



Because nobody should be cheated.™

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July 19, 2016

Governor Jerry Brown
c/o State Capitol, Suite 1173
Sacramento, CA 95814

Re: AB 516

Dear Governor Brown,

As an attorney who has been representing car buyers in California for almost 15 year and a supporter of yours since you spoke at Stork Plaza on the campus of UCSB while running for President in 1992, I urge you to veto AB 516.

My understanding is that the impetuous for this bill was because people who buy new cars are failing to put their license plates on their cars and using tolls roads and thus cannot be tracked down. While AB 516 may attempt to address this issue, it does so at the expense of innocent car buyers caught in the crosshairs of this law when they buy used cars from a car dealer and that car dealer fails to register the car in their names. Over my 15 years of practice in California I have represented numerous individuals caught in this vise. Some of these clients have gone over a year without title to their vehicles. I've listened to them speak of the fear of getting pulled over, their car getting impounded, and worst of all them getting arrested, because the car dealer did not do what it was supposed to do – transfer title of the vehicle to the person who paid them for it. I could understand a law that penalized the car buyers for not registering their vehicles if they were the ones who were required to take the paperwork to the DMV to register and transfer title to the car. But, that is not the way the process works. The car buyers pay the car dealers to transfer title to the vehicle to them. Why should the car buyer be punished for something the car dealers are supposed to and are paid to do?

I understand that some legislators and your staff believe that consumers will not be harmed, because the ticket given to consumers will be a “fix it” ticket. However, this is not true. Consumers will have to spend time out of their days, missing work, to “fix” the ticket. Further, what happens to the consumer if the ticket cannot be “fixed,” because the dealership cannot or refuses to transfer title to the vehicle to the buyer? As I mentioned before, I have had a number of clients in which they had not received title to their vehicle over a year after they purchased it. I also recently settled a case against a

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local San Diego dealership who was selling cars to local Navy service members when he did not have title. This dealership went out of business and at least six Navy service members did not have title to their cars. The dealership which did have title to the cars started calling the service members and telling him he would transfer title to the cars for a "price." Resolving this case took well over a year. All the while, our clients had cars that were not registered in their names. I fear that if members of our armed forces were to get "fix" it tickets that they had to "fix" on their own, or that they were not able to "fix," this could get them in trouble with their command, and affect their ability to protect and serve our country.

There is an easy way to fix this problem. Don't allow car dealers to sell cars until they have registered them and have title to them in their name. However, they don't want to do this, because they don't want to wait before they can sell the cars. If you are going to allow car dealers to sell cars they don't have title to yet, then you can't punish the people who buy them. It is time that we stop pushing the liability of what car dealers are required to do to car buyers.

For all of these reasons, please veto AB 516 and keep the responsibility and liability on the people who are required by law and who are paid to transfer and register the cars they sell – the car dealers. Thank you.

Very truly yours,



Gregory T. Babbitt