

AMENDED IN SENATE JANUARY 19, 2012

AMENDED IN SENATE AUGUST 22, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 6, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 610**

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**Introduced by Assembly Member Solorio  
(Coauthors: Assembly Members Blumenfield, Gatto, Jeffries, and  
Williams)**

February 16, 2011

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An act to add and repeal Section 5156.5 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 610, as amended, Solorio. Vehicles: specialized license plates: Veterinary Medical Board: pilot program.

(1) Under existing law, the Department of Motor Vehicles issues environmental and other specialized license plates. The issuance of some of those license plates is subject to additional fees. Existing law prohibits the department from establishing a specialized license plate program for a state agency until the department has received not less than 7,500 applications for the plates.

This bill would, ~~until January 1, 2015,~~ authorize the Veterinary Medical Board to sponsor a specialized license plate pilot program if certain conditions are met. The bill would only require that an initial ~~2,500~~ 3,500 paid applications be collected and held by the board and

that a sufficient amount of additional funds be received from donations to cover the department’s startup costs for the manufacture of the specialized license plate. *To maintain the program, the bill would require that an additional 4,000 license plates be sold within a year after initial production of those specialized license plates.* The bill would require the board to actively request and receive donations from public and private entities that would be deposited into the Specialized License Plate Fund and, upon determination by the department that there are sufficient funds for the program, moneys would be available, upon appropriation by the Legislature, to the department for the necessary administrative costs of establishing the specialized license plate program and, as to any remaining moneys, for allocation to the board for programs that support ~~city and county animal shelters~~ *spay and neutering programs.*

The bill would require the department to provide to the board ~~a cost estimate~~ *an itemized report* of its actual costs to initiate the specialized plate program.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares all of the  
 2 following:  
 3 ~~(a) Based~~  
 4 *Based* on statistics from the State Department of Public Health  
 5 for 2010, 467,096 dogs and 400,433 cats entered shelters in the  
 6 state. Of the number of dogs entering shelters, 19 percent were  
 7 reclaimed by owners, 32 percent were adopted, and 38 percent  
 8 were euthanized. Of the number of cats entering shelters, only 2  
 9 percent were reclaimed by owners and only 20 percent were  
 10 adopted, and 69 percent were euthanized. The data is incomplete  
 11 because it does not include two nonreporting counties and some  
 12 counties only partially reported, and the statistics do not include  
 13 private shelters. Thus, in 2010, more than 867,529 dogs and cats  
 14 entered shelters *and more than one-half were euthanized.*  
 15 ~~(b) In the United States today, it costs taxpayers an estimated~~  
 16 ~~two billion dollars (\$2,000,000,000) each year, to round up, house,~~

1 ~~kill, and dispose of homeless animals. An estimated 5,000,000~~  
2 ~~cats and dogs are killed in shelters each year, which means that a~~  
3 ~~dog or cat is killed every six and one-half seconds in the United~~  
4 ~~States. Millions more are abandoned, only to suffer from illness~~  
5 ~~or injury before dying.~~

6 ~~(e) In six years one unspayed female dog and her offspring can~~  
7 ~~reproduce 67,000 dogs. On average it costs approximately one~~  
8 ~~hundred dollars (\$100) to capture, house, feed, and eventually kill~~  
9 ~~a homeless animal a cost that ultimately comes out of the~~  
10 ~~taxpayers' pockets. Low-cost spaying and neutering services are~~  
11 ~~far below that amount. Thus, the cost of having a pregnant female~~  
12 ~~dog can be much higher than the cost of spaying.~~

13 ~~(d) Each day, seven dogs and cats are born for each person born~~  
14 ~~in the United States. Of those, only one in five puppies and kittens~~  
15 ~~stay in their original homes for their natural lifetime. The remaining~~  
16 ~~four are abandoned to the streets or end up at a shelter. As long as~~  
17 ~~these birth rates exist, there will never be enough homes for all of~~  
18 ~~the animals.~~

19 SEC. 2. Section 5156.5 is added to the Vehicle Code, to read:

20 5156.5. (a) (1) The Veterinary Medical Board may apply to  
21 the department to sponsor a specialized license plate program, and  
22 the department shall issue specialized license plates for that  
23 program, if the board complies with all of the requirements of this  
24 section. The specialized license plate shall be of a size, color, and  
25 configuration that meets the design criteria as set forth in Section  
26 5155.

27 (2) The department shall not issue specialized license plates to  
28 the board for a vehicle that is exempt from the payment of  
29 registration fees pursuant to Section 9101 or 9103.

30 (b) The board may sponsor a specialized license plate program  
31 and the department may establish the program in the absence of  
32 7,500 paid applications, as would be required under subdivision  
33 (a) of Section 5156 or Section 5157, if all of the following  
34 conditions are met:

35 (1) The department shall ~~not~~ establish a specialized license plate  
36 program for the board ~~until~~ *when* the department has received not  
37 less than ~~2,500~~ 3,500 paid applications for the board's specialized  
38 license plates and a sufficient amount of additional funds from  
39 donations to cover the department's startup costs for the  
40 manufacture of the specialized license plate. The board shall collect

1 and hold applications for the *license* plates. Once the board has  
 2 received at least ~~2,500~~ *3,500* paid applications, it shall submit the  
 3 applications, along with the necessary fees, to the department. The  
 4 department shall not issue a specialized license plate until the board  
 5 has received and submitted to the department not less than ~~2,500~~  
 6 *paid applications for the particular specialized license plate within*  
 7 *the time period prescribed in this section. Advance payment to the*  
 8 *department by the board representing the department's estimated*  
 9 *or actual administrative costs associated with the issuance of a*  
 10 *particular specialized license plate shall not constitute compliance*  
 11 *with this requirement. The board shall have 12 months, following*  
 12 *the date of approval of the board's initial application to sponsor a*  
 13 *specialized license plate program, to receive the required number*  
 14 *of applications. If, after 12 months, 2,500 paid applications have*  
 15 *not been received, the board shall immediately do either of the*  
 16 *following:*

17 (A) Refund to all applicants all fees or deposits that have been  
 18 collected.

19 (B) Contact the department to indicate the board's intent to  
 20 undertake collection of additional applications and fees or deposits  
 21 for an additional period, not to exceed 12 months, in order to obtain  
 22 the minimum *2,500* paid applications. If the board elects to exercise  
 23 the option under this subparagraph, it shall contact each applicant  
 24 who has submitted an application with the appropriate fees or  
 25 deposits to determine if the applicant wishes a refund of fees or  
 26 deposits or requests the continuance of the holding of the  
 27 application and fees or deposits until that time that the board has  
 28 received *2,500* paid applications. The board shall refund the fees  
 29 or deposits to an applicant so requesting. The board shall not collect  
 30 and hold applications for a period exceeding *24* months following  
 31 the date of approval of the board's initial application to sponsor a  
 32 specialized license plate program.

33 (2) *No later than June 30, 2012, the minimum criteria of 3,500*  
 34 *plates and sufficient funds for the program startup costs shall be*  
 35 *achieved. At that time, the board shall submit the applications*  
 36 *along with the necessary fees to the department and the department*  
 37 *shall undertake production of the specialized license plate. Once*  
 38 *the license plate has been produced, is available to the public for*  
 39 *purchase, and its availability is published on the department's*  
 40 *Web site, the board shall have one year from that date to augment*

1 *the initial 3,500 license plates with an additional 4,000 license*  
2 *plates to meet the minimum criteria for maintaining a new*  
3 *specialized license plate pilot program of 7,500 license plates sold.*

4 (3) *If the pilot program fails to achieve the 7,500 license plate*  
5 *minimum criteria of license plates sold within the 12-month period*  
6 *following the date of availability of the first produced license plate,*  
7 *the department shall notify the board of that fact and shall inform*  
8 *the board that the department will no longer issue or replace those*  
9 *specialized license plates.*

10 ~~(2)~~

11 (4) The board actively requests and receives donations for the  
12 specialized license plate program, which may consist of donations  
13 from public and private entities for deposit into the Specialized  
14 License Plate Fund. Earnings generated from donations shall be  
15 retained for the specialized license plate program authorized by  
16 this section.

17 ~~(3)~~

18 (5) Upon determination by the department that there are  
19 sufficient funds for the program, moneys shall be available, upon  
20 appropriation by the Legislature, to the department for the  
21 necessary administrative costs of establishing the specialized  
22 license plate program.

23 (c) (1) If the number of outstanding and valid specialized license  
24 plates in the second year of the pilot program, including new  
25 applications and renewals, are not more than 5,000, or more than  
26 7,500 in the third year of the pilot program 7,500, the department  
27 shall notify the board of that fact and shall inform the board that  
28 the department will no longer issue or replace those specialized  
29 license plates.

30 (2) Those particular specialized license plates that were issued  
31 prior to the discontinuation provided by paragraph (1) may continue  
32 to be used and attached to the vehicle for which they were issued  
33 and may be renewed, retained, or transferred pursuant to this code.

34 (d) In addition to the regular fees for an original registration or  
35 renewal of registration, the following additional fees shall be paid  
36 for the issuance, renewal, or transfer of the specialized license  
37 plates:

38 (1) Fifty dollars (\$50) for the original issuance of the plates.

39 (2) Forty dollars (\$40) for a renewal of registration with the  
40 plates.

1 (3) Fifteen dollars (\$15) for transfer of the plates to another  
2 vehicle.

3 (4) Thirty-five dollars (\$35) for each substitute replacement  
4 plate.

5 (e) After deducting its administrative costs under this section,  
6 which moneys shall be available for expenditure by the department,  
7 upon appropriation by the Legislature, the department shall deposit  
8 the additional revenue derived from the issuance, renewal, transfer,  
9 and substitution of the specialized license plates in the Specialized  
10 License Plate Fund. Upon appropriation by the Legislature, the  
11 moneys in that fund shall be allocated to the board and, except as  
12 authorized under Section 5159, the board shall expend all funds  
13 received under this section exclusively for projects and programs  
14 that support city and county animal shelters, including, but not  
15 limited to, spaying and neutering programs and adoption programs.

16 (f) The department shall provide to the board an estimate of its  
17 itemized report of its actual costs to initiate the specialized license  
18 plate program authorized under this section.

19 ~~(g) This section shall remain in effect only until January 1, 2015,~~  
20 ~~and as of that date is repealed, unless a later enacted statute, that~~  
21 ~~is enacted before January 1, 2015, deletes or extends that date.~~

22 SEC. 3. This act is an urgency statute necessary for the  
23 immediate preservation of the public peace, health, or safety within  
24 the meaning of Article IV of the Constitution and shall go into  
25 immediate effect. The facts constituting the necessity are:

26 In order to ensure that the pilot program for a specialized license  
27 plate becomes operative as soon as possible to allow the Veterinary  
28 Medical Board to support the critically important efforts of city  
29 and county animal shelters to address serious animal care and  
30 control problems facing the state, it is necessary that this act go  
31 into effect immediately.