

Date of Hearing: April 21, 2025

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 1085 (Stefani) – As Amended April 8, 2025

SUBJECT: License plates: obstruction or alteration

SUMMARY: Makes it an infraction to manufacture in California a product or device that obscures, or is intended to obscure, the reading or recognition of a license plate by visual or electronic means. Specifically, **this bill:**

- 1) Makes it a fine of \$2,500 (\$10,000 with penalty assessments added by the court) to manufacture or sell a product or device in California that obscures, or is intended to obscure, the reading or recognition of a license plate by visual means.
- 2) Prohibits the use of a shade or tint that obstructs or impairs the reading or recognition of a license plate by an electronic device operated by state or local law enforcement, an electronic device operated in connection with a toll road, high-occupancy toll lane, toll bridge, or other toll facility.

EXISTING LAW:

- 1) Prohibits a person from erasing the reflective coating of, painting over the reflective coating of, or altering a license plate only if it's to avoid visual or electronic capture of the license plate or its characters. (Vehicle Code Section (VEH) 5202.1)
- 2) Prohibits the sale of a product or device that obscures, or is intended to obscure, the reading or recognition of a license plate by visual means, or by an electronic device operated in connection with a toll road, high-occupancy toll lane, toll bridge or other toll facility and prohibits a person from operating a vehicle with such a product. (VEH 5202.1)
- 3) Makes the above described violations an infraction punishable with a base fine of \$250 (\$1105 after additional penalty assessments are added by the courts). (VEH 5202.1)
- 4) Requires a license plate to be securely fastened to the front and back of a vehicle for which they are issued in a manner that is clearly visible. (VEH 5201)
- 5) Prohibits the covering of a license plate except for a cover over a lawfully parked vehicle to protect it from the weather and the elements or a security cover so long as the device does not obstruct or impair the recognition of the license plate. (VEH 5201)

FISCAL EFFECT: Unknown

COMMENTS: AB 801 (Walters), Chapter 273, Statutes of 2008 made it an infraction to sell a product or device that obscures, or is intended to obscure, the reading or recognition of a license plate. The Transportation Corridor Agencies sponsored AB 801 to address toll revenue being lost due to obscured license plates. AB 2489 (Hall), Chapter 702, Statutes of 2012 made it an infraction to alter or cover a license plate to avoid law enforcement reading the license plate with a camera. The Los Angeles County Sheriff's Department sponsored AB 2489 to address the use of automated license plate readers (ALPRs) as a surveillance tool. AB 2111 (Wallis) Chapter 59,

Statutes of 2024 updated AB 2458 to make it an infraction to alter or cover a license plate for any reason, not just to avoid law enforcement.

The current penalty for the violation this bill creates is \$250 (\$1105 after penalty assessments are made by the courts.) This bill increases the penalty to over \$10,000 with penalty assessments. Unlike most violations in the Vehicle Code, this violation provides for no judicial discretion to set a lower penalty.

The penalty in this bill will make this violation the second highest base fine in the Vehicle Code. The fine in this bill is more than twice as high as the minimum fine for a felony in the Vehicle Code.

According to the author, “Illegal license plate covers, designed to purposefully obscure plates, are making it easier for bad actors to evade accountability. These tinted or shaded covers have been linked to vehicle thefts and robberies, preventing law enforcement from identifying and stopping offenders. They also allow drivers to dodge toll payments, costing the state’s transportation system millions of lost revenue each year- undermining automated enforcement programs and diverting critical funding from road maintenance and improvements. AB 1085 strengthens existing laws by further clarifying which license plate covers are illegal and increasing penalties for manufacturers and sellers who enable their use. When drivers purposefully hide their plates, they aren’t just breaking the law- they’re shifting financial burdens onto our toll agencies and putting public safety at risk.”

ALPRs or other photo enforcement devices have become ubiquitous tools in transportation agencies to enforce transportation laws. Toll agencies and automated traffic enforcement systems like speed cameras and red light cameras increasingly use ALPR to capture violators more efficiently.

On January 1, 2021, the Bay Area Toll Authority converted all of its toll collection facilities to cashless facilities that rely on the use of FastTrack or ALPRs to collect tolls. As of 2022, there were about 473 lane-miles of high occupancy toll (HOT) lanes that rely on ALPRs for enforcement purposes on California’s state highway system. Orange County Toll Authority (OCTA) has relied on ALPRs for enforcing their 18-mile toll road since 1995. Since 2007 San Francisco could ticket drivers parked in bus-only lanes using photo enforcement. This authority was expanded statewide in 2022. Finally, starting this year six cities will be able to install speed cameras to issue speeding tickets.

The number of individuals ticketed for attempting to obscure their license plates has grown significantly as reliance on ALPRs has increased as an enforcement tool for tolls. CHP issued 331 violations for tampering with the reflective coating or altering a license in 2021. That number grew to 781 citations in 2022 and 1,077 in 2023. According to the Bay Area Toll Authority (BATA), state-owned bridges had 946,740 unpaid crossings due to obstructed or defaced plates, resulting in loss revenue of \$6.8 million, or around 1% of total revenue. However, BATA notes that only a small percentage of that lost revenue is because of customers intentionally obscuring their plates. Most obstructed plates are due to bike racks, license plate frames, or unsecured temporary paper plates flapping in the wind.

Other states have seen a significant rise in plate obfuscation as they rely more and more on photo enforcement for tolls and other traffic violations. A January 2024 audit from the New York City Comptroller found that the use of illegally obscured, temporary, or ghost license plates to avoid fines cost the city more than \$100 million annually in lost fine revenue. In 2023, the New York City Triborough Bridge and Tunnel Authority reported it lost \$50 million annually to toll evaders obscuring license plates. A report done by *Inside Your World* investigated 17 states using electronic tolls and concluded they were losing as much as \$305 million each year in uncollected tolls.

Previous legislation: AB 2111 (Wallis), Chapter 59, Statutes of 2024 made it an infraction to alter or cover a license plate for any reason.

AB 2489 (Hall), Chapter 702, Statutes of 2012 made it an infraction to alter or cover a license plate in order to avoid law enforcement reading the license plate with a camera.

AB 801 (Walters), Chapter 273, Statutes of 2008 made it an infraction to sell a product or device that obscures, or is intended to obscure, the reading or recognition of a license plate.

SB 712 (Anderson) of 2017 would have allowed cars to use a license plate cover when parked. That bill died on the Senate Floor.

REGISTERED SUPPORT / OPPOSITION:

Support

Active San Gabriel Valley
Arcadia Police Officers' Association
Bike Culver City
Bike Long Beach
Brea Police Association
Burbank Police Officers' Association
Calbike
California Association of School Police Chiefs
California Coalition of School Safety Professionals
California Narcotic Officers' Association
California Reserve Peace Officers Association
Car-Lite Long Beach
Circulate San Diego
Claremont Police Officers Association
Corona Police Officers Association
Costa Mesa Alliance for Better Streets
Culver City Police Officers' Association
East Bay for Everyone
Families for Safe Streets San Diego
Fullerton Police Officers' Association
Glendale YIMBY
Golden Gate Bridge, Highway & Transportation District
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Los Angeles Walks

Metropolitan Transportation Commission
Move LA
Murrieta Police Officers' Association
Napa County Bicycle Coalition
Newport Beach Police Association
Norwalk Unides
Palos Verdes Police Officers Association
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Remake Irvine Streets for Everyone
Riverside Police Officers Association
Riverside Sheriffs' Association
San Diego County Bicycle Coalition
San Francisco Bay Area Families for Safe Streets
San Francisco Bicycle Coalition
Santa Ana Police Officers Association
Streets are for Everyone
Streets for All
Strong Towns Artesia
Strong Towns Santa Barbara
Walk San Francisco

Opposition

None on file

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