

1 May 2017

To whom it may concern,

- AB1785 (2016) became law 1 January 2017 as CVC 23123.5.
- Since its effective date CVC 23123.5 has been perceived as ambiguous, received several law enforcement interpretations that are contrary to the Author's 'intent'.
 - It is believed that the law as it is could preclude Federal- and State-mandated two-way radio communications relative to at least the transportation of hazardous materials and minors.
- On 2 February 2017 an advocacy group began a petition requesting clarification of the resulting law.
- On 12 March 2017 a petition was submitted on behalf of the Author's constituents requesting consistency and clarification.
- Several contributions to clarifications and edits have been submitted by the affected public.
- At the request of the Author, the California Highway Patrol issued an "enforcement memo" providing due clarification as to the types of devices not to be enforced under CVC 23123.5.
- On 17 April 2017 the Author posted a minor edit as AB1222 (2017) removing only a few minor wording issues, and not addressing or including the requested and provided CHP clarification.
- AB1222 did not receive any official opposition in time for discussion in the Transportation Committee hearing on 24 April 2017, and passes to the Assembly for vote.
- The current version of AB1222 simply must be reconsidered, referred back to the Transportation Committee, or revised at the Senate level to reflect both the intent of the Author and the exemption information provided by California's leading law enforcement agency.

Under the current ambiguities many Californians and visitors are at risk for a violation that is obviously neither intended nor warranted by any means. This law simply MUST be revised appropriately. To disregard the ambiguities and the expertise of the CHP is not acceptable.

We encourage all California voters to convey this information to their respective Assembly and Senate representatives toward respecting the innocent public affected by this law, and the CHP statements on this issue.

Toward this effort, we present the current AB1222 in-progress, comments and suggested edits toward an appropriate piece of legislation and law.