

CHAPTER 4
PASSENGER VEHICLES
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TABLE OF CONTENTS

<u>GENERAL</u>	4-3
Definition.....	4-3
Violations	4-3
<u>REGISTRATION REQUIREMENTS</u>	4-4
Registration Required Unless Exempted	4-4
Vehicles Owned by Nonresidents.....	4-5
Vehicles Owned by Military Personnel	4-7
<u>HOUSE CARS, MOTORTRUCKS, AND CAMPERS</u>	4-9
Definitions.....	4-9
Registration and Use	4-10

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CHAPTER 4
PASSENGER VEHICLES

1. GENERAL.

a. Definition. Passenger vehicle (PV) is defined in Section 465 of the California Vehicle Code (CVC).

b. Violations. The CVC contains numerous registration requirements. Some of the requirements which are violated most frequently in regard to a PV are listed in this chapter with explanations. The requirements may also apply to vehicles other than a PV.

(1) Section 4000(a)(1) California Vehicle Code. This section establishes two registration requirements. The vehicles specified must be properly registered and the appropriate fees must be paid. Failure to meet either requirement is a violation of this section. The driver or registered owner may be cited, unless directed otherwise in the section. The section applies to the following instances:

(a) No evidence of registration renewal is available for the vehicle at the time of the enforcement contact and the registration for the vehicle has expired. Additional information regarding evidence of registration is contained in Chapter 1, Policy, of this manual.

(b) The vehicle is unregistered or the registration has expired, and registration documents presented or license plates attached to the vehicle were issued for another vehicle (refer to Section 4462[b] CVC).

(c) The vehicle is operated in violation of restrictions specified on the Registration Permit.

(d) A vehicle normally entitled to a statutory registration exemption which is not operated in compliance with the restrictions specified in the exemption (refer to Chapter 6, Foreign Commercial Registration; Chapter 7, Special Vehicles; Chapter 8, Dealers, Manufacturers, Distributors, Transporters, and Dismantlers; and Chapter 9, Implements of Husbandry, of this manual).

(e) A vehicle is operated without evidence of registration.

(f) The vehicle is being operated and the only evidence of registration is a dealer's report of sale which is more than 90 days old (refer to Section 4456[c][2] CVC).

(2) Section 4454(a) California Vehicle Code. This section requires the registration card issued for a vehicle, or a facsimile copy thereof, be carried with the vehicle for which it was issued. This section only applies to the owner of the vehicle.

(a) This section is not applicable to vehicles registered in a foreign jurisdiction.

(b) This section is not applicable to registration cards issued with dealer, manufacturer, transporter, or dismantler plates. The appropriate enforcement Sections are 11516(c) or 11715(f) CVC.

(c) This section is not applicable when the registration card is removed for renewal, transfer of registration, or when a vehicle is left unattended.

2. REGISTRATION REQUIREMENTS.

a. Registration Required Unless Exempted. Vehicles described in Section 4000(a)(1) CVC which are parked or operated on a highway in this state, or in an off-street public parking facility, must obtain California registration unless specifically exempted by statute.

(1) An "off-street public parking facility" is defined as any publicly owned parking facility, and any privately-owned parking facility for which no fee for the privilege to park is charged, and which is held open for the common public use of retail customers.

(2) The provisions of Section 4000(a)(1) CVC do not apply to:

(a) Any motor vehicle (MV) stored in a privately owned off-street public parking facility by, or with the express permission of, the owner of the facility.

(b) Any off-highway vehicle which displays an ID plate or device issued for the vehicle by the Department of Motor Vehicles (DMV) when operated in compliance with Sections 38025 or 38026.5 CVC.

(c) A vehicle following the payment of fees due for registration while the registration is withheld by DMV pending the investigation of any use-tax due.

(d) A vehicle towed by a tow truck on the order of a sheriff, marshal, or other official acting pursuant to a court order or on the order of a peace officer.

(e) A vehicle repossessed pursuant to the terms of a security agreement (refer to Sections 4000[g] and 4022 CVC).

(f) A low-speed vehicle, as defined in Section 385.5 CVC, operated pursuant to Sections 21115 or 21115.1 CVC.

b. Any vehicle owned by a California resident must be properly registered unless one or more of the following exemptions apply:

(1) Permits. Vehicles moved with special permits issued by DMV are exempt from registration provided the operation is in conformance with the permit restrictions. Details concerning the use of permits are contained in Chapter 2, Evidence of California Registration, of this manual.

(2) Dealers, Manufacturers, Distributors, Transporters, and Dismantlers. Vehicles owned or lawfully possessed by a dealer or transporter are exempt from registration under certain conditions provided special plates issued by DMV are displayed. Details concerning the exemptions are contained in Chapter 8 of this manual.

(3) Load. Passenger vehicles transported as a load on a highway are exempt from registration provided no part of the vehicle is in contact with the highway.

(4) Special Exemptions. There are numerous vehicles that are exempt from registration but must display license plates or ID plates. Details concerning vehicles that qualify for special registration exemptions are contained in Chapters 7, 8, and 9 of this manual. Descriptions of special documents and license plates issued to such vehicles are contained in Chapter 2 of this manual.

(5) Publicly Owned Vehicles. Vehicles owned by the U.S. government, the State of California, or any city or county in this state are exempt from registration fees pursuant to Sections 9101 and 9103 CVC.

c. Vehicles Owned by Nonresidents. Nonresident owners of a PV are granted certain exemptions from California registration laws. Registration requirements and exemptions applicable to nonresident owners are as follows:

(1) Temporary Use. Any vehicle owned by a nonresident which is properly registered in the owner's home state may, subject to the following exceptions, be operated in this state without the payment of California fees provided the

vehicle displays valid license plates issued by the home state pursuant to Section 6700(a) CVC.

(a) Pursuant to Section 6700(c) CVC, payment of California registration fees is required if the nonresident owner rents, leases, or otherwise furnishes the vehicle to a California resident for regular use in this state. Regular use is defined in Section 4000.4(b) CVC.

(b) Gainful Employment. Any vehicle owned by a nonresident who accepts gainful employment within this state shall be registered in California within 20 days pursuant to Section 6700(a) CVC.

(c) Nonresident Daily Commuter. A nonresident who is gainfully employed in California, but whose place of employment is within 35 air miles of their home state, may obtain a Nonresident Daily Commuter Permit. A nonresident daily commuter may operate their vehicle in California for other lawful purposes (i.e., vacation or other nonbusiness purposes) without paying California registration fees (refer to Sections 6700.2 and 6700.25 CVC).

(2) Established Residence. Any nonresident who subsequently becomes a legal resident of California shall register their vehicle in California within 20 days pursuant to Section 6700(a) CVC.

(3) Place of Business. Any vehicle owned and regularly used in this state by a nonresident, including any foreign corporation having an established place of business within this state, shall be registered in this state pursuant to Section 6702 CVC. Black's Law Dictionary (Ninth Edition) defines place of business as, "A location at which one carries on a business." Place of employment is defined as, "The location at which work done in connection with a business is carried out; the place where some process or operation related to the business is conducted."

(4) Leased Vehicle. Any vehicle owned by a nonresident which is leased to a user having a residence or place of business within this state for use in this state is subject to California registration pursuant to Section 6853 CVC.

(5) Nonresident Violations. Some typical examples of registration violations by nonresident owners are as follows:

(a) The registration in the other state has expired and was not renewed within the statutory grace period specified for that state.

(b) The vehicle is not registered in the current owner's name, or the current owner was not a legal resident of the other state at the time the vehicle was registered in that state.

(c) The nonresident owner, after establishing legal residence or accepting gainful employment in this state, renews the vehicle's registration in the other state or fails to register the vehicle as required in Section 6700(a) CVC.

(d) A corporation with an established place of business in California, but whose headquarters are located in another state, registers the California-operated vehicles in the state of the company's headquarters.

(e) A vehicle owned by a nonresident business or leasing company is leased to a California resident for use in this state.

(f) The nonresident student accepts employment or borrows a vehicle from a nonresident owner for primary use in this state.

(g) The nonresident owner uses the foreign-registered vehicle to drive for a Transportation Network Company (e.g., Uber, Lyft). Use of any vehicle in this manner defines the vehicle as a commercial vehicle (CV) for registration purposes (refer to Section 260 CVC).

(6) Dual Registration. Occasionally, the registration laws of another state may require registration of a vehicle which is also required to be registered in California. In such cases, the vehicle may display license plates from more than one state. Dual or interstate registration is a legal option available to owners of such vehicles, and the display of more than one valid license plate is not a violation.

d. Vehicles Owned by Military Personnel. Pursuant to Sections 6701 and 6703 CVC, vehicle owners who are members of the armed forces and their spouses are entitled to certain exemptions from California registration. Those exemptions are outlined as follows:

(1) Nonresidents. Any vehicle owned by a nonresident who is a member or spouse of a member of the armed forces of the U.S. on active duty within this state may be operated within this state without the payment of California registration fees, provided the vehicle displays valid license plates issued by the home state of the owner or the jurisdiction where last assigned. The armed forces are defined as the Army, Navy, Marine Corps, Coast Guard, Air Force, and Space Force.

NOTE: Armed Services and Department of Defense civilian contractors are not exempt from California registration (e.g., personnel working for a federal prison, on orders as a healthcare professional).

(2) Residents. Any vehicle owned by a resident who is a member or the spouse of a member of the armed forces returning from active duty in a foreign state is exempt from California registration provided the vehicle displays a valid license plate issued by the foreign jurisdiction in which the owner was regularly assigned at the time the license plate was issued. Such exemption shall extend only until the foreign registration expires. At that time, registration in California is required. Renewing the registration in the foreign jurisdiction is a violation of Section 8804 CVC.

(3) Operation After Discharge. Any person, whether a resident or nonresident, who enters California following discharge from the armed forces for the purpose of establishing or reestablishing residency or accepting gainful employment in this state is subject to the provisions of Section 6700 CVC.

(4) Military Registration Exemption Violations. California registration is required for any vehicle not in compliance with conditions described in Section 6701 CVC. Some typical examples of registration violations by owners who are members of the armed forces are as follows:

(a) The nonresident owner, while on active duty within this state, fails to renew the vehicle registration prior to the end of the grace period for the state or country in which registered.

(b) The registration was obtained from a state or country where the owner was temporarily assigned, unless the temporary assignment was in the owner's home state.

(c) The registration was obtained from a state or country where the owner was previously assigned but application for such registration was made after the owner had been transferred and assigned to another state or country.

(d) The nonresident owner, while on active duty within this state, becomes a California resident and thereafter renews the vehicle registration in the other state (refer to paragraph 2.d.[2]).

(e) The nonresident owner, while on active duty within this state, registers the vehicle in another state in which they are not eligible to register the vehicle. For example, a legal resident of Texas, while assigned in California, registers their vehicle in Oregon.

(f) The nonresident owner, while on active duty and upon return to the U.S. following an assignment overseas, purchases and registers a vehicle in a state other than that which they claim as their residence or the state to which assigned upon return.

(g) The resident or nonresident owner, while on active duty within this state, uses their CV in conjunction with a business and receives compensation.

3. HOUSE CARS, MOTORTRUCKS, AND CAMPERS.

a. Definitions.

(1) House Car. Section 362 CVC states, "A 'house car' is a motor vehicle originally designed, or permanently altered, and equipped for human habitation, or to which a camper has been permanently attached. A motor vehicle to which a camper has been temporarily attached is not a house car except that, for the purposes of Division 11 (commencing with Section 21000) and Division 12 (commencing with Section 24000), a motor vehicle equipped with a camper having an axle that is designed to support a portion of the weight of the camper unit shall be considered a three-axle house car regardless of the method of attachment or manner of registration. A house car shall not be deemed to be a motortruck."

(2) Motortruck. A motortruck, defined in Section 410 CVC, is a MV designed, used, or maintained primarily for the transportation of property. A pickup truck, as defined in Section 471 CVC, is included in the definition of a motortruck.

(a) Permanent Attachment. The permanent attachment of a camper to a motortruck within the meaning of Section 362 CVC is determined by DMV based upon a Statement of Facts by the owner and means the owner placed the camper on the motortruck with the intention of leaving it attached.

(b) Temporary Attachment. Temporary attachment means that the owner placed the camper on the motortruck, intending to remove it occasionally.

(3) Camper. Section 243 CVC states, "A 'camper' is a structure designed to be mounted upon a motor vehicle and to provide facilities for human habitation or camping purposes. A camper having one axle shall not be considered a vehicle."

(a) Camper Shell. A shell-type cover is a “camper” within the meaning of Section 243 CVC since it can provide facilities for “camping purposes.” Tonneau covers are not camper shells.

(b) Single Axle. A structure with a single axle attached is not a camper within the meaning of Section 243 CVC if its design or size precludes it from being mounted upon the MV with which it is being used.

(c) Mounted Upon. To be mounted “upon a motor vehicle” within the meaning of Section 243 CVC, a structure must be of a design which would permit its total weight to be supported by the MV independent of any axle attached permanently or temporarily to the structure. The purpose of attaching a single axle to a camper is to stabilize the load of the camper upon the MV and not primarily to support its weight.

(d) Classification May Vary. A determination of whether a structure is mounted upon a MV will vary as the size and design of the MV and structure varies. For example, a one-axle structure used with a compact/small motortruck may be so large it cannot be mounted upon the vehicle and the structure would be classified as a specified recreational trailer. The same structure mounted on a three-quarter-ton motortruck may be classified as a camper because the MV is large enough to support its size.

(e) Structure Design Attachment. To be classified as a “camper,” the design of the structure must be such that the MV can support the entire camper, if necessary. Otherwise, the structure must be classified as a recreational trailer. The method of attachment of a recreational trailer to a MV does not alter its classification (i.e., It could be attached or connected by a conventional ball-type trailer hitch, a fifth wheel connection, or, as in the case of some structures, with a special pintle and receiver connection).

b. Registration and Use.

(1) Registration of Motortrucks with Campers Attached. A motortruck, to which a camper has been attached, must be registered either as a house car or as a CV. The classification of the vehicle is determined by DMV based on the criteria contained in this chapter.

(a) Permanent Attachment. If the camper is permanently attached to the motortruck, the owner may elect to register the vehicle either as a house car or as a CV. When the vehicle is registered as a house car, passenger car plates are issued and the registration card indicates the house car classification. Vehicle license fees are paid on the value of the camper as well as the motortruck. Weight fees are not paid. If the vehicle is

registered as a CV, commercial plates are issued, and the registration card indicates the classification as motortruck or pickup truck.

(b) Temporary Attachment. If the camper is temporarily attached, the motortruck is a CV and commercial registration is required. Commercial license plates are issued.

(c) Reclassification. A motortruck with camper attached which has been registered as a house car is subject to reclassification to CV status and payment of weight fees if the camper has been removed. The vehicle must be reclassified regardless of whether it is operated laden or unladen.

NOTE: Sound, professional judgement shall be used when encountering a motortruck registered as a house car with the camper unit removed for painting, repairs, or other purpose not related to the transportation of a load. The spare tire and jack are not to be considered a load.

(d) One-Axle Campers. A motortruck and one-axle camper are properly registered as a single unit with "house car" classification only when the camper structure can be mounted upon the MV. When the structure is of a size which precludes mounting it upon the MV, the motortruck must be registered as a CV and the one-axle structure as a recreational trailer.

(2) Use. A motortruck with a camper (including shell-type) attached, registered as a house car, may transport any property or tow any other vehicle without weight fees becoming due so long as the camper structure remains attached to the MV.

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