (An operator will be put out of service for 24 hours with a reading of 0.01 percent or higher.)

Underage DUI – California's Zero Tolerance law provides that a driver under 21 years of age with a blood alcohol reading of 0.01 percent or higher on a Preliminary Alcohol Screening device may have his license revoked or suspended.

A driver under 21 with a blood alcohol reading of 0.05 percent or higher is subject to arrest and license suspension or revocation.

Open Container – It is unlawful to for an owner or driver to keep an open container of alcohol in a vehicle except in the trunk or in some other area out of the immediate control of the occupants.

It is also unlawful for passengers to possess an open container of alcohol out of the immediate control of passengers.

If You Are In a Collision

If you are involved in a vehicle accident that occurred in California, you must report it to the DMV if:

- There was property damage of more than $750.00 or
- Any individual involved in the collision was injured (no matter how minor) or killed.
- Each driver must make a report to DMV within 10 days, whether you caused the accident or not and even if the accident occurred on private property.
- You must complete a DMV Traffic Accident Report form SR I/SR IA.

When you have completed the form, you can mail it to:
Department of Motor Vehicles
Financial Responsibility (Mail Station 1-237)
PO Box 942884
Sacramento, CA 94284-0884

If you do not submit this report, your driving privilege will be suspended. DMV may ask your insurance company to verify that you had coverage in effect at the time of the accident. If you did not have insurance, your driving privilege will be suspended for one year. To get your license back after the suspension, you will need to provide proof of financial responsibility and maintain it on record for three years. The accident may count as one point on your driving record.