

MEMORANDUM OF LAW

DATE: April 26, 1989

TO: Raymond Trippi, Parking Enforcement
Supervisor

FROM: City Attorney

SUBJECT: Repeal of California Vehicle Code Section 41103

By way of telephone inquiry on April 20, 1989, you requested this office to investigate whether recent changes in the Vehicle Code necessitated a revision in the citation form currently used for parking violations (Form TR-1505). Specifically, you inquired as to the legal accuracy of the following clause which appears on the traffic citation form: "I declare under penalty of perjury that the foregoing is true and correct and that a copy of this citation was attached to the above described vehicle in accordance with Section 41103 of the California Vehicle Code." (Emphasis added.)

You stated your belief that Vehicle Code section 41103 had been repealed. Your observation is accurate. In 1986, Assembly Bill Number 942 was approved by the governor (1986 Cal. Stat. ch. 939). This bill provided for the repeal of sections 41103, 41103.2 and 41103.5 of the Vehicle Code, relating to parking violations. In place thereof, sections 40200 et seq., were added to Chapter One (1) of Division Seventeen (17) of the Vehicle Code.

Vehicle Code section 40202 replaces section 41103, and this change should be reflected on the citation form by replacing the repealed section number with the current number.

JOHN W. WITT, City Attorney

By

Richard L. Pinckard

Deputy City Attorney

JMB:mk:520.1(x043.2)

cc Vykki MendeGray,
City Treasurer's Office

ML-89-40