

AMENDED IN ASSEMBLY AUGUST 20, 2010

AMENDED IN ASSEMBLY AUGUST 2, 2010

AMENDED IN SENATE MAY 13, 2010

AMENDED IN SENATE APRIL 26, 2010

AMENDED IN SENATE APRIL 13, 2010

AMENDED IN SENATE MARCH 24, 2010

**SENATE BILL**

**No. 1445**

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**Introduced by Senator DeSaulnier**  
*(Coauthor: Assembly Member Ma)*

February 19, 2010

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~~An act to amend Section 65040.6 of, and to add and repeal Section 65080.6 of, the Government Code, to amend Section 75125 of the Public Resources Code, and to add and repeal Section 9250.20 of the Vehicle Code, relating to planning. An act to add Section 65083 to, and to repeal and add Section 65040.6 of, the Government Code, and to amend Section 9250.17 of the Vehicle Code, relating to land use and planning.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1445, as amended, DeSaulnier. ~~Planning~~—*Land use and planning: environmental quality.*

*(1) The Planning and Zoning Law establishes the Planning Advisory and Assistance Council in the Office of Planning and Research, and prescribes the membership and duties of the council.*

*This bill would modify the membership of the council, establish new processes for selecting specified members of the council, and prescribe*

*new duties of the council relating to the reduction of greenhouse gas emissions.*

*(2) The Planning and Zoning Law also requires certain transportation planning activities by regional transportation planning agencies designated by the Director of Transportation, including the development of a regional transportation plan. That law requires the regional transportation plan to include, among other items, a sustainable communities strategy, to be prepared as specified.*

*This bill would authorize a metropolitan planning organization, a council of governments, or a county transportation commission, and a subregional council of governments jointly preparing a subregional sustainable communities strategy, singularly titled an “authority” and collectively titled the “authorities,” to levy a mitigation fee of up to \$4 upon the registration or renewal of registration of any motor vehicle registered in a county or city and county within the jurisdiction of the authority, upon receiving voter approval to implement and impose the fee from a majority of the aggregate voters in all counties and cities and counties within the jurisdiction of the authority. Notwithstanding this authorization, the bill would prohibit a council of governments within the Association of Bay Area Governments that only represents a portion of the region from levying the fee.*

*The bill would require an authority seeking to implement and impose the fee to adopt a measure containing specified findings of fact, and, upon the authority’s adoption of the measure and its written request to the counties and cities and counties within its jurisdiction, the board of supervisors of each of those counties and cities and counties to submit to the voters, at a local election consolidated with a statewide primary or general election specified by the authority, the measure adopted by the authority.*

*The bill would authorize the authority, upon the approval of the measure by an aggregate majority of the voters of all counties and cities and counties within its jurisdiction, to implement and impose the fee. The bill would also authorize the authority, if the measure is not approved, to reuse this procedure to seek voter approval of the fee. The bill would require the authority to reimburse each county and city and county within its jurisdiction for the cost of submitting the measure to the voters, from the fee revenues it receives if the measure is approved, and from funds available through the Mills-Alquist-Deddeh Act if the measure is not approved.*

*The bill would require, if the authority's measure is adopted by a majority of the aggregate voters in all counties and cities and counties within the authority's jurisdiction, the Department of Motor Vehicles to collect and administer the fee, as specified, and the authority to deposit all fee revenues it receives from the department in the Regional Blueprint Plan Implementation Fund, to be created and administered by the authority. The bill would require the net revenues of the fee received by the authority to be used to identify land use strategies, reduce the use of motor vehicles within its jurisdiction, and to carry out specified transportation-related activities, for the purpose of achieving a specified greenhouse gas emission reduction target.*

*The bill would require, if the fee exceeds \$2, all revenue derived from the amount of the fee in excess of \$2 to be made available by the authority in the form of grants to specified entities within its jurisdiction, as specified. The bill would require the grants to only be made after a finding by the authority that the funds will be used exclusively for planning and projects relating to the implementation of a sustainable communities strategy or a regional blueprint plan.*

*The bill would authorize the authority to divide the fee revenues it receives with the local air quality management district that has responsibility over all or part of the same geographic area, pursuant to an agreement with that district, and would require the district to use all fee revenues it receives to assist local and regional governments in reducing greenhouse gas emissions.*

*(3) Existing law requires the Department of Motor Vehicles, if requested by a county air pollution control district, air quality management district, or unified or regional air pollution control district, to collect specified fees upon the registration or renewal of registration of any motor vehicle in the district, except those vehicles which are expressly exempt from the payment of registration fees. Existing law requires the department, after deducting its costs, to distribute the revenues of the fees to the appropriate district.*

*This bill would additionally require the department, if requested by an authority, to collect the authority's mitigation fee upon the registration or renewal of registration of any motor vehicle registered within the jurisdiction of the authority, and, after deducting its costs as specified, to distribute the revenues of the mitigation fee to the appropriate authority. Upon the adoption of the fee in counties of which the aggregate population constitutes at least 50% of the population of the state, the department would be required to deposit 1% of the net*

*fee revenues into the Planning Advisory and Assistance Council Fund, which this bill would create within the State Treasury. After making that deposit, the bill would require the department to distribute the remaining fee revenue to the appropriate authority. The bill would require the Controller, upon appropriation by the Legislature, to make the moneys within the fund available to the Planning Advisory and Assistance Council for the performance of specified functions.*

*(4) This bill would incorporate additional changes in Section 65040.6 of the Government Code made by AB 2754 that would become operative if both bills are enacted and this bill becomes enacted after AB 2754.*

~~(1) Existing law creates the Strategic Growth Council consisting of the Director of State Planning and Research, the Secretary of the Natural Resources Agency, the Secretary for Environmental Protection, the Secretary of Business, Transportation and Housing, the Secretary of California Health and Human Services, and one public member appointed by the Governor. Existing law specifies the powers and duties of the council with respect to identification and review of activities and programs of member agencies that may be coordinated to improve certain planning and resource objectives and associated matters, including provision of financial assistance to support the planning and development of sustainable communities. Existing law requires the council to report to the Legislature not later than July 1, 2010, and every year thereafter, on the financial assistance provided.~~

~~This bill would instead provide for an initial reporting date of July 1, 2012. The bill would require the council to coordinate certain of its activities with the Planning Advisory and Assistance Council.~~

~~(2) Existing law creates the Planning Advisory and Assistance Council in the Office of Planning and Research in the Governor's office, with a specified membership appointed by the Director of State Planning and Research consisting of representatives of cities, counties, each regional planning districts, and Indian tribes and bands, from persons nominated by those entities. Existing law requires the council to provide advice on certain planning matters, including the preparation of state long-range goals and policies, and evaluation of the planning functions of various state agencies.~~

~~This bill would delete the reference to regional planning districts and instead require 7 of the council's members to be appointed from the governing boards of specified regional planning organizations. The bill would also provide for the appointment of one member each from the California Transportation Commission, the State Air Resources Board,~~

~~the State Energy Conservation and Development Commission, the Speaker of the Assembly, and the Senate Committee on Rules. The bill would expand the duties of the council by requiring it to work with the Strategic Growth Council and various regional and local agencies to facilitate the implementation of regional blueprint plans, and to develop and propose recommendations to the Strategic Growth Council and certain state agencies in order to facilitate coordination between regional blueprint plans, state growth and infrastructure plans, and programs that facilitate the implementation of regional blueprint plans. The bill would also require reports by the council to the Legislature on specified matters.~~

~~This bill would provide that if the office is abolished, the council shall retain its duties and reside in the Strategic Growth Council whose chair shall assume the director's duties.~~

~~(3) Existing law requires certain transportation planning activities by designated regional transportation planning agencies, including development of a regional transportation plan. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires metropolitan planning organizations to adopt a sustainable communities strategy, subject to specified requirements, as part of a regional transportation plan, which is to be designed to achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region.~~

~~This bill, until January 1, 2016, would increase the registration fee imposed by the state on the registration of each vehicle by \$1, and require the Department of Motor Vehicles, after deducting its administrative costs, to deposit 1% of the net revenues from the fee increase into the Planning Advisory and Assistance Council Fund, which would be created by the bill, and to make those funds available to the Planning Advisory and Assistance Council, upon appropriation by the Legislature. The remaining net revenues would be distributed to designated transportation planning agencies based on the number of vehicles registered within the jurisdiction of each agency. The bill would require the transportation planning agencies to use the funds solely to develop and implement a sustainable communities strategy, a regional blueprint plan, or a rural transportation plan element in order to identify land use strategies to reduce the use of motor vehicles and to carry out transportation-related activities in the strategy, plan, or plan element and, in the case of an agency preparing a regional blueprint plan, to~~

provide grants to cities, counties, and congestion management agencies for planning and projects related to implementation of the plan. The bill would also provide for sharing of available revenues between various agencies, as specified.

~~(4) The bill would also make legislative findings and declarations:~~

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. (a) *The Legislature finds and declares the*  
2 *following:*

3     (1) *Uncoordinated and unplanned growth together with a lack*  
4 *of common goals to effect the public's interest in the conservation*  
5 *and wise use of our lands pose a threat to the environment,*  
6 *sustainable economic development, and the health, safety, and*  
7 *high quality of life enjoyed by residents of this state.*

8     (2) *The requirements for regional transportation plans can only*  
9 *be successfully implemented if regional and local governments*  
10 *have the funding and tools they need to collaboratively plan for*  
11 *the type of growth that can match transportation goals. The*  
12 *Governor's Strategic Growth Council and other state agencies*  
13 *should use the plans that result from the collaborative local and*  
14 *regional effort as a basis for the implementation of state policy*  
15 *and goals contemplated by the enactment of Senate Bill 732 of the*  
16 *2007–08 Regular Session (Chapter 729 of the Statutes of 2008).*

17     (3) *The successful development and implementation of regional*  
18 *transportation and local general plans and ordinances that achieve*  
19 *the regional goals for reduction in emissions from passenger*  
20 *vehicles and light trucks will result in significantly reduced vehicle*  
21 *emissions. Reduced emissions and air pollution will provide*  
22 *environmental benefits that mitigate the adverse impacts associated*  
23 *with vehicle use. The resulting reduction in traffic congestion*  
24 *provides a user benefit to all vehicle owners which is at least equal*  
25 *in value to a fee of up to \$4 per vehicle annually. There is a fair*  
26 *and reasonable relationship between the owners of passenger*  
27 *vehicles and light trucks that produce these emissions and traffic*  
28 *congestion, and the need to adopt strategies to reduce emissions*  
29 *and congestion. Therefore, it is reasonable to impose a fee on the*  
30 *owners of passenger vehicles and light trucks to pay for the*

1 regulatory program that is required to mitigate the impact of  
2 driving those vehicles and light trucks.

3 (4) Cooperation between regional and local governments and  
4 air districts is essential to the achievement of the greenhouse gas  
5 emission reductions envisioned in regional transportation plans.

6 (b) It is the intent of the Legislature to update the duties and  
7 composition of the Planning Advisory and Assistance Council to  
8 assist in the state's land use planning processes by providing  
9 funding to support the development and implementation of regional  
10 transportation plans, regional blueprints, and related planning  
11 and to work with state agencies providing funding for resource  
12 protection and local infrastructure to facilitate coordination  
13 between state planning, funding decisions, regional transportation  
14 plans, and regional blueprint plans.

15 SEC. 2. Section 65040.6 of the Government Code is repealed.

16 ~~65040.6. (a) The Planning Advisory and Assistance Council~~  
17 ~~is hereby created within the office, the membership of which shall~~  
18 ~~be as follows: three city representatives; three county~~  
19 ~~representatives; one representative of each district, provided that~~  
20 ~~at least two of the district representatives are representatives of~~  
21 ~~metropolitan areawide planning organizations and that at least one~~  
22 ~~of the district representatives is a representative of a~~  
23 ~~nonmetropolitan planning organization; and one representative of~~  
24 ~~Indian tribes and bands which have reservations or rancherias~~  
25 ~~within California. The city and county representatives appointed~~  
26 ~~pursuant to this subdivision shall be selected by the director from~~  
27 ~~nominees submitted by the League of California Cities and by the~~  
28 ~~California State Association of Counties. Representatives of~~  
29 ~~areawide planning organizations appointed pursuant to this~~  
30 ~~subdivision shall be selected by the director from nominees~~  
31 ~~submitted by the several areawide planning organizations within~~  
32 ~~the state. Other district representatives shall be appointed by the~~  
33 ~~director. The representative of Indian tribes and bands shall be a~~  
34 ~~member of one tribe or band, and shall be selected by the director.~~

35 ~~Appointment to the advisory council shall be for a term of two~~  
36 ~~years, provided that the members of the first council shall classify~~  
37 ~~themselves by lot so that one-half shall serve an initial term of one~~  
38 ~~year and one-half shall serve an initial term of two years. Vacancies~~  
39 ~~shall be filled in the same manner provided for the original~~  
40 ~~appointment.~~

1 ~~(b) The council shall provide such advice as may be necessary~~  
 2 ~~to assist the office in discharging the requirements of Sections~~  
 3 ~~65040 to 65040.4, inclusive. In particular, the council shall:~~

4 ~~(1) Assist the office in the preparation of the state long-range~~  
 5 ~~goals and policies, in the manner specified in subdivision (a) of~~  
 6 ~~Section 65040.~~

7 ~~(2) Evaluate the planning functions of the various state agencies~~  
 8 ~~involved in planning, in the manner specified in subdivision (e)~~  
 9 ~~of Section 65040.~~

10 ~~(3) Make appropriate decisions and provide such advice and~~  
 11 ~~assistance as may be required by federal statute or regulation in~~  
 12 ~~connection with any federal program administered by the office.~~

13 ~~(e) The council shall meet on call of the director of the office,~~  
 14 ~~who shall convene at least two council meetings during each year.~~

15 ~~(d) Council members shall serve without compensation, but~~  
 16 ~~they may be reimbursed for actual expenses incurred in connection~~  
 17 ~~with their duties.~~

18 *SEC. 3. Section 65040.6 is added to the Government Code, to*  
 19 *read:*

20 *65040.6. (a) (1) The Planning Advisory and Assistance*  
 21 *Council is hereby created within the office. The membership of*  
 22 *the council shall include all of the following:*

23 *(A) Three city representatives.*

24 *(B) Three county representatives.*

25 *(C) Seven representatives of regional planning organizations.*

26 *(D) One member of the State Air Resources Board.*

27 *(E) One member of the California Transportation Commission.*

28 *(F) One member of the State Energy Resources Conservation*  
 29 *and Development Commission.*

30 *(G) One member appointed by the Speaker of the Assembly.*

31 *(H) One member appointed by the Senate Committee on Rules.*

32 *(I) One representative of Indian tribes and bands which have*  
 33 *reservations or rancherias within the state.*

34 *(2) (A) The city and county representatives appointed pursuant*  
 35 *to paragraph (1) shall be selected by the Director of State Planning*  
 36 *and Research from nominees submitted by the League of California*  
 37 *Cities and by the California State Association of Counties.*

38 *(B) Representatives of regional planning organizations*  
 39 *appointed pursuant to paragraph (1) shall be selected by the*  
 40 *director from nominees submitted by the regional planning*

1 organizations specified in clauses (i) to (v), inclusive, and from  
2 nominees submitted by the California Association of Councils of  
3 Governments for those specified in clauses (vi) and (vii).

- 4 (i) The Southern California Association of Governments.
- 5 (ii) The Metropolitan Transportation Commission or the  
6 Association of Bay Area Governments.
- 7 (iii) The San Diego Association of Governments.
- 8 (iv) The Sacramento Area Council of Governments.
- 9 (v) The San Joaquin Valley Regional Policy Council.

10 (vi) A metropolitan planning organization or council of  
11 governments that is not identified in clauses (i) to (v), inclusive.

12 (vii) A regional transportation planning agency, as defined in  
13 Section 65080, that is neither a metropolitan planning organization  
14 nor a council of governments.

15 (C) The representative of Indian tribes and bands shall be a  
16 member of one tribe or band, and shall be selected by the director.

17 (3) Appointment to the council shall be for a term of two years,  
18 provided that the members of the first council shall classify  
19 themselves by lot so that one-half shall serve an initial term of one  
20 year and one-half shall serve an initial term of two years.  
21 Vacancies shall be filled in the same manner provided for the  
22 original appointment.

23 (b) The council shall provide advice as may be necessary to  
24 assist the office in discharging the requirements of Sections 65040  
25 to 65040.4, inclusive. In particular, the council shall do all of the  
26 following:

27 (1) Assist the office in the preparation of the state long-range  
28 goals and policies, in the manner specified in subdivision (a) of  
29 Section 65040.

30 (2) Evaluate the planning functions of the various state agencies  
31 involved in planning, in the manner specified in subdivision (c) of  
32 Section 65040.

33 (3) Make appropriate decisions and provide advice and  
34 assistance as required by federal statute or regulation in  
35 connection with any federal program administered by the office.

36 (c) The council shall meet on call of the director, who shall  
37 convene at least two council meetings during each year.

38 (d) Council members shall serve without compensation, but they  
39 may be reimbursed for actual expenses incurred in connection  
40 with their duties.

1     *SEC. 3.5. Section 65040.6 of the Government Code is amended*  
2     *to read:*

3     ~~65040.6. (a) The Planning Advisory and Assistance Council~~  
4     ~~is hereby created within the office, the membership of which shall~~  
5     ~~be as follows: three city representatives; three county~~  
6     ~~representatives; one representative of each district, provided that~~  
7     ~~at least two of the district representatives are representatives of~~  
8     ~~metropolitan areawide planning organizations and that at least one~~  
9     ~~of the district representatives is a representative of a~~  
10    ~~nonmetropolitan planning organization; and one representative of~~  
11    ~~Indian tribes and bands which have reservations or rancherias~~  
12    ~~within California. The city and county representatives appointed~~  
13    ~~pursuant to this subdivision shall be selected by the director from~~  
14    ~~nominees submitted by the League of California Cities and by the~~  
15    ~~California State Association of Counties. Representatives of~~  
16    ~~areawide planning organizations appointed pursuant to this~~  
17    ~~subdivision shall be selected by the director from nominees~~  
18    ~~submitted by the several areawide planning organizations within~~  
19    ~~the state. Other district representatives shall be appointed by the~~  
20    ~~director. The representative of Indian tribes and bands shall be a~~  
21    ~~member of one tribe or band, and shall be selected by the director.~~

22    Appointment to the advisory council shall be for a term of two  
23    years, provided that the members of the first council shall classify  
24    themselves by lot so that one-half shall serve an initial term of one  
25    year and one-half shall serve an initial term of two years. Vacancies  
26    shall be filled in the same manner provided for the original  
27    appointment.

28    ~~65040.6. (a) (1) The Planning Advisory and Assistance~~  
29    ~~Council is hereby created within the office. The membership of~~  
30    ~~the council shall include all of the following:~~

31    ~~(A) Three city representatives.~~

32    ~~(B) Three county representatives.~~

33    ~~(C) One representative of each district, provided that at least~~  
34    ~~two of the district representatives are representatives of~~  
35    ~~metropolitan areawide planning organizations and that at least~~  
36    ~~one of the district representatives is a representative of a~~  
37    ~~nonmetropolitan planning organization.~~

38    ~~(D) Seven representatives of regional planning organizations.~~

39    ~~(E) One member of the State Air Resources Board.~~

40    ~~(F) One member of the California Transportation Commission.~~

1 (G) *One member of the State Energy Resources Conservation*  
2 *and Development Commission.*

3 (H) *One member appointed by the Speaker of the Assembly.*

4 (I) *One member appointed by the Senate Committee on Rules.*

5 (J) *One representative of Indian tribes and bands which have*  
6 *reservations or rancherias within the state.*

7 (2) (A) *The city and county representatives appointed pursuant*  
8 *to paragraph (1) shall be selected by the Director of State Planning*  
9 *and Research from nominees submitted by the League of California*  
10 *Cities and by the California State Association of Counties.*

11 (B) *Representatives of regional planning organizations*  
12 *appointed pursuant to paragraph (1) shall be selected by the*  
13 *director from nominees submitted by the regional planning*  
14 *organizations specified in clauses (i) to (v), inclusive, and from*  
15 *nominees submitted by the California Association of Councils of*  
16 *Governments for those specified in clauses (vi) and (vii). Other*  
17 *district representatives shall be appointed by the director.*

18 (i) *The Southern California Association of Governments.*

19 (ii) *The Metropolitan Transportation Commission or the*  
20 *Association of Bay Area Governments.*

21 (iii) *The San Diego Association of Governments.*

22 (iv) *The Sacramento Area Council of Governments.*

23 (v) *The San Joaquin Valley Regional Policy Council.*

24 (vi) *A metropolitan planning organization or council of*  
25 *governments that is not identified in clauses (i) to (v), inclusive.*

26 (vii) *A regional transportation planning agency, as defined in*  
27 *Section 65080, that is neither a metropolitan planning organization*  
28 *nor a council of governments.*

29 (C) *The representative of Indian tribes and bands shall be a*  
30 *member of one tribe or band, and shall be selected by the director.*

31 (3) *Appointment to the council shall be for a term of two years,*  
32 *provided that the members of the first council shall classify*  
33 *themselves by lot so that one-half shall serve an initial term of one*  
34 *year and one-half shall serve an initial term of two years.*  
35 *Vacancies shall be filled in the same manner provided for the*  
36 *original appointment.*

37 (b) *The council shall provide such advice as may be necessary*  
38 *to assist the office in discharging the requirements of Sections*  
39 *65040 to 65040.4, inclusive. In particular, the council shall:*

1 (1) Assist the ~~office unit~~ in the preparation of the state  
2 long-range goals and policies, in the manner specified in  
3 ~~subdivision (a) paragraph (1) of subdivision (b)~~ of Section 65040.

4 (2) Evaluate the planning functions of the various state agencies  
5 involved in planning, in the manner specified in ~~subdivision (e)~~  
6 *paragraph (4) of subdivision (b)* of Section 65040.

7 (3) Make appropriate decisions and provide ~~such~~ advice and  
8 assistance as may be required by federal statute or regulation in  
9 connection with any federal program administered by the office.

10 (c) The council shall meet on call of the director of the office,  
11 who shall convene at least two council meetings during each year.

12 (d) Council members shall serve without compensation, but  
13 they may be reimbursed for actual expenses incurred in connection  
14 with their duties.

15 *SEC. 4. Section 65083 is added to the Government Code, to*  
16 *read:*

17 *65083. (a) (1) In addition to any other fees provided for by*  
18 *law, and subject to approval of the voters pursuant to subdivision*  
19 *(b), a metropolitan planning organization, as defined in Section*  
20 *134 of Title 23 of the United States Code, a council of governments,*  
21 *as defined in Section 65582, or a county transportation commission*  
22 *and a subregional council of governments jointly preparing a*  
23 *subregional sustainable communities strategy pursuant to*  
24 *subparagraph (D) of paragraph (2) of subdivision (b) of Section*  
25 *65080, singularly titled an “authority” and collectively titled the*  
26 *“authorities,” may levy a mitigation fee of up to four dollars (\$4)*  
27 *upon the registration or renewal of registration of any motor*  
28 *vehicle registered in a county or city and county within the*  
29 *jurisdiction of the authority, to be collected and administrated as*  
30 *specified in Section 9250.17 of the Vehicle Code. The mitigation*  
31 *fee may only be levied in increments of whole dollars, up to a*  
32 *maximum amount of four dollars (\$4).*

33 *(2) Notwithstanding paragraph (1), in the region of the*  
34 *Association of Bay Area Governments, a council of governments*  
35 *that represents only a portion of the region shall not levy the*  
36 *mitigation fee.*

37 *(b) (1) In order to implement and impose the fee provided for*  
38 *by subdivision (a), the authority shall adopt a measure authorizing*  
39 *it to implement and impose the fee in every county or city and*  
40 *county within its jurisdiction.*

1 (2) A measure adopted pursuant to paragraph (1) by the  
2 Metropolitan Transportation Commission or the Association of  
3 Bay Area Governments, or a county transportation commission  
4 or a subregional council of governments within the jurisdiction of  
5 the Southern California Association of Governments, shall be  
6 jointly adopted by both entities, and revenue derived from the fee  
7 shall be divided in accordance with an agreement between both  
8 entities.

9 (3) The authority's measure shall contain all of the following  
10 findings of fact:

11 (A) That the programs and projects to be funded by the fee are  
12 consistent with the sustainable communities strategies and regional  
13 blueprint plans applicable in the jurisdiction of the authority  
14 levying the fee.

15 (B) That the amount of the fee assessed and paid does not exceed  
16 the reasonable cost of providing those programs and projects.

17 (C) That the fee is not for unrelated revenue purposes.

18 (D) That a clear nexus exists between the payer's activities and  
19 the alleged adverse effects addressed by the fee.

20 (E) That the amount of the fee bears a reasonable relationship  
21 to the social or economic burdens created by the feepayer's  
22 activities.

23 (4) Following the adoption of the measure by the authority and  
24 its submission of a written request to each county and city and  
25 county within its jurisdiction to do so, the board of supervisors of  
26 each of those counties and cities and counties shall submit the  
27 measure adopted by the authority to the voters at a local election  
28 consolidated with a statewide primary or general election specified  
29 by the authority.

30 (5) The authority shall reimburse each county or city and county  
31 within its jurisdiction for the cost of submitting the measure to the  
32 voters. These costs shall be reimbursed from revenues derived  
33 from the fee if the measure is approved by the voters, or if the  
34 measure is not approved, from funds available through the  
35 Mills-Alquist-Deddeh Act (Chapter 4 (commencing with Section  
36 99200) of Part 11 of Division 10 of the Public Utilities Code).

37 (c) (1) Upon the approval of the measure by an aggregate  
38 majority of all voters in all counties and cities and counties within  
39 the authority's jurisdiction, the authority may implement and  
40 impose the fee in those counties and cities and counties. Upon the

1 *request of the authority, the Department of Motor Vehicles shall*  
2 *collect and administer the fee as specified in Section 9250.17 of*  
3 *the Vehicle Code. All fee revenues received by the authority from*  
4 *the department pursuant to Section 9250.17 of the Vehicle Code*  
5 *shall be deposited in the Regional Blueprint Plan Implementation*  
6 *Fund, to be created and administered by the authority, and shall*  
7 *be expended only as authorized by this section.*

8 (2) *If an aggregate majority of all voters of all counties and*  
9 *cities and counties within the authority's jurisdiction does not*  
10 *approve the measure, the authority may reuse the procedure set*  
11 *forth in subdivision (b) to seek the requisite voter approval of the*  
12 *fee.*

13 (d) *The net revenues of the fee received by an authority shall*  
14 *be used to identify land use strategies, reduce the use of motor*  
15 *vehicles within its jurisdiction, and carry out applicable*  
16 *transportation-related activities necessary to implement a regional*  
17 *blueprint plan, a sustainable communities strategy, or an*  
18 *alternative planning strategy, and to thereby work toward*  
19 *achievement of the greenhouse gas emission reduction target*  
20 *specified in Section 65080.*

21 (e) *If the fee exceeds two dollars (\$2), all revenue derived from*  
22 *the amount of the fee exceeding two dollars (\$2) shall be made*  
23 *available by the authority in the form of grants to entities within*  
24 *its jurisdiction as follows:*

25 (1) *Revenues generated in a city or city and county with a*  
26 *population of greater than 300,000 shall be reserved for grants*  
27 *that may only be made to those cities and that city and county,*  
28 *pursuant to an application to the authority.*

29 (2) *Except for those revenues generated within the jurisdictions*  
30 *described in paragraph (1), the revenues generated within the*  
31 *boundaries of the authority shall be apportioned among the*  
32 *counties in the authority in proportion to the number of vehicles*  
33 *registered in each county. These revenues shall be reserved for*  
34 *grants that may be made to cities, counties, or congestion*  
35 *management agencies pursuant to an application of one of those*  
36 *entities to the authority.*

37 (3) *Grants made pursuant to this subdivision shall only be made*  
38 *after a finding by the authority that the funds will be used*  
39 *exclusively for planning and projects related to the implementation*  
40 *of a sustainable communities strategy or a regional blueprint plan.*

1 (f) *The authority may divide revenues received pursuant to this*  
2 *section jointly with the local air quality management district that*  
3 *has responsibility over all or part of the same geographic area,*  
4 *pursuant to an agreement with that district.*

5 (g) *All revenues received by the local air quality management*  
6 *district pursuant to subdivision (f) shall be used to assist local and*  
7 *regional governments in reducing greenhouse gas emissions.*  
8 *Appropriate manners of assistance include, but are not limited to,*  
9 *all of the following:*

10 (1) *Assistance in the development of a subregional sustainable*  
11 *communities strategy.*

12 (2) *Assistance in the development of local greenhouse gas*  
13 *emission inventories.*

14 (3) *Assistance in the development of greenhouse gas emission*  
15 *reduction strategies in general plans.*

16 (4) *Development and assistance of California Environmental*  
17 *Quality Act (CEQA) guidelines and review of greenhouse gas*  
18 *emissions in CEQA analyses.*

19 (5) *Consultation and development of local climate action plans.*

20 (6) *Project-specific consultation work to reduce greenhouse*  
21 *gas emissions from local transportation and land use decisions.*

22 (h) *For purposes of this section, a sustainable communities*  
23 *strategy and an alternative planning strategy shall both be*  
24 *considered to be a regional blueprint plan.*

25 (i) *The Planning Advisory and Assistance Council Fund is*  
26 *hereby established within the State Treasury. Upon appropriation*  
27 *by the Legislature, the Controller shall make the moneys within*  
28 *the fund available to the Planning Advisory and Assistance Council*  
29 *to perform the functions specified in subdivision (b) of Section*  
30 *65040.6.*

31 *SEC. 5. Section 9250.17 of the Vehicle Code is amended to*  
32 *read:*

33 9250.17. (a) *The department shall, if requested by a county*  
34 *air pollution control district, air quality management district, or*  
35 *unified or regional air pollution control district, collect fees*  
36 *established pursuant to Sections 44223 and 44225 of the Health*  
37 *and Safety Code upon the registration or renewal of registration*  
38 *of any motor vehicle registered in the district, except those vehicles*  
39 *which are expressly exempted under this code from the payment*  
40 *of registration fees.*

1 (b) *The department shall, if requested by an authority, as*  
2 *described in subdivision (a) of Section 65083 of the Government*  
3 *Code, collect the fee established pursuant to Section 65083 of the*  
4 *Government Code upon the registration or renewal of registration*  
5 *of any motor vehicle registered within the jurisdiction of the*  
6 *authority, except those vehicles which are expressly exempted*  
7 *under this code from the payment of registration fees.*

8 ~~(b)~~

9 (c) *After deducting all costs incurred pursuant to this section,*  
10 *the department shall distribute the revenues to the—districts*  
11 *appropriate district or authority based upon the amount of fees*  
12 *collected from motor vehicles registered within each—district that*  
13 *district or authority.*

14 ~~(e)~~

15 (d) *The department may annually expend for its costs not more*  
16 *than the following percentages of the fees collected pursuant to*  
17 *subdivision (a) or (b):*

18 (1) *Five percent during the first year after the operative date the*  
19 *fee is imposed or increased.*

20 (2) *Three percent during the second year after the operative date*  
21 *the fee is imposed or increased.*

22 (3) *One percent during any subsequent year.*

23 (e) *The first authority that imposes the fee established pursuant*  
24 *to Section 65083 of the Government Code shall contract with the*  
25 *department to pay for the initial setup and programming costs to*  
26 *be deducted from the fee revenue by the department pursuant to*  
27 *subdivision (c). The department shall require from each subsequent*  
28 *authority that imposes the fee an additional amount reflecting each*  
29 *authority's per capita share of the initial setup and programming*  
30 *costs if the costs for the first-in-time authorities are substantially*  
31 *higher than those for the subsequent authorities. These additional*  
32 *amounts shall be paid pro rata to the authorities that have already*  
33 *imposed and established the fee and contracted with the*  
34 *department.*

35 (f) (1) *Notwithstanding subdivision (c), after deducting all costs*  
36 *incurred pursuant to this section, and upon the establishment of*  
37 *a fee pursuant to Section 65083 of the Government Code in*  
38 *counties of which the aggregate population constitutes at least 50*  
39 *percent of the population of the state, as determined by the*  
40 *department, the department shall deposit 1 percent of the net*

1 revenues of the fee into the Planning Advisory and Assistance  
2 Council Fund, created pursuant to subdivision (i) of Section 65083  
3 of the Government Code, to be expended in the manner provided  
4 in subdivision (i) of that section.

5 (2) After making the deposit required by paragraph (1), if  
6 applicable, the department shall distribute the remainder of the  
7 fee revenues to the appropriate authority, as specified in  
8 subdivision (c).

9 SEC. 6. Section 3.5 of this bill incorporates amendments to  
10 Section 65040.6 of the Government Code proposed by both this  
11 bill and AB 2754. It shall only become operative if (1) both bills  
12 are enacted and become effective on or before January 1, 2011,  
13 (2) this bill repeals and adds Section 65040.6 of the Government  
14 Code and AB 2754 amends that section, and (3) this bill is enacted  
15 after AB 2754, in which case Section 3 of this bill shall not become  
16 operative.

17 SECTION 1. The Legislature finds and declares as follows:

18 ~~(a) Uncoordinated and unplanned growth together with a lack~~  
19 ~~of common goals to effect the public's interest in the conservation~~  
20 ~~and wise use of our lands pose a threat to the environment,~~  
21 ~~sustainable economic development, and the health, safety, and~~  
22 ~~high quality of life enjoyed by residents of this state.~~

23 ~~(b) The enactment of Senate Bill 375 of the 2007-08 Regular~~  
24 ~~Session (Chapter 728 of the Statutes of 2008) and the establishment~~  
25 ~~of requirements for regional transportation plans to address~~  
26 ~~greenhouse gases can only be successfully implemented if regional~~  
27 ~~and local governments have the tools they need to collaboratively~~  
28 ~~plan for the type of growth that can achieve these goals, and if that~~  
29 ~~collaborative planning is coordinated with the efforts of the~~  
30 ~~Governor's Strategic Growth Council and other state agencies as~~  
31 ~~required by the enactment of Senate Bill 732 of the 2007-08~~  
32 ~~Regular Session (Chapter 729 of the Statutes of 2008):~~

33 ~~(c) The successful development of sustainable communities~~  
34 ~~strategies as part of regional transportation plans and~~  
35 ~~implementation of those strategies by the amendment of city and~~  
36 ~~county general and specific plans will result in significantly~~  
37 ~~reduced vehicle travel. The reduced travel will reduce greenhouse~~  
38 ~~gas emissions and air pollution and provide environmental benefits~~  
39 ~~that mitigate the adverse impacts associated with vehicle use. The~~  
40 ~~resulting reduction in traffic congestion provides a user benefit to~~

1 all vehicle owners which is at least equal in value to a fee of two  
2 dollars (\$2) per vehicle annually.

3 (d) Cooperation between regional and local governments and  
4 air districts is essential to the achievement of the greenhouse gas  
5 emission reductions envisioned in regional transportation plans.

6 (e) Therefore, it is in the public interest that state residents,  
7 communities, local governments, air districts, and the private sector  
8 cooperate and coordinate with one another in comprehensive,  
9 sustainable land use planning.

10 (f) It is the intent of the Legislature to update the duties and  
11 composition of the Planning Advisory and Assistance Council to  
12 assist in the state's land use planning processes by providing  
13 funding to support the development and implementation for  
14 regional blueprints and related planning and to work with state  
15 agencies providing funding for resource protection and local  
16 infrastructure to facilitate coordination between state planning and  
17 funding decisions and regional blueprints.

18 SEC. 2. Section 65040.6 of the Government Code is amended  
19 to read:

20 65040.6. (a) The Planning Advisory and Assistance Council  
21 is hereby created within the office, the membership of which shall  
22 be as follows: three city representatives; three county  
23 representatives; seven representatives of regional planning  
24 organizations; one member of the State Air Resources Board; one  
25 member of the California Transportation Commission; one member  
26 of the State Energy Resources Conservation and Development  
27 Commission; one member appointed by the Speaker of the  
28 Assembly; one member appointed by the Senate Committee on  
29 Rules; and one representative of Indian tribes and bands which  
30 have reservations or rancherias within California. The city and  
31 county representatives appointed pursuant to this subdivision shall  
32 be selected by the director from nominees submitted by the League  
33 of California Cities and by the California State Association of  
34 Counties. Representatives of regional planning organizations  
35 appointed pursuant to this subdivision shall be selected by the  
36 director from nominees submitted by the regional planning  
37 organizations set forth in paragraphs (1) to (5), inclusive, of  
38 subdivision (b) and from nominees submitted by the California  
39 Association of Councils of Governments for the representatives  
40 set forth in paragraphs (6) and (7) of subdivision (b). The

1 representative of Indian tribes and bands shall be a member of one  
2 tribe or band, and shall be selected by the director.

3 Appointment to the advisory council shall be for a term of two  
4 years, provided that the members of the first council shall classify  
5 themselves by lot so that one-half shall serve an initial term of one  
6 year and one-half shall serve an initial term of two years. Vacancies  
7 shall be filled in the same manner provided for the original  
8 appointment.

9 (b) Seven of the council's members shall be from the governing  
10 body of each of the following:

11 (1) The Southern California Association of Governments.

12 (2) The Metropolitan Transportation Commission or the  
13 Association of Bay Area Governments. The person appointed to  
14 the council pursuant to this paragraph shall be a member of the  
15 governing body for both the Metropolitan Transportation  
16 Commission and the Association of Bay Area Governments.

17 (3) The San Diego Association of Governments.

18 (4) The Sacramento Area Council of Governments.

19 (5) The San Joaquin Valley Regional Policy Council.

20 (6) A metropolitan planning organization or council of  
21 governments that is not identified in paragraphs (1) to (5),  
22 inclusive.

23 (7) A regional transportation planning agency, as defined in  
24 Section 65080, that is neither a metropolitan planning organization  
25 nor a council of governments.

26 (c) The council shall provide such advice as may be necessary  
27 to assist the office in discharging the requirements of Sections  
28 65040 to 65040.4, inclusive. In particular, the council shall:

29 (1) Assist the office in the preparation of the state long-range  
30 goals and policies, in the manner specified in subdivision (a) of  
31 Section 65040.

32 (2) Evaluate the planning functions of the various state agencies  
33 involved in planning, in the manner specified in subdivision (c)  
34 of Section 65040.

35 (3) Make appropriate decisions and provide such advice and  
36 assistance as may be required by federal statute or regulation in  
37 connection with any federal program administered by the office.

38 (4) Work with the Strategic Growth Council, created pursuant  
39 to Section 75121 of the Public Resources Code, regional agencies,  
40 such as metropolitan planning organizations or councils of

1 governments, and with cities and counties to facilitate the  
2 implementation of regional blueprint plans.

3 ~~(5) Develop and propose recommendations to the Strategic  
4 Growth Council, created pursuant to Section 75121 of the Public  
5 Resources Code, the Department of General Services, the State  
6 Allocation Board, the Department of Housing and Community  
7 Development, the Department of Transportation, the California  
8 Transportation Commission, the California Environmental  
9 Protection Agency, the California Health and Human Services  
10 Agency, the California Natural Resources Agency, and any other  
11 state agencies that affect land use, environment, human health,  
12 housing, or transportation in order to facilitate coordination  
13 between regional blueprint plans, state growth and infrastructure  
14 funding plans, and programs that facilitate the implementation of  
15 regional blueprint plans.~~

16 ~~(6) Receive reports, including, but not limited to, a copy of the  
17 five-year infrastructure plan described in Section 13102.~~

18 ~~(7) Report to the Legislature, in consultation and coordination  
19 with the Strategic Growth Council, created pursuant to Section  
20 75121 of the Public Resources Code, on the manner in which state  
21 agencies are implementing the requirements of Chapter 1016 of  
22 the Statutes of 2002.~~

23 ~~(8) Report to the Legislature, in consultation and coordination  
24 with the Strategic Growth Council, on regional performance  
25 measures, evaluating the progress of each region of the state in  
26 improving results for its residents in employment, environmental  
27 protection, education, housing, mobility, and other criteria as  
28 determined by the council. The council shall provide the  
29 Legislature with updates to the report periodically, as the council  
30 determines is required.~~

31 ~~(d) The council shall meet on call of the director of the office,  
32 who shall convene at least two council meetings during each year.~~

33 ~~(e) Council members shall serve without compensation, but  
34 they may be reimbursed for actual expenses incurred in connection  
35 with their duties.~~

36 ~~(f) If the office is abolished or otherwise eliminated, the council  
37 shall retain its duties and reside within the Strategic Growth  
38 Council whose chair shall assume the director's duties.~~

39 ~~SEC. 3. Section 65080.6 is added to the Government Code, to  
40 read:~~

1     ~~65080.6. (a) All revenue received pursuant to Section 9250.20~~  
2 ~~of the Vehicle Code shall be used by the metropolitan planning~~  
3 ~~organization, the council of governments, or a county transportation~~  
4 ~~planning agency solely to develop and implement a sustainable~~  
5 ~~communities strategy, a regional blueprint plan, or a rural~~  
6 ~~transportation plan element that is consistent with the guidelines~~  
7 ~~developed by the Department of Transportation for regional~~  
8 ~~blueprints, in order to identify land use strategies to reduce the use~~  
9 ~~of motor vehicles in its jurisdiction and carry out applicable~~  
10 ~~transportation-related activities in the strategy, plan, or plan~~  
11 ~~element, and thereby to achieve the greenhouse gas emission~~  
12 ~~reduction target as specified in Section 65080, and to provide~~  
13 ~~grants to cities, counties, cities and counties, and congestion~~  
14 ~~management agencies for planning and projects related to the~~  
15 ~~implementation of a regional blueprint plan.~~

16     ~~(b) A metropolitan planning organization that is jointly preparing~~  
17 ~~a sustainable communities strategy with a council of governments~~  
18 ~~shall share all revenue it receives and expend that revenue in~~  
19 ~~accordance with an agreement between the two agencies.~~

20     ~~(c) The Southern California Association of Governments~~  
21 ~~(SCAG) shall distribute a share of revenues received pursuant to~~  
22 ~~Section 9250.20 of the Vehicle Code to a county transportation~~  
23 ~~commission or subregional council of governments that has elected~~  
24 ~~to prepare a subregional sustainable communities strategy pursuant~~  
25 ~~to Section 65080. The share of each eligible agency shall be~~  
26 ~~computed after deducting from total revenues available to SCAG~~  
27 ~~pursuant to Section 9520.20 of the Vehicle Code the costs incurred~~  
28 ~~by SCAG for preparing the regionwide sustainable communities~~  
29 ~~strategy pursuant to Section 65080, and then, with respect to those~~  
30 ~~remaining revenues, allocating the revenues based on the amount~~  
31 ~~of fees collected from motor vehicles registered within the~~  
32 ~~jurisdiction of each eligible agency.~~

33     ~~(d) The metropolitan planning organization, the council of~~  
34 ~~governments, or a county transportation commission and a~~  
35 ~~subregional council of governments jointly preparing a subregional~~  
36 ~~sustainable communities strategy, may, pursuant to an agreement~~  
37 ~~with the local air quality management district that has responsibility~~  
38 ~~over the jurisdiction, share revenues received pursuant to this~~  
39 ~~section with the local air quality management district.~~

1 ~~(e) All revenue received by the local air quality management~~  
2 ~~district pursuant to subdivision (d) shall be used to assist local and~~  
3 ~~regional governments in reducing greenhouse gas emissions.~~  
4 ~~Appropriate assistance includes, but is not limited to, all of the~~  
5 ~~following:~~

6 ~~(1) Assistance in the development of a subregional sustainable~~  
7 ~~communities strategy.~~

8 ~~(2) Assistance in the development of local greenhouse gas~~  
9 ~~emission inventories.~~

10 ~~(3) Assistance in the development of greenhouse gas emission~~  
11 ~~reduction strategies in general plans.~~

12 ~~(4) Development of and assistance with CEQA guidelines and~~  
13 ~~review of greenhouse gas emissions in CEQA analyses.~~

14 ~~(5) Consultation and development of local climate action plans.~~

15 ~~(6) Project-specific consultation work to reduce greenhouse gas~~  
16 ~~emissions from local transportation and land use decisions.~~

17 ~~(f) For purposes of this section, a sustainable communities~~  
18 ~~strategy and an alternative planning strategy shall both be~~  
19 ~~considered to be a regional blueprint plan.~~

20 ~~(g) This section shall become inoperative on January 1, 2016,~~  
21 ~~and, as of January 1, 2017, is repealed, unless a later enacted~~  
22 ~~statute, that becomes operative on or before January 1, 2017,~~  
23 ~~deletes or extends the dates on which it becomes inoperative and~~  
24 ~~is repealed.~~

25 ~~SEC. 4. Section 75125 of the Public Resources Code is~~  
26 ~~amended to read:~~

27 ~~75125. The council shall do all of the following:~~

28 ~~(a) Identify and review activities and funding programs of~~  
29 ~~member state agencies that may be coordinated to improve air and~~  
30 ~~water quality, improve natural resource protection, increase the~~  
31 ~~availability of affordable housing, improve transportation, meet~~  
32 ~~the goals of the California Global Warming Solutions Act of 2006~~  
33 ~~(Division 25.5 (commencing with Section 38500) of the Health~~  
34 ~~and Safety Code), encourage sustainable land use planning, and~~  
35 ~~revitalize urban and community centers in a sustainable manner.~~  
36 ~~At a minimum, the council shall review and comment on the~~  
37 ~~five-year infrastructure plan developed pursuant to Article 2~~  
38 ~~(commencing with Section 13100) of Chapter 2 of Part 3 of~~  
39 ~~Division 3 of the Government Code and the State Environmental~~

1 Goals and Policy Report developed pursuant to Section 65041 of  
2 the Government Code.

3 ~~(b) Recommend policies and investment strategies and priorities~~  
4 ~~to the Governor, the Legislature, and to appropriate state agencies~~  
5 ~~to encourage the development of sustainable communities, such~~  
6 ~~as those communities that promote equity, strengthen the economy,~~  
7 ~~protect the environment, and promote public health and safety,~~  
8 ~~consistent with subdivisions (a) and (c) of Section 75065.~~

9 ~~(c) Provide, fund, and distribute data and information to local~~  
10 ~~governments and regional agencies that will assist in developing~~  
11 ~~and planning sustainable communities.~~

12 ~~(d) Manage and award grants and loans to support the planning~~  
13 ~~and development of sustainable communities, pursuant to Sections~~  
14 ~~75127, 75128, and 75129. To implement this subdivision, the~~  
15 ~~council may do all of the following:~~

16 ~~(1) Develop guidelines for awarding financial assistance,~~  
17 ~~including criteria for eligibility and additional consideration.~~

18 ~~(2) Develop criteria for determining the amount of financial~~  
19 ~~assistance to be awarded. The council shall award a revolving loan~~  
20 ~~to an applicant for a planning project, unless the council determines~~  
21 ~~that the applicant lacks the fiscal capacity to carry out the project~~  
22 ~~without a grant. The council may establish criteria that would allow~~  
23 ~~the applicant to illustrate an ongoing commitment of financial~~  
24 ~~resources to ensure the completion of the proposed plan or project.~~

25 ~~(3) Provide for payments of interest on loans made pursuant to~~  
26 ~~this article. The rate of interest shall not exceed the rate earned by~~  
27 ~~the Pooled Money Investment Board.~~

28 ~~(4) Provide for the time period for repaying a loan made~~  
29 ~~pursuant to this article.~~

30 ~~(5) Provide for the recovery of funds from an applicant that fails~~  
31 ~~to complete the project for which financial assistance was awarded.~~  
32 ~~The council shall direct the Controller to recover funds by any~~  
33 ~~available means.~~

34 ~~(6) Provide technical assistance for application preparation.~~

35 ~~(7) Designate a state agency or department to administer~~  
36 ~~technical and financial assistance programs for the disbursing of~~  
37 ~~grants and loans to support the planning and development of~~  
38 ~~sustainable communities, pursuant to Sections 75127, 75128, and~~  
39 ~~75129.~~

1 ~~(e) In making recommendations pursuant to subdivisions (a)~~  
2 ~~and (b) and in providing data and information pursuant to~~  
3 ~~subdivision (c), the council shall consult with and coordinate its~~  
4 ~~recommendations with the Planning Advisory and Assistance~~  
5 ~~Council created pursuant to Section 65040.6 of the Government~~  
6 ~~Code.~~

7 ~~(f) No later than July 1, 2012, and every year thereafter, provide~~  
8 ~~a report to the Legislature that shall include, but is not limited to,~~  
9 ~~all of the following:~~

10 ~~(1) A list of applicants for financial assistance.~~  
11 ~~(2) Identification of which applications were approved.~~  
12 ~~(3) The amounts awarded for each approved application.~~  
13 ~~(4) The remaining balance of available funds.~~  
14 ~~(5) A report on the proposed or ongoing management of each~~  
15 ~~funded project.~~

16 ~~(6) Any additional minimum requirements and priorities for a~~  
17 ~~project or plan proposed in a grant or loan application developed~~  
18 ~~and adopted by the council pursuant to subdivision (e) of Section~~  
19 ~~75126.~~

20 ~~SEC. 5.— Section 9250.20 is added to the Vehicle Code, to read:~~  
21 ~~9250.20. (a) Effective July 1, 2011, the fee imposed by Section~~  
22 ~~9250 shall be increased by an additional one dollar (\$1).~~

23 ~~(b) After deducting its administrative costs, the department shall~~  
24 ~~deposit 1 percent of the net revenues received from the additional~~  
25 ~~fee imposed pursuant to this section into the Planning Advisory~~  
26 ~~and Assistance Council Fund, which is hereby created in the State~~  
27 ~~Treasury, and shall make the funds available to the Planning~~  
28 ~~Advisory and Assistance Council, upon appropriation by the~~  
29 ~~Legislature, to perform the functions specified in subdivision (c)~~  
30 ~~of Section 65040.6 of the Government Code.~~

31 ~~(c) The department shall distribute the remaining revenues from~~  
32 ~~the fee increase to metropolitan planning organizations, councils~~  
33 ~~of governments outside of metropolitan planning organizations,~~  
34 ~~and transportation planning agencies in areas outside of~~  
35 ~~metropolitan planning organizations or councils of governments~~  
36 ~~in accordance with Section 65080.6 of the Government Code,~~  
37 ~~based upon the amount of fees collected from motor vehicles~~  
38 ~~registered within each jurisdiction.~~

39 ~~(d) This section shall become inoperative on January 1, 2016,~~  
40 ~~and, as of January 1, 2017, is repealed, unless a later enacted~~

- 1 ~~statute, that becomes operative on or before January 1, 2017,~~
- 2 ~~deletes or extends the dates on which it becomes inoperative and~~
- 3 ~~is repealed.~~

O