

CITY OF AVALON  
Vehicle Use Policy

Date: 3/15/2016  
Policy No: P3

As with any City policy, the City of Avalon reserves the right to change, alter, amend, and interpret this policy with or without prior notification.

**I. PURPOSE**

This policy establishes procedures regarding the effective and economical usage of City owned and privately owned vehicles operated during the course of City business. Use of City owned vehicles shall be relied upon as the primary means of vehicle usage in the execution of City business, as it provides the greatest control over operating costs, usage, maintenance, inspection, and insurance.

The City of Avalon will participate in the California Department of Motor Vehicles Employee Pull Notice (EPN) Program to comply with the California Commercial Motor Vehicle Safety Act of 1988 and to ensure the safety of all drivers/passengers. The Act requires employers to obtain reports of a driver's public driving record from the California Department of Motor Vehicles (DMV) for employees driving certain types of vehicles. The public driving record includes incidents that occur while driving during and outside of City business. The EPN program also allows for the enrollment of non-mandated drivers after obtaining the written consent of the driver. To become an authorized driver of City vehicles, a driver must consent to being enrolled in the program. No consent is needed for drivers who are mandated by law to be enrolled in the EPN program.

The EPN program provides the City with a report of enrolled driver's public driving records and current certifications. These reports include notifications when drivers are convicted of motor vehicle violations and when actions are taken against a driver's license or special driver certificate(s).

Employees, volunteers, and those drivers with limited appointments, such as contractors, who are not mandated by law to be enrolled in the EPN Program, shall be enrolled when:

1. Their duties involve operating a City vehicle requiring a Class A, Class B, or Class C driver's license.
2. Their duties involve operating a City owned electric cart.
3. They are identified by the City as appropriate for enrollment in the DMV EPN program based on the job requirement to drive while on official City business.

4. If they operate as a driver of a passenger vehicle having a seating capacity of not more than 10 persons, including the driver, operated for compensation by a charter-party carrier of passengers.
5. If they are included on the City's Approved Driver List maintained by the City.
6. If they are renting a vehicle from a third party vendor on behalf of, and for the use of, City business.

The City has the exclusive right to ensure that each employee is properly licensed and insured, has the necessary knowledge, skills and abilities, and training to operate a vehicle safely. The City may periodically review the performance of each employee who is authorized to drive vehicles. The authorization to drive may be suspended or revoked as a result of such reviews and/or additional training may be required to maintain driving status. Department Heads and Supervisors, that supervise subordinate employees, who repeatedly fail to comply with driving policies and procedures or violate traffic laws while driving City vehicles, should be re-evaluated and may be disciplined, if necessary. An individual who has been charged with an offense that could result in a suspension or revocation of his or her driver's license should notify his or her Department Head, Supervisor or Chief within 48 hours.

## **II. ASSIGNMENT OF RESPONSIBILITY**

- A. With this policy all employees, volunteers, and limited term employees who drive City vehicles (includes electric carts) will be enrolled in the EPN program through the Human Resources Department. Human Resources will ensure all employees driving City vehicles are notified of their enrollment and are compliant with the requirements of the EPN program. The Human Resources Department shall maintain a record of all employees who are required and authorized to operate a vehicle in order to perform their job functions. The record shall maintain valid California Driver's license information, including the classification of the driver's license. The Human Resources Department is responsible for the EPN Program of the DMV and confidentiality of driving records. The original EPN enrollment form shall be maintained in each employee's personnel file. The Personnel Officer or designee is responsible for monitoring the validity of the employee's authorized driving privileges issued by the California DMV or directive issued by a licensed medical physician. Upon receipt of notification that restricts the employee from operating a motor vehicle the Personnel Officer or designee shall notify both the employee and Department Head of those restrictions. The Human Resources Department will advise Department Heads on appropriate personnel actions and notification in response to poor driving records or convictions of motor vehicle violations. The Human Resources Department is also responsible for overseeing the implementation of necessary driver training programs and ensuring that employees attend any required training. Upon an employee's separation from the City the Human Resources

Department will notify the DMV so the employee can be removed from DMV's EPN program.

- B. The Department Head and Personnel Officer or designee will investigate and review any investigations of all accidents with the City Manager to determine whether an accident was preventable or non-preventable, and make any necessary disciplinary recommendations. Department Heads and the Personnel Officer shall also investigate alleged violations of the City's Vehicle Use Policy.
- C. Department Heads will routinely monitor the driving of each employee during the course of performing the employee's job-related driving responsibilities. Department Heads may review driving records as part of the employee's periodic evaluation. The Department Head shall be responsible for identifying violations to of the Vehicle Use Policy, if any. In addition, managers/supervisors shall perform necessary accident reporting requirements as stated in Section IX.
- D. The Public Works Director or designee is responsible for the general operation of the City fleet located in designated locations, for check-out of vehicle/keys and general operation, including receiving notification from any employee who reports unsafe conditions or defects in any City owned vehicle. Upon receiving such notification, the Public Works Director will determine whether or not the vehicle is unsafe for continued operation, and ensure the necessary repair and maintenance work is completed before the vehicle is placed back into operation. When necessary the Director shall make recommendations to City Manager for further action.
- E. The Harbor Master or designee is responsible for the City vessels strictly assigned to the Harbor Department. In such cases the Harbor Master, along with mechanical staff, will determine whether or not the vessel is unsafe for continued operation.
- F. Upon employment or engagement of service, City employees, consultants, or contractors authorized to use City vehicles shall promptly provide a copy of his/her driver's license for enrollment in the California Department of Motor Vehicles Employer Pull Notice Program. Insurance information must be provided to the Human Resources Department when notified that job duties may include driving a personal or privately owned vehicle for City business. Each employee is responsible for ensuring the validity of their driver's license. Employees are to comply with any training requirements and other reporting requirements set forth in this policy. Any employee who may be involved in a motor vehicle or vessel accident shall notify both the Department Head and Personnel Officer or designee of the accident and any injury suffered as a result of the accident.

### **III. DEFINITIONS**

- A. City Business: Activities conducted for the benefit of the City that require the use of a vehicle and are authorized by the employee's supervisor.
- B. City Owned Vehicle: Any vehicle or vessel owned by the City, and assigned on a shared, designated, or permanent basis. These vehicles are stored at City facilities only, unless otherwise authorized by the City Manager. These vehicles may be used for emergency or on-call City business use by employees authorized to respond on a 24-hour basis.
- C. Non-Preventable Accident: The vehicle operator did everything reasonably possible to prevent the accident.
- D. Preventable Accident: The vehicle operator failed to do everything reasonably possible to prevent the accident.
- E. Privately Owned Vehicle: Any personally owned vehicle used by an employee.
- F. Vehicle Operator: Any employee who is either operating a City owned vehicle, or is operating a personally owned vehicle on City business.

### **IV. VEHICLE TYPES AND USE**

- A. Standard City Owned Vehicles
  - 1. City owned vehicles are for transporting only those employees or members of the public (i.e. emergency vehicles) whose duties require the use of a vehicle or vessel, and such other persons whose business activities are important to City interests.
  - 2. Personal use of a City vehicle is prohibited in all circumstances.
  - 3. Only approved City employees, volunteers, consultants, and contractors are authorized to operate City owned vehicles.
- B. Privately Owned Vehicles

On the rare occasion that an employee has to use a personal vehicle for City business, (e.g. when a City vehicle is unavailable or to attend training or conferences), the following shall apply:

1. An employee may use a personal vehicle for City business only with prior authorization of the Department Head and/or City Manager.
2. It is the responsibility of the employee utilizing a personally owned vehicle to maintain the vehicle in safe and operable condition, to maintain accurate records of the purpose and extent of travel, and to make substantiated claims for reimbursement per the City's reimbursement policy and IRS standard mileage rate. The mileage rate set forth by the IRS will cover the employee's cost of operating their personal vehicle on City business (e.g. gas, maintenance, wear and tear, depreciation and insurance). No additional money will be paid to the employee for use of their personal vehicle for City related business.
3. In the event an employee is required to attend training or a conference outside of the City limits, on the mainland, it is the responsibility of the employee to maintain accurate records of the purpose and extent of travel, and to make substantiated claims for reimbursement for approved items in accordance with the City's Travel and Reimbursement Policy.
4. The City is not liable for any damage to an employee's personal vehicle, unless caused by the City's negligence (employee's negligence exempted). It is also the responsibility of the employee operating the vehicle to comply with the accident reporting requirements under Section IX.
5. Under no circumstances shall any employee use their personal vehicle for City business without prior approval from their Department Head and/or the City Manager.

## **V. DRIVER TRAINING**

Those employees who drive City owned vehicles may be required to complete a defensive driver training course. All new drivers must receive driver training under the supervision of an experienced driver, preferably an officer. Other employees who regularly use privately owned vehicles for City business may also be offered this type of training. Employees who participate in this training may be required to attend a refresher course as necessary. Employees who change to a job assignment that includes driving a City owned vehicle as an essential function of the job are similarly required to complete the training course. All Fire Department employees shall be required to complete the department's mandatory pumping apparatus driver's training course offered through the

International Fire Service Training Association or an equivalent prescribed training. All operators of emergency vehicles should complete an Emergency Vehicle Operators Course and safety orientation prior to driving any emergency vehicle.

## **VI. GENERAL GUIDELINES**

- A. Employees shall obey all Federal, State and local laws while operating either City owned vehicles, or personal vehicles, while on official City business. No vehicle will be driven above the posted speed limit or operated at an unsafe speed. Violations of speed limits by an employee may lead to disciplinary action, up to and including termination (See exceptions for Emergency Vehicles under Section VII: Safe Driving Practices).
- B. Drivers of emergency vehicles shall exercise extreme caution while maneuvering emergency vehicles at an incident scene; other drivers and pedestrians may be distracted or preoccupied by events and a variety of hazards (e.g. downed or low hanging wires, limited visibility, hazardous materials, etc.) may be encountered. Vehicles shall be moved with caution and spotters should be assigned when possible to guide drivers in tight situations.
- C. Before moving an emergency vehicle, in any location, the driver shall ensure that all occupants are seated and properly secured in an approved riding position. The driver shall also ensure that no one is in the process of mounting, dismounting, standing on top of, or on the outside of the vehicle.
- D. It is the responsibility of the employee operating either a City owned vehicle or privately owned vehicle while on City business to ensure that all persons in the vehicle use seat belts and have them properly adjusted before the vehicle is in motion.
- E. When cargo, materials or tools are being transported, the vehicle operator is responsible for ensuring that all items are properly secured.
- F. No person shall be allowed to ride on running boards, fenders, hoods, tailgates, beds or other locations on a vehicle not designed or approved by the vehicle manufacturer for passenger seating. An exception to this shall be vehicles designed and equipped for passengers outside the cab area.
- G. Passengers on vessels are only allowed to hold onto the proper railings, and/or sit safely in order to avoid the risk of falling over board, or blocking the operators view. Vessels must be operated at a safe speed while observing all rules of the road. No vessel may

be operated in a reckless or negligent manner so as to endanger life, limb or the property of any person.

- H. Alcoholic beverages, illegal drugs and prescription drugs that may impair driving ability shall not be transported or placed in any City vehicle or personal vehicle used for City business. Operating a vehicle while under the influence is strictly prohibited. Please reference the City's Drug and Alcohol Policy for more information.
- I. Any employee who operates a City owned vehicle, regardless of frequency, is responsible for the proper care, operation and refueling of the vehicle.
  - 1. Before operating the vehicle, the employee shall check to make certain that all vehicle safety equipment, including headlights, turn signals, brake lights and windshield washers, are functioning properly. Fuel shall be maintained at approximately no less than  $\frac{1}{2}$  of a full tank prior to each use of the vehicle. Employees must use the Vehicle Inspection Sheet each time a City vehicle is checked out. The said sheet must be submitted to the Public Works Director or designee for vehicles.
  - 2. Any vehicle damage beyond normal wear and tear or that includes defects affecting the safe operation of the vehicle must be documented by the employee and reported to the employee's supervisor and the Public Works Director or designee responsible for the fleet operation under Section II.
  - 3. No employee shall operate a City owned vehicle found to be in an unsafe condition.
  - 4. Use of City authorized fueling locations shall only be for refueling of City owned vehicles and equipment when resulting in a charge to the City. Personal vehicles authorized for City business will utilize the mileage reimbursement procedure to cover fuel costs.
- J. The City reserves the right to install Global Positioning System (GPS) tracking devices in City vehicles as deemed appropriate by the City.
- K. Smoking is strictly prohibited in any City-owned vehicles. Eating and drinking is also prohibited inside City vehicles. City owned vehicles are to be kept clean at all times.

## VII. SAFE DRIVING PRACTICES

Operating Regular Vehicles: All employees operating vehicles in the performance of their job duties shall abide by driving rules and regulations and ensure public safety on the road. Section 23123 of the California Vehicle Code prohibits the use of a handheld wireless telephone (i.e., cellular phone) while operating a motor vehicle, except when using a hands-free mode or a headset.

The Wireless Communications Device Law makes it an infraction to write, send, or read a text-based communication on an electronic wireless communications device, such as a cell phone, while driving a motor vehicle.

Operators of either regular City-owned vehicles or privately owned vehicles being used for City business are prohibited from using any cellular phone, either City-issued or personally owned, while driving or operating a vehicle in their employment, except when using the hands-free mode or a headset. This applies equally to writing, sending or reading text-based messages while driving. Employees shall refrain from operating navigational devices and any other devices that may distract them while operating a vehicle in the course of conducting City business.

Employees are responsible for any fines or penalties incurred as a result of the employee committing a traffic infraction and/or violation. Any preventable accident that results in a violation of any of the above provisions may subject the employee to disciplinary action.

Operating Regular Vehicles During an Emergency: All employees operating vehicles in the performance of their job duties, during an emergency, shall abide by driving rules and regulations and ensure public safety on the road. Texting and driving is strictly prohibited. Communication devices during an emergency should be used by an Officer or other passenger when possible. Drivers of emergency vehicles must obey all traffic laws during non-emergency operation.

Only designated "emergency vehicles" should be used for responding to emergency calls, not personal vehicles. All City of Avalon Fire/EMS vehicles will be operated in accordance with the State of California laws regarding emergency and non-emergency responses.

All City Fire/EMS vehicles will be operated in accordance with the State of California laws regarding emergency and non-emergency responses. The use of cellphones and computers is prohibited while driving City emergency vehicles or vessels "absent extenuating circumstances." When an emergency vehicle has two Officers or staff in a vehicle, the passenger should be the only one operating the phone or computer. In all



situations the employee shall exercise a high level of discretion to avoid distraction that may occur in each circumstance. Texting or typing is strictly prohibited while vehicles are in operation.

Authorized emergency vehicles, as defined under Vehicle Code section 165, Vehicle Code section 17004, or other regulations protects public employees against civil damages on account of personal injury to or death of any person or damage to another property resulting from the operation, in the line of duty, of an authorized emergency vehicle while responding to an emergency call or when in the immediate pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm or other emergency call.

Vehicle Code section 21055 however, does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the road, nor protect him/her from the consequences of an arbitrary exercise of the privileges granted in that section.

If the driver of an authorized emergency vehicle is responding to an emergency call he/she shall give the prescribed warnings by red light and siren to give appropriate warning to the public to ensure the common-law standard of care is applied while in the performance of duty. Therefore, it is understood that although the City is liable for its employees that operate emergency vehicles, any driver that fails to maintain the standard of care imposed by the common law statute is not exempt from being charged with negligence attributable to his failure to comply with the provisions.

## **VIII. RENTAL VEHICLES**

When it is necessary for an employee to use a rental vehicle for City business, a car rental company may be used upon authorization of the City Manager, when applicable, in accordance with the City's Travel and Reimbursement Policy.

## **IX. ACCIDENT REPORTING REQUIREMENTS**

Any accident involving a vehicle or vessel used in the performance of City duties shall be reported as follows:

- A. If an employee is involved in an accident, stop immediately and take all necessary precautions to prevent further accidents at the scene. Send for help but do not leave the accident scene. The employee should call the Department Head or Personnel Officer or designee to notify of the accident verbally.
- B. The vehicle or vessel operator shall summon medical care for any injured parties.

- C. The vehicle or vessel operator shall notify appropriate law enforcement agencies when necessary.
- D. The vehicle or vessel operator shall collect information about the other parties involved by completing the Accident Kit contained within the vehicle or vessel. Get names of witnesses, exchange information with other parties involved in the accident, if any.
- E. The vehicle or vessel operator shall notify his/her Department Head in a written report. The Department Head shall be responsible for initiating a departmental investigation of the accident, completing all required City reports and submitting the information to the Personnel Director or designee. The Personnel Director or designee, along with the Department Head, will investigate the accident. An accident review committee shall also review all incidents periodically and determine whether an accident is preventable or non-preventable. The Accident Review report will be forwarded to the Personnel Officer to determine whether disciplinary action may be required and make a recommendation to the Department Head and City Manager. The Personnel Officer or designee shall also coordinate with the City's claims liability adjustor, if necessary.
- F. For privately owned vehicles, the vehicle operator shall report the accident to the DMV if more than \$750 in damage was done to the property of any person or City, or anyone was injured (no matter how slight) or killed. The report must be filed, whether or not the vehicle operator caused the accident, and whether or not, the accident occurred on private property. The report must be made on the California Traffic Accident Report, form SR 1, and must be made within ten days of the accident. If the report is not filed, the vehicle operator's driving privilege will be suspended by the DMV. The police or California Highway Patrol will not file this report.<sup>1</sup>

## **X. INSURANCE**

Proof of insurance is required before any privately owned vehicle can be authorized for use in conducting City business. Proof of insurance shall be provided to the Human Resources Department annually thereafter, no later than January 31 of each year.

- A. Employees who are authorized to use privately owned vehicles on

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<sup>1</sup> California Vehicle Code, Section, 16000(b) – A report is not required under subdivision (a) if the motor vehicle involved in the accident was owned, or leased by, or under the direction of , the United States, this state, another state, or a local City.

City business shall provide evidence of qualifying insurance coverage as required on any vehicle operated or parked on California roadways, and shall maintain no less than those minimum requirements in accordance with State law<sup>2</sup>, unless expressly stated otherwise in an employment agreement.

- B. California Insurance Code §11580.9 states that where two or more policies affording valid and collectible liability insurance apply to the same motor vehicle in an occurrence out of which a liability loss shall arise, it shall be conclusively presumed that the insurance afforded by that policy in which the motor vehicle is described or rated as an owned vehicle is primary and the insurance afforded by any other policy shall be to cover any excess.
- C. In the event of an accident involving a privately owned vehicle being used for City business, the employee will be responsible for paying any deductible required by the insurance company.
- D. If insurance coverage is canceled, terminated, allowed to lapse, or for any other reason curtailed, the employee must immediately notify the Personnel Department or designee, and the employee's personal vehicle shall not be used for City business.
- E. When an employee is operating a City owned vehicle and is involved in an accident, defense and settlement of any claim shall be the responsibility of the City's liability insurance carrier, up to the maximum protection limit. If an employee operating a City owned vehicle is sued independently as a result of an at-fault accident, the City may provide coverage to that employee if the accident qualifies as a covered occurrence.
- F. Should an employee using his/her privately owned vehicle on City business be involved in an accident with resulting injury or property damage, the employee's own insurance carrier shall respond to defend the employee. Should a claim exceed the limits of the employee's liability insurance coverage, the City's policy would respond in an excess capacity if the accident qualifies as a covered occurrence.

## **XI. DRIVER'S LICENSE**

- A. All employees authorized to use City owned or privately owned vehicles while conducting City business must possess a valid

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<sup>2</sup> California Insurance Code, Section 11580.1b, sets the minimum liability insurance requirements for private passenger vehicles: \$15,000 for injury/death to one person, \$30,000 for injury/death to more than one person, \$5,000 for damage to property.

California driver's license and provide proof of licensing upon hire. Anyone operating a for-ire vessel must be in possession of an appropriate merchant mariner credential issued by the U.S. Coast Guard.

- B. All employees must maintain a valid license appropriate for the class of vehicle to be driven or operated.
- C. An employee whose driver's license is suspended or revoked for any reason must notify their Department Head no later than the first workday following suspension or revocation of their driver's license. Such an employee shall not be allowed to operate any City owned vehicles or privately owned vehicles on City business, while the license is suspended or revoked.
- D. Employees who possess temporary driving permits or hardship licenses shall not be permitted to operate City or privately owned vehicles on City business.

## **XII. REVIEW OF DRIVING RECORD**

- A. The City shall enroll employees that operate City owned or privately owned vehicles while conducting City business in the Department of Motor Vehicles (DMV) Pull Notice Program. If a vehicle operator enrolled in the program receives a driving violation, the DMV will assign points according to the type of violation, and automatically send notification to the City. Appendix A to this Policy contains a list of various violations and the number of points that will be attributed to a driver who is found to have engaged in said violation.
- B. In compliance with Vehicle Code Section 1808.47, all information received from the DMV shall be used solely for the intended purpose, and kept in locked storage.
- C. An employee may be regarded as having questionable capabilities based on a review of points assigned to him/her by the DMV in connection with citations and/or vehicular accidents. Any employee who has an accumulation of four or more points in a 12 month period, six or more points in a 24 month period or eight or more points in a 36 month period may have City driving privileges suspended at the discretion of the City Manager or his/her designee. The Personnel Officer or designee shall notify the City Manager when a driving record meets this threshold.
- D. An employee who has been determined to be involved in two or more preventable accidents within a 36 month period while operating a City owned or privately owned vehicle in the performance of official City business may be subject to disciplinary

action and/or have his/her City driving privileges suspended.

- E. Any conviction resulting from driving in the performance of official City business while under the influence of drugs or alcohol (DUI) or refusal to submit to a lawful roadside sobriety test will result in suspension of the employee's driving privileges and may result in disciplinary action, up to and including termination.
- F. Moving violations, reckless operation, or negligent actions while operating any vehicle in the performance of official City business may result in the suspension of the employee's driving privileges, and may be grounds for disciplinary action.
- G. Suspension or revocation of a driver's license for employees whose position requires operation of a vehicle may be considered a loss of the ability to perform an essential job function.

### **XIII. ACKNOWLEDGEMENT**

Upon receipt of this policy, each employee shall sign a form acknowledging that he/she is aware of this policy, including the legal issues arising out of the use of his/her privately owned vehicle while conducting City business.

### **XIV. REFERENCES**

Vehicle Code Sections 464, 1808.47, 12810, 16056, 27315

Insurance Code Section 11580.9

California Department of Boating and Waterways, Harbors and Navigation Codes

**EMPLOYEE ACKNOWLEDGEMENT OF VEHICLE USE POLICY**

This is to acknowledge that I have received a copy of the **City of Avalon Vehicle Use Policy** and that I have read the Policy and understand my rights and obligations under the Policy.

I understand that this Policy represents only current policies, procedures, rights and obligations and does not create a contract of employment. Regardless of what the Policy states or provides, the City retains the right to add, change or delete provisions of the Policy.

My signature below further signifies that I have read this Policy and that I accept and will abide by all of its provisions.

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PRINT FULL NAME

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SIGNED

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DATE

**Appendix A  
Common California Vehicle Code Violations  
Used In Negligent Operator Counts**

**Violation Point Assessment**

Violation points are assigned to Vehicle Code sections and any other code section, or city or county ordinance, involving the safe operation of a motor vehicle. Any violation occurring as a pedestrian or a bicyclist has no point assigned. The department may suspend and place on probation, or revoke, the driving privilege of a negligent operator.

Per Vehicle Code section 12810.5a, a Class C negligent operator has

- 4 or more points in 12 months,
- 6 in 24 months, or
- 8 in 36 months.

Although a Class A or B driver without a special certificate may be allowed 2 additional points, a violation received in a commercial vehicle carries 1 1/2 times the point count normally assessed (12810.5b VC). A minor, under 18 years of age, may receive a 30-day restriction for 2 points in 12 months, or be suspended for 3 points in 12 months (12814.6 VC).

**One Point Count California Vehicle Code Violations**

Section	Violation
2800	Disobedience to traffic officer
2800.1	Evading peace officer
2801	Disobedience to fire official
2803, 2803a, 2803b, 2803c	Unsafe vehicle load
2815	Disregarding non-student crossing guard
2816	Youth bus/children crossing highway
2817	Disregarding funeral escort officer
2818	Crossing safety flares/cones
14601.5	Driving, suspended/revoked for refusing test
14603	Violation of license restrictions
21100.3	Disregarding traffic officer's directions
21209, 21209a	Driving in bicycle lane
21367, 21367a, 21367b, 21367c	Disobedience to traffic signs/controller
21451, 21451a, 21451b	Illegal movement/green light/arrow
21452, 21452a	Illegal movement/yellow light/arrow
21453, 21453a, 21453b, 21453c	Illegal movement/red/light/arrow
21454, 21454a - d, 21455	Traffic signals
21457, 21457a, 21457b	Disobedience to flashing signals
21460a, 21460b	Double lines/one broken line
21460.5c	Use of two-way left turn lane
21461, 21461a, 21462	Disobedience to traffic control device

21650, 21650a - f	Keep right
21651, 21651a	Crossing divided highway
21652	Entering highway from service road
21654, 21654a, 21654b, 21655, 21655b	Lane use/slow moving vehicle
21655.8	High-occupancy vehicle lane/entering/exiting
21656 - 21662, 21662a, 21662b	Improper lane use
21663	Driving on sidewalk
21664	Freeway ramp/entering/exiting
21700	Load obstructing driver's view
21701	Interfering with driver's control of vehicle
21702, 21702a, 21702b	Driving hours limitation
21703, 21704, 21704a, 21705, 21706	Following too closely
21707	Driving in fire area
21709	Driving in safety zone
21711	Towed vehicle swerving
21712, 21712a, 21712d, 21712f, 21715, 21715a, 21715b	Unlawful riding/towing
21717	Turning across bicycle lane
21750 - 21757, 21758, 21759	Illegal passing
21800 - 21804, 21804a, 21804b	Right-of-way
21805, 21805b	Yielding right-of-way to horseback rider
21806, 21806a	Yielding right-of-way to emergency vehicle
21807	Unsafe operation of emergency vehicle
21950, 21950a, 21951, 21952	Yielding right-of-way to pedestrian
21954, 21954b	Due care for pedestrian on roadway
21960a	Prohibited use of freeway
21963	Yielding right-of-way to blind pedestrian
22100 - 22105	Turning and U-turns
22106	Unsafe staring/backing of vehicle
22107 - 22111, 22111a, 22111b, 22111c	Signaling turns and stops
22112, 22112a	School bus signaling
22348, 22348a, 22348c	Speed/use of designated lanes
22349, 22349.5	Maximum speed
22350, 22351, 22352, 22352a, 22352b	Basic/prima facie speed limit
22354, 22355	Exceeding posted/freeway speed limit
22356, 22356b	Maximum speed 70 mph
22357, 22358.4	Speed in excess of local limits
22359, 22360, 22361	Speed in excess of local limits
22362	Speed/construction zone
22363	Restricted speed/weather conditions
22364	Speed/traffic lanes



22400, 22400a, 22400b	Driving too slow
22405, 22405a	Speed/bridge/tunnel
22406, 22407	Maximum designated vehicle speed
22409, 22410	Speed/solid/metal tires
22413	Speed limit on grades
22450, 22451, 22452, 22452a, 22452b	Stop required/railroad crossing
22454	Stop for school bus
23109, 23109b, 23109d	Speed contest/aiding or abetting
23116, 23116a	Transporting person in truck load space
23127	Driving on trails and paths
23220	Drinking while driving
23222, 23222a, 23222b	Marijuana or open container/driving
23235	Ignition interlock verification
23244, 23244b	Defeating ignition interlock device
23253	Disobedience to toll highway officer
23270, 23270a	Unauthorized towing
23330, 23330c	Width/load of vehicle at crossing
23336	Disobedience to sign/vehicle crossing
24002, 24002a, 24002b	Unsafe/unlawfully equipped vehicle
24004	Operation after notice by officer
24250	Lighting equipment
24409, 24409a, 24409b	Failure to dim lights
24604	Lamps/flag for extended load
25103, 25103a, 25103b	Lamps on projecting load
26301, 26302, 26302a, 26302b, 26302c	Brakes
26303, 26304, 26304a, 26304b	Brakes/combination vehicles
26307	Forklift truck brakes
26311, 26311a, 26311b, 26311c	All wheel service brakes
26456, 26457	Brakes/stopping distance
26458, 26458a, 26458.5	Braking system/towing vehicles
26502a	Adjustment/use of air brakes
26503 - 26506, 26506a, 26507	Airbrake system
26508, 26508a - c, 26508e - k, 26508o	Emergency stopping system
26520, 26521, 26522	Vacuum brakes
27360, 27360a - c, 27360.5, 27360a - c	Child Passenger restraint
27363, 27363b	Child seat belt
27800, 27801, 27801a, 27801b	Motorcycle/passengers and equipment
29001, 29002	Fifth wheel connecting/locking device
29003a, 29003b, 29003c	Hitch and coupling device
29004, 29004a - c, 29006, 29006a	Towed vehicle coupling
29201	Pole dolly/load and length
31301, 31301a	Caldecott tunnel restrictions
31303, 31303b, 31303c, 31303e	Hazardous waste transportation

31402	Farm labor vehicle/unsafe operation
31540, 31504b	Removable containers/regulations
31614, 31614a, 3164b, 31614d - f 31614h, 31614i	Explosives transportation
32104, 32104a, 32104b, 32105, 32105a, 32105c-e	Inhalation hazard transportation
32106, 32106a - d	Inhalation hazard transportation
34102	Tank vehicle regulations
34501.2, 34501a, 34501c	Driving hours limitations
34506, 34506a - g	Driving hours, equipment, maintenance, operation
34506.3	Safety regulation violation
34509, 34509c, 34509d	Vanpool vehicle maintenance inspection
35784, 35784a, 35784b	Violation of special permit
35784.5, 35784a, 35784b	Extralegal load/weight
36400	Lift-carrier/speed
36705	Bale wagon load width during darkness

### Two Point Count California Vehicle Code Violations

Section	Violation
2800.2, 2800.3	Evading peace officer/reckless driving
14601, 14601a, 14601 b, 14601.1- 14601.4	Driving while suspended/revoked
20001, 20001a 20002, 20002a, 20002b	Hit and run/injury/property damage
21651b	Driving wrong side/divided highway
22348b	Speed over 100 MPH
23103, 23103a, 23103 b	Reckless driving
23104, 23104a	Reckless driving/causing bodily injury
23109a, 23109c	Speed contest /exhibition of speed
23140, 23140a, 23140b	Minor driving with BAC of 0.05% or more
23152, 23152a-d	DUI/alcoholic beverage or drugs
23153, 23153a-d	DUI/causing bodily injury or death
31602, 31602a, 31602b, 31602c	Explosives transportation

### Other Common California Code Violations Used In Negligent Operator Count

Section	Code	Violation	Points
49307 or 12059	Education	Disobedience to school safety patrol	1
191.5a, 192c1-192c4, 192.3c, 192.3d	Penal	Vehicular manslaughter with gross negligence	2
192c, 192.3, 192.3a, 192.3b	Penal	Vehicular manslaughter without gross negligence	1
27176	Streets and highways	Speeding on Golden Gate Bridge	1

### One Point Count Out of State Violations

Section	Violation	Section	Violation
01	Speed/too fast or over speed limit	34	Entering/exiting from thoroughfare
03	Speed/too slow or failure to turn out	40	Illegally modified vehicle
04	Passing/illegal, improper or unsafe	45	Explosives transportation
05	Following too close	51	Equipment/unsafe, illegal or defective
06	Failure to yield right-of-way	58	Driving while impaired
07	Illegal/unsafe use or change of lanes	61	Child passenger seat restraint
08	Turns/illegal or unsafe	67	Defective headlights
09	Signaling/improper or no signal	69	Following emergency vehicle unlawfully
10	Failure to obey traffic control device	70	Using vehicle for felony/aiding or abetting
11	Crossing double lines/markers/dividers	72	Erratic driving/suddenly changing speeds
12	Wrong way on one-way street	73	Fleeing scene or evading arrest by turning lights off
13	Brakes	74	Unsafe operation of a vehicle
14	Lights	75	Driving off road/on shoulder/on sidewalk
21	Violation of restricted license	77	No required equipment/using prohibited equipment
26	Negligent/careless/inattentive driving	86	Felony involving commercial vehicle
27	Starting or backing/illegal or unsafe	87	Felony controlled substance/commercial vehicle
28	Driving in a prohibited area	88	Speeding 15 mph plus/commercial vehicle
30	Disobedience of lawful order	91	Illegal lane change/commercial vehicle
31	Towing/improper, unsafe or	92	Following too

	illegal		closely/commercial vehicle
32	Obstructing driver's view or interfering	93	Fatal accident violation/commercial vehicle
33	Unlawful riding on motor vehicle		

**Two Point Count Out of State Violations**

Section	Violation	Section	Violation
02	Speed contest/aiding or abetting	38	DUI/dangerous drugs not narcotics
15	Reckless driving	46	Manslaughter without gross negligence
16	Reckless driving/injury	47	Manslaughter with gross negligence
17	Drunk driving	81	DUI/BAC 0.04% or more/commercial vehicle
18	Drunk driving/injury	82	DUI/commercial vehicle
19	Hit and run	84	DUI/controlled substance/commercial vehicle
20	Driving while suspended or revoked	85	Hit and run/commercial vehicle
37	DUI/narcotics	89-90	Reckless driving/commercial vehicle

**Code of Federal Regulations Violations**

Section	Violation	Points
36423 or 36FR46	DUI/alcoholic beverage or any drug	2