

**ASSEMBLY BILL**

**No. 1768**

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**Introduced by Assembly Member Davis**

February 17, 2012

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An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1768, as introduced, Davis. Vehicles: additional registration fees.

Existing law, in addition to the other fees imposed for the registration of a vehicle, authorizes a county to impose upon adoption of a resolution of its board of supervisors, an additional fee of \$1 on all motor vehicles, and continuously appropriates the money to fund local programs relating to vehicle theft crimes. These provisions are repealed as of January 1, 2018. Existing law requires each participating county to issue a fiscal yearend report to the Controller, summarizing certain matters.

This bill would authorize a county to impose an additional \$3 fee for that purpose and would require, if the county is increasing the amount of the fee from \$1 to \$3, the resolution that imposes the fee to be submitted to the Department of Motor Vehicles at least 6 months prior to the operative date of the fee increase. This bill would add a new source of revenue to be deposited into a continuously appropriated fund, thereby making an appropriation. The bill would revise the information the fiscal yearend report is required to contain and would make technical and conforming changes.

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

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

1 SECTION 1. Section 9250.14 of the Vehicle Code is amended  
2 to read:

3 9250.14. (a) (1) In addition to any other fees specified in this  
4 code and the Revenue and Taxation Code, upon the adoption of a  
5 resolution by any county board of supervisors, a fee of one dollar  
6 (\$1) *or three dollars (\$3)* shall be paid at the time of registration  
7 or renewal of registration of every vehicle, except vehicles  
8 described in subdivision (a) of Section 5014.1, registered to an  
9 address within that county except those expressly exempted from  
10 payment of registration fees. The fees, after deduction of the  
11 administrative costs incurred by the department in carrying out  
12 this section, shall be paid quarterly to the Controller.

13 (2) (A) *If a county has adopted a resolution to impose a one*  
14 *dollar (\$1) fee pursuant to paragraph (1), a county may increase*  
15 *the fee specified in paragraph (1) to three dollars (\$3) in the same*  
16 *manner as the imposition of the initial fee pursuant to paragraph*  
17 *(1).*

18 (B) *A resolution to increase the fee from one dollar (\$1) to three*  
19 *dollars (\$3) pursuant to subparagraph (A) shall be submitted to*  
20 *the department at least six months prior to the operative date of*  
21 *the fee increase.*

22 ~~(2)~~

23 (3) In addition to the ~~one dollar (\$1)~~ service fee imposed  
24 pursuant to paragraph (1), and upon the implementation of the  
25 permanent trailer identification plate program, and as part of the  
26 Commercial Vehicle Registration Act of 2001 (*Chapter 861 of the*  
27 *Statutes of 2000*), all commercial motor vehicles subject to Section  
28 9400.1 registered to an owner with an address in the county that  
29 established a service authority under this section, shall pay an  
30 additional service fee of two dollars (\$2).

31 (b) Notwithstanding Section 13340 of the Government Code,  
32 ~~the money moneys~~ paid to the Controller ~~is are~~ continuously  
33 appropriated, without regard to fiscal years, for the administrative  
34 costs of the Controller, and for disbursement by the Controller to  
35 each county that has adopted a resolution pursuant to subdivision  
36 (a), based upon the number of vehicles registered, or whose  
37 registration is renewed, to an address within that county.

1 (c) Except as otherwise provided in this subdivision, ~~money~~  
2 *moneys* allocated to a county pursuant to subdivision (b) shall be  
3 expended exclusively to fund programs that enhance the capacity  
4 of local police and prosecutors to deter, investigate, and prosecute  
5 vehicle theft crimes. In any county with a population of 250,000  
6 or less, the ~~money~~ *moneys* shall be expended exclusively for those  
7 vehicle theft crime programs and for the prosecution of crimes  
8 involving driving while under the influence of alcohol or drugs,  
9 or both, in violation of Section 23152 or 23153, or vehicular  
10 manslaughter in violation of Section 191.5 *of the Penal Code* or  
11 subdivision (c) of Section 192 of the Penal Code, or any  
12 combination of those crimes.

13 (d) ~~Money~~ *The moneys* collected pursuant to this section shall  
14 not be expended to offset a reduction in any other source of funds,  
15 nor for any purpose not authorized under this section.

16 (e) Any funds received by a county prior to January 1, 2000,  
17 pursuant to this section, that are not expended to deter, investigate,  
18 or prosecute crimes pursuant to subdivision (c) shall be returned  
19 to the Controller, for deposit in the Motor Vehicle Account in the  
20 State Transportation Fund. Those funds received by a county shall  
21 be expended in accordance with this section.

22 (f) Each county that adopts a resolution under subdivision (a)  
23 shall submit, on or before the 13th day following the end of each  
24 quarter, a quarterly expenditure and activity report to the designated  
25 statewide Vehicle Theft Investigation and Apprehension  
26 Coordinator in the Department of the California Highway Patrol.

27 (g) A county that imposes a fee under subdivision (a) shall issue  
28 a ~~fiscal-year-end~~ *yearend* report to the Controller on or before  
29 August 31 of each year. The report shall include a detailed  
30 accounting of the funds received and expended in the immediately  
31 preceding fiscal year, including, at a minimum, all of the following:

32 (1) ~~The total revenues~~ *amount of funds received and expended*  
33 by the county under subdivision (b) for the immediately preceding  
34 fiscal year.

35 (2) The total expenditures by the county under subdivision (c)  
36 for the immediately preceding fiscal year, *including payment of*  
37 *salaries and expenses, purchase of equipment and supplies, and*  
38 *other expenditures listed by type.*

39 ~~(3) Details of expenditures made by the county under~~  
40 ~~subdivision (c), including salaries and expenses, purchase of~~

1 ~~equipment and supplies, and any other expenditures made listed~~  
2 ~~by type with an explanatory comment.~~

3 ~~(4)~~

4 (3) A summary of vehicle theft abatement activities and other  
5 vehicle theft programs funded by the fees collected under this  
6 section.

7 ~~(5)~~

8 (4) The total number of stolen vehicles recovered and the value  
9 of those vehicles during the immediately preceding fiscal year.

10 ~~(6)~~

11 (5) The total number of vehicles stolen during the immediately  
12 preceding fiscal year as compared to the fiscal year prior to the  
13 immediately preceding fiscal year.

14 ~~(7)~~

15 (6) Any additional, unexpended fee revenues received under  
16 subdivision (b) for the county for the immediately preceding fiscal  
17 year.

18 (7) *Other relevant information the Controller may reasonably*  
19 *require to determine whether fee revenues are being utilized in a*  
20 *manner consistent with this section.*

21 (h) Each county that fails to submit the report required pursuant  
22 to subdivision (g) by November 30 of each year shall have the fee  
23 suspended by the Controller for one year, commencing on July 1  
24 following the Controller’s determination that a county has failed  
25 to submit the report.

26 (i) (1) On or before January 1, ~~2006~~ 2013, and on or before  
27 January 1 annually thereafter, the Controller shall provide to the  
28 Department of the California Highway Patrol copies of the yearend  
29 reports submitted by the counties under subdivision (g), and, in  
30 consultation with the Department of the California Highway Patrol,  
31 shall review the fiscal yearend reports submitted by each county  
32 pursuant to subdivision (g) to determine if fee revenues are being  
33 utilized in a manner consistent with this section. If the Controller  
34 determines that the use of the fee revenues is not consistent with  
35 this section, the Controller shall consult with the participating  
36 counties’ designated regional coordinators. If the Controller  
37 determines that the fee revenues are still not consistent with this  
38 section, the authority to collect the fee by that county shall be  
39 suspended for one year.

1 (2) If the Controller determines that a county has not submitted  
2 a fiscal yearend report as required in subdivision (g), the  
3 authorization to collect the service fee shall be suspended for one  
4 year pursuant to subdivision (h).

5 (3) When the Controller determines that a fee shall be suspended  
6 for a county, the Controller shall inform the Department of Motor  
7 Vehicles on or before ~~January 1, 2006, and on or before~~ January  
8 ~~1 annually thereafter~~, that the authority to collect a fee for that  
9 county is suspended.

10 (j) On or before January 1, ~~2006, and on or before~~ January 1  
11 ~~annually thereafter~~, the Controller shall prepare and submit to the  
12 Legislature a revenue and expenditure summary for each  
13 participating county that includes all of the following:

14 (1) The total revenues received by each county.

15 (2) The total expenditures by each county.

16 (3) The unexpended revenues for each county.

17 ~~(k) The Department of the California Highway Patrol, in~~  
18 ~~consultation with all participating county designated regional~~  
19 ~~coordinators, shall review the effectiveness of reducing vehicle~~  
20 ~~theft crimes that were funded by the fees imposed by this section.~~  
21 ~~The Department of the California Highway Patrol shall provide a~~  
22 ~~report based on that review and, on or before January 1, 2009,~~  
23 ~~shall submit that report to the Legislature.~~

24 ~~(t)~~

25 (k) For the purposes of this section, a county designated regional  
26 coordinator is that agency designated by the participating county's  
27 board of supervisors as the agency in control of its countywide  
28 vehicle theft apprehension program.

29 ~~(m)~~

30 (l) This section shall remain in effect only until January 1, 2018,  
31 and as of that date is repealed, unless a later enacted statute that  
32 is enacted on or before January 1, 2018, deletes or extends that  
33 date.