

**ASSEMBLY BILL**

**No. 1546**

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**Introduced by Assembly Member Simitian**

February 21, 2003

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An act to add Chapter 2.65 (commencing with Section 65089.11) to Division 1 of Title 7 of the Government Code, and to add Section 9250.5 to the Vehicle Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1546, as introduced, Simitian. San Mateo County: vehicle fee for congestion and storm water management programs.

Existing law provides for the imposition by air districts and other local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to basic vehicle registration fee collected by the Department of Motor Vehicles.

This bill would authorize the City/County Association of Governments of San Mateo County to impose an annual fee of up to \$4 on motor vehicles registered within San Mateo County for a program for the management of traffic congestion and storm water pollution within that county. The bill would require a program with performance measures and a budget before the fee may be imposed. The bill would require the Department of Motor Vehicles to collect the fee and distribute the proceeds, after deduction of specified administrative costs, to the association. The fee would terminate on an unspecified date.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 2.65 (commencing with Section  
2 65089.11) is added to Division 1 of the Government Code, to read:

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4 CHAPTER 2.65. MANAGEMENT OF TRAFFIC CONGESTION AND  
5 STORM WATER POLLUTION IN SAN MATEO COUNTY

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7 65089.11. (a) The City/County Association of Governments  
8 of San Mateo County, which has been formed by the resolutions  
9 of a majority of the city councils and the board of supervisors  
10 within San Mateo County, and which represents a majority of the  
11 population in the incorporated area of San Mateo County, may  
12 impose a fee of up to four dollars (\$4) on motor vehicles registered  
13 within San Mateo County. The City/County Association of  
14 Governments of San Mateo County may impose the fee only if the  
15 board of the association adopts a resolution providing for both the  
16 fee and a corresponding program for the management of traffic  
17 congestion and storm water pollution within San Mateo County as  
18 set forth in Sections 65089.12 and 65089.13.

19 (b) A fee imposed pursuant to this section shall become  
20 effective on the date specified in the resolution adopted by the  
21 board pursuant to subdivision (a).

22 (c) The fee shall terminate on \_\_\_\_ unless reauthorized by the  
23 Legislature.

24 65089.12. (a) The fees distributed to the City/County  
25 Association of Governments of San Mateo County pursuant to  
26 Section 9250.16 of the Vehicle Code shall be used for purposes of  
27 congestion management and storm water pollution prevention as  
28 specified in its adopted congestion management program,  
29 pursuant to Section 65089, and its approved National Pollutant  
30 Discharge Elimination System permit issued pursuant to the  
31 federal Clean Water Act (33 U.S.C. Sec. 1251 et seq.).

32 (b) Not more than 5 percent of the fees distributed to the  
33 City/County Association of Governments of San Mateo County  
34 shall be used by the association for its administrative costs  
35 associated with the program.

36 65089.13. Prior to the imposition of the fee by the  
37 City/County Association of Governments of San Mateo County,  
38 a specific program with performance measures and a budget shall



1 first be developed and adopted by the association at a noticed  
2 public hearing.

3 SEC. 2. Section 9250.5 is added to the Vehicle Code, to read:

4 9250.5. (a) The department shall, if requested by the  
5 City/County Association of Governments of San Mateo County,  
6 collect the fee imposed pursuant to Section 65089.11 of the  
7 Government Code upon the registration or renewal of registration  
8 of any motor vehicle registered in the county, except those vehicles  
9 that are expressly exempted under this code from the payment of  
10 registration fees.

11 (b) After deducting all costs incurred pursuant to this section,  
12 the department shall distribute the revenues to the City/County  
13 Association of Governments of San Mateo County.

14 (c) The department may annually expend for its administrative  
15 costs not more than the following percentages of the fees collected  
16 pursuant to subdivision (a):

- 17 (1) During the first year after the fee is imposed, 5 percent.
- 18 (2) During the second year after the fee is imposed, 3 percent.
- 19 (3) During any subsequent year, 1 percent.

