

California Driver's License, Registration, & Smog Check

State Registration Requirements

Out-of-state vehicle registration will be recognized by California for those nonresident service members who have registered their vehicles in their state of domicile (home state) or in a state in which they were stationed at the time of registration. When either registration expires, it must be renewed, either in the service member's home state or in California. This big decision may be based upon comparing costs with those of your home state.

The registration fees total \$35 in California and for vehicles purchased out-of-state, the fees are about \$47. In addition there is a licensing fee equal to 2% of the market value of the vehicle. The Department of Motor Vehicles (DMV) determines the market value based on when you acquired the vehicle and the price paid. The DMV in Seaside has accepted the price you provide as long as it is realistic, and then allow for depreciation. California residents must annually register and pay these fees for the vehicles they operate a vehicle in California.

If nonresident service members prefer to register their vehicles in California, they will have to pay the registration fee, but are exempt from the 2% licensing fee. Charging such a fee to nonresident service members violates the Service Members Civil Relief Act. Avoid the 2% fee by completing the Military Exemption forms which are available at <http://www.dmv.ca.gov/forms/reg/reg5045.pdf> . This exemption does not apply to any of the service member's family unless the vehicle is jointly owned and registered with the military spouse. If the vehicle is solely in the family members' name when the vehicle entered California, you have lost the exemption for the first year. You can regain it for the second year by transferring the vehicle to joint ownership prior to the second year's re-registration. Even without the special military exemption, family members may not have to register their individually owned vehicles until 20 days after accepting employment or "residency" is established.

Driver Licenses

A nonresident service member over the age of 18 who has a valid driver's license from their home state need not obtain a California license. This law also applies to military dependents over the age of 18 unless they become a "resident". A lot of myths surround the requirement of family members to get a license, and many have needlessly forfeited their valid out-of-state license to obtain a California one. It is a common misconception that you must get a license 10 days after entering California. The statues read 10 days after becoming a resident. Merely living here temporarily with a military spouse does not make you a resident for driver's licensing purposes. If an unknowing police officer is going to ticket you, politely show the officer your dependent I.D. card and explain you circumstances. If that doesn't work, aggressively prove your lack of intent to establish residency in traffic court after consulting with a Legal Assistance Attorney.

Smog Certificate

You need to obtain a smog inspection for your vehicle if it is registered in California or you are selling it in California.