



SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

**SUBJECT: EXPIRED REGISTRATION
VERIFICATION**

DATE: June 26, 2023

Bulletin #2023-021

Senate Bill (SB) 1359, which was passed in 2022 and put into effect on January 1, 2023, requires law enforcement officers or personnel authorized to enforce parking laws and regulations to verify the vehicle registration status of a motor vehicle prior to issuing a citation for failure to display current month and year registration tags.

Section 5204 of the California Vehicle Code states:

- (a) Except as provided by subdivisions (b) and (c), a tab shall indicate the year of expiration and a tab shall indicate the month of expiration. Current month and year tabs shall be attached to the rear license plate assigned to the vehicle for the last preceding registration year in which license plates were issued, and, when so attached, the license plate with the tabs shall, for the purposes of this code, be deemed to be the license plate, except that truck tractors, and commercial motor vehicles having a declared gross vehicle weight of 10,001 pounds or more, shall display the current month and year tabs upon the front license plate assigned to the truck tractor or commercial motor vehicle. Vehicles that fail to display current month and year tabs or display expired tabs are in violation of this section.
- (b) The requirement of subdivision (a) that the tabs indicate the year and the month of expiration does not apply to fleet vehicles subject to Article 9.5 (commencing with Section 5301) or vehicles defined in Section 468.
- (c) Subdivision (a) does not apply when proper application for registration has been made pursuant to Section 4602 and the new indicia of current registration have not been received from the department.
- (d) This section is enforceable against any motor vehicle that is driven, moved, or left standing upon a highway, or in an offstreet public parking facility, in the same manner as provided in subdivision (a) of Section 4000.
- (e) Prior to issuing a citation for a violation of this section, a law enforcement officer shall verify, using available department records, that no current registration exists for that vehicle. A citation shall not be issued for failure to comply with this section against any vehicle that has a current registration on file with the department.

Subsection (e) was added pursuant to the new legislation, requiring law enforcement officers to verify that the vehicle's registration is, in fact, expired prior to issuing a citation for that violation. It

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also prohibits officers from issuing a citation for violation of 5204 CVC if a records check shows that the registration is current.

The new law does not affect an officer's reasonable suspicion to conduct a traffic enforcement stop based on a visible violation of 5204 CVC. However, upon making a vehicle stop on a vehicle with no tags or expired tags, Department members will check the vehicle's registration in the DMV database and only issue a citation if the database indicates that the registration is expired. Department members will use this same procedure when citing a vehicle for expired registration on a parking violation citation per 40225 CVC.

A handwritten signature in black ink, appearing to read 'A. Mata', is positioned above the printed name and title.

Anthony Mata
Chief of Police

AM:PH