

Date of Hearing: April 8, 2024

**ASSEMBLY COMMITTEE ON TRANSPORTATION**

Lori D. Wilson, Chair

AB 2111 (Wallis) – As Introduced February 5, 2024

**SUBJECT:** License plates: obstruction or alteration

**SUMMARY:** Prohibits a person from erasing the reflective coating of, painting over the reflective coating of, or altering a license plate to avoid visual or electronic capture of the license plate or its characters, regardless of the reason.

**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 by state or local law enforcement. (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 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. That bill, sponsored by the Los Angeles County Sheriff's Department, was focused solely on addressing the use of automated license plate readers (ALPRs) as a surveillance tool.

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, an authority that was expanded statewide in 2022. Finally, starting this year six cities will be able to install speed cameras to issue speeding tickets.

*According to the author,* “Recent data from the California Highway Patrol reveals a concerning surge in drivers tampering with license plates, including sanding off reflective coatings and making other alterations. With a 38% increase in citations over the past year and a 225% rise over two years, it's evident that existing laws fall short.

AB 2111 addresses this gap by making it an offense to alter license plates with the intent to avoid detection, irrespective of law enforcement involvement. Currently, the law only applies when avoiding capture by law enforcement, leaving a critical void. This bill is crucial in closing that gap, particularly as various camera tickets, such as toll violations and speed camera tickets, are not covered. This change will also close a loophole that allows intentional license plate modifications to be treated differently than installing a physical cover, without considering whether the intent for the modification was to avoid law enforcement detection.

AB 2111 is a targeted solution to curb license plate tampering, protect public safety, and preserve the integrity of our roadways.”

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. 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 516 (Mullin) Chapter 90, Statutes of 2016 created temporary license plates for newly sold vehicles.

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.

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**

Arcadia Police Officers' Association  
Burbank Police Officers' Association  
California Coalition of School Safety Professionals  
California Narcotic Officers' Association  
California Reserve Peace Officers Association  
California State Sheriffs' Association  
Claremont Police Officers Association  
Corona Police Officers Association  
Culver City Police Officers' Association  
Deputy Sheriffs' Association of Monterey County  
Fullerton Police Officers' Association  
Los Angeles School Police Management Association  
Los Angeles School Police Officers Association  
Murrieta Police Officers' Association  
Newport Beach Police Association  
Novato Police Officers Association  
Palos Verdes Police Officers Association  
Placer County Deputy Sheriffs' Association  
Pomona Police Officers' Association  
Riverside Police Officers Association  
Riverside Sheriffs' Association  
Santa Ana Police Officers Association  
Upland Police Officers Association

**Opposition**

None on file

**Analysis Prepared by:** David Sforza / TRANS. / (916) 319-2093