

**Introduced by Senator Simitian**February 24, 2006

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An act to add Section 9250.6 to the Vehicle Code, relating to vehicles.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1611, as introduced, Simitian. Congestion management fees.

Existing law provides for creation of congestion management agencies in various counties with specified powers and duties relative to management of transportation congestion. Existing law provides for the imposition by air districts and certain other local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles.

This bill would authorize a congestion management agency to impose an annual fee of up to \$20 on each motor vehicle registered within the county for transportation projects and programs with a relationship or benefit to the persons paying the fee. The bill would require a specific transportation program with performance measures and a budget to be adopted before the fee is imposed. The bill would require the resolution imposing the fee to incorporate the specific transportation program to be funded by the fee and specified findings of fact. The bill would require the resolution to be adopted by a 2/3 vote of the governing board. The bill would require the agency to have an independent audit conducted annually on the program and to provide a specified report to the Legislature. The bill would require the Department of Motor Vehicles, if requested, to collect the fee and distribute the proceeds, after deduction of specified administrative costs, to the agency, and would enact other related provisions.

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. Section 9250.6 is added to the Vehicle Code, to  
2 read:  
3 9250.6. (a) A county congestion management agency created  
4 pursuant to Chapter 2.6 (commencing with Section 65088) of  
5 Division 1 of Title 7 of the Government Code may, impose an  
6 annual fee of up to twenty dollars (\$20) on each motor vehicle  
7 registered in the county, with the net revenues to be used for  
8 transportation-related programs that have a relationship or benefit  
9 to the persons that pay the fee, including the provision of  
10 required matching funds for funding made available for  
11 transportation from state general obligation bonds. The agency  
12 may impose the fee only if the governing board adopts a  
13 resolution providing both for the fee and the specific  
14 transportation program in subdivision (b). The resolution shall  
15 also contain a finding of fact that the projects and programs to be  
16 funded by the fee have a relationship or benefit to the persons  
17 who will be paying the fee. Adoption of the fee, the program, and  
18 the finding of fact shall all require a two-thirds vote of the  
19 governing board at a noticed public hearing.  
20 (b) Prior to imposition of the fee, the governing board shall  
21 adopt a specific program for expenditure of fee revenues, with  
22 performance measures and a budget. The program shall be  
23 adopted by the governing board at a noticed public hearing.  
24 (c) The congestion management agency shall arrange for an  
25 independent audit to be conducted annually on the specific  
26 program adopted pursuant to subdivision (b), with the auditor’s  
27 review and report to be provided annually to the governing board  
28 at a noticed public hearing.  
29 (d) The congestion management agency shall provide a report  
30 to the Legislature on the specific program adopted pursuant to  
31 subdivision (b). The report shall include, but need not be limited  
32 to, an evaluation of the impact and performance improvements  
33 funded by the fee and the cost effectiveness of the program.  
34 (e) The department shall, if requested by a congestion  
35 management agency, collect the fee imposed pursuant to this

1 section upon the registration or renewal of registration of any  
2 motor vehicle registered in the county, except those vehicles that  
3 are expressly exempt under this code from the payment of  
4 registration fees. The agency shall pay for the initial setup and  
5 programming costs identified by the department through a direct  
6 contract with the department. Any direct contract payment shall  
7 be repaid, with no restriction on the use of funds, to the agency as  
8 part of the initial net revenues distributed. After deducting all  
9 nonreimbursed costs incurred by the department pursuant to this  
10 section, the department shall distribute the net revenues to the  
11 agency.

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