

Date of Hearing: April 9, 2018

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1925 (Choi) – As Introduced January 24, 2018

SUBJECT: Vehicles: unsafe, unsecured load

SUMMARY: Requires the Department of Motor Vehicles (DMV), in their written examination of new and renewing applicants for driver's licenses, to include at least one question on unsecured vehicle loads in at least 20% of the tests administered.

EXISTING LAW:

- 1) Requires applicants for an original driver's license to take a written examination with DMV to test an applicant's knowledge and understanding of the provisions of the vehicle code governing the operation of vehicles on the highways, the ability to understand English used in highway traffic and directional signs, and the ability to understand traffic signs and signals.
- 2) Allows DMV to require an examination upon the renewal of a license.
- 3) Requires DMV to include at least one question, in any of the non-commercial driver's license examinations, to verify that the applicant has an understanding of the risk and punishments associated with eluding a pursuing officer's motor vehicle.
- 4) Requires DMV to include at least one question to test an applicant's knowledge and understanding of the table of blood alcohol concentration published in the California Driver's Handbook.
- 5) Requires DMV, on at least 20% of its exams, to include a question testing the applicant's knowledge on prohibiting the abandonment or dumping of an animal.
- 6) Requires vehicle loads to be secured so the load cannot escape the vehicle.

FISCAL EFFECT: Unknown

COMMENTS:

Purpose: Existing law requires vehicles to secure their loads in a safe manner, and allows law enforcement to pull over vehicles that have not properly secured their loads. The author believes that by requiring DMV to include a question related to unsecured loads will increase public knowledge on these requirements.

Problem: In 2016 AAA Foundation for Traffic Safety issued a report titled *The Prevalence of Motor Vehicle Crashes Involving Road Debris, United States, 2011-2014*. The study examined three publicly-available sources of data on motor vehicle crashes in the United States to estimate the number of crashes that involved debris on the roadway. Debris-related crashes were defined as crashes in which a vehicle struck or was struck by an object that fell or was struck by an object that fell or became detached from another vehicle, struck a non-fixed object on the roadway, or crashed after swerving to avoid an object on the roadway.

Results from the study suggests that road debris was a factor in an estimated average of 50,658 police reported crashes, resulting in nearly 10,000 injuries and 124 deaths annually in the United States on an annual basis between 2011 and 2014. Debris related crashes were approximately 4 times as likely to occur on interstate highways. Approximately 35,000 crashes, 7,500 injuries and 89 deaths are attributed to accidents caused by debris from vehicles.

Debris-related crashes were more likely than non-debris-related crashes to result in property damage only; debris-related crashes were roughly half as likely as non-debris-related crashes to result in injury or death.

Driving Exams: When someone applies for a driver's license they are required to take a written examination on the rules of the road. Currently this examination contains 36 questions. Two of the questions are mandated by statute, including one on blood alcohol content levels and another on eluding the police. A third question regarding the abandonment or dumping of animals on roads is required to appear on 20% of exams. A driver may have to take the test again upon renewal, generally when they have received a traffic violation that results in points on their license in the previous two years.

Committee concerns: DMV currently administers written examinations for applicants of driver's licenses and decides what questions to ask. As the agency responsible for licensing drivers they are privy to the best data on what rules of the road are most violated and are better decision makers as to what should be on the exam. DMV already includes in its handbook a section alerting drivers that it is against the law to drive with an unsecured load.

Related Legislation: AB 1907 (Choi) increases the fines for driving with an unsecured load. AB 1907 is set to be heard by this committee on April 9, 2018.

AB 971 (Choi) would have increased fines for failing to secure a load (in a vehicle) and clarifies that a death caused by an object falling from a vehicle is grounds for a vehicular manslaughter conviction. AB 971 was heard for testimony only by this committee on January 8, 2018, and returned to the Chief Clerk pursuant to Joint Rule 56.

AB 972 (Choi) would have required items carried in a vehicle cargo area to be labeled so that the owner can be identified should the item fall from the vehicle. AB 972 was heard for testimony only by this committee on January 8, 2018, and returned to the Chief Clerk pursuant to Joint Rule 56.

REGISTERED SUPPORT / OPPOSITION:

Support

One private citizen

Opposition

None on File

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