

Date of Hearing: March 20, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 705 (Lowenthal) – As Introduced February 13, 2023

SUBJECT: Autoettes

SUMMARY: Expands the definition of “autoette” to increase its allowable length to 130 inches including the front and rear bumpers.

EXISTING LAW:

- 1) Defines an “autoette” as a motor vehicle, located on a natural island with an area in excess of 20,000 acres and that is within a county having a population in excess of 4 million that meets all of the following requirements:
 - a) Has three or more wheels in contact with the ground.
 - b) Has an unloaded weight of no greater than 1,800 pounds.
 - c) Has an overall length of no more than 120 inches, including the front and rear bumpers.
 - d) Has a width of no more than 55 inches, as measured from its widest part. (Vehicle (VEH) code 175).
- 2) Authorizes the Department of Motor Vehicles (DMV) to register an autoette as a motor vehicle. (VEH 40000.5)
- 3) Requires the owner of an autoette to remove the license plates from the vehicle and return them to DMV when the autoette is removed from a natural island. (VEH 40000.5)
- 4) Allows local authorities of any city which is on a natural island with an area in excess of 20,000 acres and which is within a county having a population in excess of 4 million, if such a city determines it to be necessary in view of special problems with respect to the size and nature of its streets and the characteristics and nature of the city itself, to adopt rules and regulations by ordinance or resolution on the following matters:
 - a) Regulating the size of vehicles used on streets under its jurisdiction;
 - b) Regulating the number of vehicles permitted on streets under its jurisdiction;
 - c) Prohibiting the operation, on streets under its jurisdiction, of designated classes of vehicles;
 - d) Establishing noise limits for vehicles operated on streets under its jurisdiction and prohibiting the operation of vehicles which exceed such limits; and,
 - e) Establishing a maximum speed limit lower than that which it otherwise permitted by this code to establish.

- f) Exempts from these provisions, utility vehicles that are under the jurisdiction of the Public Utilities Commission while they are engaged in maintenance and construction type service work. (VEH 21100.5)

FISCAL EFFECT: Unknown

COMMENTS: Autoettes, a form of golf cart with three or more wheels, are the most abundant vehicles on Santa Catalina Island. Avalon, the only incorporated city on the island, is the only incorporated city in the lower 48 states that cannot be reached by car. As a result, Santa Catalina Island has been given special powers to regulate the size and number of vehicles within its jurisdiction. As of 2021, a total of 1,140 vehicles were registered during the vehicle season- 828 residential autoettes and 312 nonresidential autoettes.

During its registration process, the city discovered that 179, or 16%, of the personal autoettes exceed the maximum length of 120 inches and 115 of the commercial autoettes, or a third, exceeded 120 inches. 19 of the autoettes exceeded 130 inches. In February of 2021, the city amended their municipal code to extend the allowable length of autoettes to 130 inches, grandfathered already permitted autoettes exceeding 130 inches, and required any golf cart that was not permitted yet and is oversized to be removed from the island.

According to the author, “In recent years, manufacturers have been releasing models that exceed the 120 inch requirement by a few inches. Those who have purchased these vehicles have been able to obtain parking permits, but have not been able to register with the DMV. While the city has not been ticketing the new autoettes, the drivers have been operating unregistered vehicles, and the DMV has been unable to collect the fees due. AB 705 seeks to amend the California Vehicle Code definition of autoettes to include vehicles up to 130 inches to account for the new models being manufactured, and enable the owners to register their vehicles.”

The City of Avalon, the sponsor of this bill, argues “This modest change would bring the entire City into compliance with current statute and would promote cohesive and coherent autoette practices.”

Committee comments: This bill permits DMV to register several hundred autoettes currently on Santa Catalina Island because the city of Avalon changed their definition of an autoette in recognition of the increased size of the more modern vehicles. While this bill extends the length to cover most of the autoettes permitted on the island, it will still not capture 19 of the vehicles the city issued parking permits for before discovering their length that are in excess of 130 inches. The city also has removed the weight limit on autoettes from their municipal code, a provision still included in the definition in the Vehicle Code. Should the city permit a vehicle over 1,800 pounds, then it is possible that those vehicles too will not be able to register with DMV.

The implications of not being able to register with the DMV are significant. If vehicles are not registered with the DMV, the owners of the vehicles cannot sell the vehicle and the vehicles legally could be towed by the city for operating on public roads without registration.

The Legislature may want to consider requiring those 19 vehicles to be registered with DMV and may want to reform the weight limit definition to better align with the actions being taken by the city of Avalon.

Previous Legislation:

AB 2401 (Karnette) Chapter 322, Statutes of 2006 created the definition of “autoette” and authorized DMV to register them.

REGISTERED SUPPORT / OPPOSITION:

Support

City of Avalon (sponsor)

Opposition

None of file

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