

AMENDED IN ASSEMBLY JUNE 14, 2012

AMENDED IN SENATE MAY 31, 2011

AMENDED IN SENATE MAY 17, 2011

AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 899

Introduced by Senator La Malfa

February 18, 2011

~~An act to amend Sections 19620 and 19620.1 of the Business and Professions Code, and to add Section 3205 to the Food and Agricultural Code, relating to fairs. An act to amend Section 4852 of, and to add Article 8.7 (commencing with Section 5170) to Chapter 1 of Division 3 of, the Vehicle Code, relating to vehicles.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 899, as amended, La Malfa. ~~Fairs.~~ *Vehicles: license plates: 8-letter license plates.*

(1) *Existing law requires the Department of Motor Vehicles, upon registering a vehicle, to issue to the owner two partially or fully reflectorized license plates or devices for a motor vehicle and requires that the number and letter characters on the plates have a minimum height of 2 ³/₄ inches, a minimum width of 1 ¹/₄ inches, and a minimum spacing of characters of ⁵/₁₆ of an inch.*

This bill would instead require that the number and letter characters on the license plates have a minimum width of 1 ³/₁₆ inches, and a minimum spacing of characters of ¹/₄ of an inch.

(2) *Existing law authorizes the Department of Motor Vehicles to issue or renew environmental license plates and other specialized license plates to provide revenue for the California Environmental License*

Plate Fund, the Specialized License Plate Fund, and other specified license plate funds or accounts that indicate on the plates, among other design criteria, the combination of letters or numbers, or both, requested as a registration number by the applicant, to be displayed on the applicant's vehicle in lieu of regular license plates. Existing law requires that the department not establish a specialized license plate program for an agency, as defined, until the department has received 7,500 applications. Existing law also establishes procedures for the cancellation, transfer, or retention of the license plates and for the charging of additional fees.

This bill would establish a specialized license plate program to be known as the "8-letter license plate" program for the support of the Natural and Agricultural Open Space and State Recreational Support Fund which would be created in the State Treasury. The bill would require that all revenue derived from the fees, after deducting the department's administrative costs, be deposited in the fund for specified purposes that include, among other things, subventions for open-space land programs, assistance to California fairs, and support of programs administered by the Department of Parks and Recreation.

~~Existing law divides the state into agricultural districts and authorizes residents of a district to form a district agricultural association for the purpose of holding fairs, expositions, and exhibitions to exhibit the industries, resources, and products of the state and for the purpose of constructing, maintaining, and operating recreational and cultural facilities of general public interest.~~

~~Existing law requires the Department of Food and Agriculture to exercise oversight of activities carried out by California fairs, including conducting fiscal and performance audits of county fairs and citrus fruit fairs that are requested by the fair that is the subject of the audit and that the department deems necessary.~~

~~This bill would remove county fairs from the department's duty to conduct fiscal and performance audits and for which the Legislature is authorized to appropriate specified revenue to the department. The bill would instead permit an audit of a county fair to be performed upon the agreement of the county board of supervisors and the governing body of the county fair. The bill would require, if an audit is performed, that a copy be provided to the department, and that costs associated with the audit are the responsibility of the fair. The bill would permit 2 or more fairs to contract for a single audit with the approval of the department. The bill would permit district agricultural associations and~~

the California Exposition and State Fair to be relieved of specified requirements regarding competitive bidding with the approval of the department.

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 4852 of the Vehicle Code is amended to*
2 *read:*

3 4852. (a) License plates issued for motor vehicles, other than
4 motorcycles, shall be rectangular in shape, 12 inches in length and
5 six inches in width. The number and letter characters on the plates
6 shall have a minimum height of two and three-quarter inches, a
7 minimum width of one and ~~one-quarter~~ *three-sixteenths* inches,
8 and a minimum spacing between characters of ~~five-sixteenths~~
9 *one-quarter of an one* inch.

10 (b) Motorcycle license plates shall measure seven inches in
11 length and four inches in width, and the characters on the plates
12 shall have a minimum height of one and one-half inches and a
13 minimum width of ~~nine-sixteenths~~ *inches of one inch*, and shall
14 have a minimum spacing between characters of three-sixteenths
15 of ~~an~~ *one* inch.

16 *SEC. 2. Article 8.7 (commencing with Section 5170) is added*
17 *to Chapter 1 of Division 3 of the Vehicle Code, to read:*

18
19 *Article 8.7. 8-Letter License Plates*
20

21 5170. *The purpose of this article is to provide revenue for the*
22 *Natural and Agricultural Open Space and State Recreational*
23 *Support Fund.*

24 5171. *Any person who is the registered owner or lessee of a*
25 *passenger vehicle, commercial motor vehicle, motorcycle, trailer,*
26 *or semitrailer registered or certificated with the department, or*
27 *who makes application for an original registration or renewal*
28 *registration of that vehicle, may, upon payment of the fee*
29 *prescribed in Section 5176, apply to the department for 8-letter*
30 *license plates, in the manner prescribed in Section 5175, which*
31 *plates shall be affixed to the passenger vehicle, commercial motor*

1 vehicle, motorcycle, trailer, or semitrailer for which registration
2 is sought in lieu of regular license plates.

3 5171.5. The department shall not establish the 8-letter license
4 plate program until the department has received not less than
5 7,500 applications. The department shall collect and hold
6 applications for the license plates. The department shall not issue
7 an 8-letter license plate until it has received not less than 7,500
8 applications for this particular license plate within the time period
9 prescribed in this section. The department shall have 24 months,
10 following the date of enactment of this section, to receive the
11 required number of applications. If, after 24 months, 7,500
12 applications have not been received, the department shall
13 immediately refund to all applicants all fees or deposits that have
14 been collected.

15 5172. The 8-letter license plates shall be the same color and
16 design as regular passenger vehicle, commercial vehicle,
17 motorcycle, or trailer license plates, and shall consist of any
18 combination of numbers or letters, not exceeding eight positions
19 and not less than eight positions, if there are no conflicts with
20 existing passenger, commercial, trailer, motorcycle, or special
21 license plates series or with Section 4851.

22 5173. As used in this article, “8-letter license plates,” means
23 license plates or permanent trailer identification plates that have
24 displayed upon them the registration number assigned to the
25 passenger vehicle, commercial motor vehicle, motorcycle, trailer,
26 or semitrailer for which a registration number was issued in a
27 combination of letters or numbers, or both, requested by the owner
28 or lessee of the vehicle.

29 5174. The 8-letter license plates shall be issued only to the
30 registered owner or lessee of the vehicle on which they are to be
31 displayed.

32 5175. (a) An applicant for issuance of 8-letter license plates
33 or renewal of those plates in the subsequent year, pursuant to this
34 article, shall file an application therefor in the form and by the
35 date that the department may require, indicating the combination
36 of letters or numbers, or both, requested as a registration number.
37 There shall be no duplication of registration numbers, and the
38 department may refuse to issue any combination of letters or
39 numbers, or both, that may carry connotations offensive to good
40 taste and decency or which would be misleading or a duplication

1 of license plates provided for in Article 8 (commencing with Section
2 5000).

3 (b) The department may cancel and order the return of any
4 8-letter license plate before or after it is issued, containing any
5 combination of letters, or numbers, or both, which the department
6 determines carries connotations offensive to good taste and
7 decency or that would be misleading. When the department orders
8 any person to return any 8-letter license plate, containing any
9 combination of letters or numbers, or both, which the department
10 determines carries connotations offensive to good taste and
11 decency or which would be misleading, the person so ordered may,
12 in writing and within 10 days after receiving the order, demand a
13 hearing, which shall be granted. Chapter 5 (commencing with
14 Section 11500) of Part 1 of Division 3 of Title 2 of the Government
15 Code shall apply to hearings provided for in this subdivision. A
16 person ordered to return the plates shall either be reimbursed for
17 any additional fees he or she paid for the plates pursuant to Section
18 5176 or 5178 for the registration year in which they are recalled,
19 or be given, at no additional cost, replacement 8-letter license
20 plates, the issuance of which is in compliance with this code.

21 (c) The department may cancel and order the return of any
22 8-letter license plate, without opportunity to be heard, as specified
23 in subdivision (b), if the license plate issued is a duplication of
24 license plates provided for in Article 8 (commencing with Section
25 5000) or if the fee specified under subdivision (c) of Section 5176
26 has not been paid.

27 5176. (a) In addition to the regular registration fee or a
28 permanent trailer identification fee, the applicant shall be charged
29 a fee of forty-eight dollars (\$48) for issuance of 8-letter license
30 plates.

31 (b) In addition to the regular renewal fee or a permanent trailer
32 identification fee for the vehicle to which the plates are assigned,
33 an applicant for a renewal of 8-letter license plates shall be
34 charged an additional fee of thirty-eight dollars (\$38). An applicant
35 with a permanent trailer identification plate shall be charged an
36 annual fee of thirty-eight dollars (\$38) for renewal of 8-letter
37 license plates.

38 (c) When payment of renewal fees is not required as specified
39 in Section 4000, the holder of any 8-letter license plate may retain
40 the plate upon payment of an annual fee of thirty-eight dollars

1 (\$38). *The fee shall be due at the expiration of the registration*
2 *year of the vehicle to which the 8-letter license plate was last*
3 *assigned.*

4 (d) *Notwithstanding Section 9265, an applicant for a duplicate*
5 *8-letter license plate shall be charged a fee of thirty-eight dollars*
6 *(\$38).*

7 5177. (a) *All revenue derived from the fees provided for in*
8 *this article, after deduction of the department's costs in*
9 *administering this article, shall be deposited in the Natural and*
10 *Agricultural Open Space and State Recreational Support Fund.*

11 (b) *Not more than fifty cents (\$0.50) of the amount collected*
12 *from each applicant pursuant to Section 5176 shall be set aside*
13 *for use, upon appropriation by the Legislature, by the appropriate*
14 *agency for the purpose of increasing public awareness of the*
15 *8-letter license plate program.*

16 5178. *When a person who has been issued 8-letter license*
17 *plates applies to the department for transfer of the plates to another*
18 *passenger vehicle, commercial motor vehicle, trailer, or*
19 *semitrailer, a transfer fee of thirty-eight dollars (\$38) shall be*
20 *charged in addition to all other appropriate fees.*

21 5179. *When a person who has been issued 8-letter license*
22 *plates sells, trades, or otherwise releases ownership of the vehicle*
23 *upon which the 8-letter license plates have been displayed, that*
24 *person shall immediately report the transfer of those plates to an*
25 *acquired passenger vehicle, commercial vehicle, or trailer pursuant*
26 *to Section 5178, unless the person determines to retain the plates*
27 *pursuant to subdivision (c) of Section 5176.*

28 5180. (a) *The director may adopt rules and regulations as*
29 *necessary to carry out the purposes of this article.*

30 (b) *When two or more separate series of special plates are*
31 *authorized under this article in a period of one year, the director*
32 *shall coordinate the administrative and technical procedures for*
33 *preparation and issuance of the plates in order to control costs to*
34 *the maximum extent practicable.*

35 5181. (a) *The department shall revise its Internet Web site to*
36 *provide a direct link on the homepage to information on ordering*
37 *8-letter license plates.*

38 (b) *When existing supplies of forms, publications, and signs*
39 *have been depleted, or if those forms, publications, and signs are*
40 *required to be revised in the normal course of operations, the*

1 department shall include in the replenishing supplies or the revised
 2 forms, publications, and signs information regarding 8-letter
 3 license plates and the procedures for applying for those plates.
 4 This subdivision applies only to forms, publications, and signs that
 5 advertise, facilitate the application for, or are an application for
 6 8-letter license plates.

7 5182. The Natural and Agricultural Open Space and State
 8 Recreational Support Fund is hereby created in the State Treasury
 9 and the revenues deposited in the fund, upon appropriation by the
 10 Legislature, shall be allocated equally for all of the following
 11 purposes:

12 (a) Subventions for open-space land programs authorized
 13 pursuant to Chapter 3 (commencing with Section 16140) of Part
 14 1 of Division 4 of Title 2 of the Government Code.

15 (b) Assistance to the Department of Food and Agriculture for
 16 California fairs, including the California Exposition and State
 17 Fair and county fairs and citrus fruit fairs, and district agricultural
 18 associations pursuant to Article 10 (commencing with Section
 19 19620) of Chapter 4 of Division 8 of the Business and Professions
 20 Code.

21 (c) Support of the Department of Parks and Recreation pursuant
 22 to Section 504 of the Public Resources Code.

23 SECTION 1. ~~Section 19620 of the Business and Professions~~
 24 ~~Code is amended to read:~~

25 ~~19620. (a) The Legislature finds and declares that the~~
 26 ~~Department of Food and Agriculture is responsible for ensuring~~
 27 ~~the integrity of the Fair and Exposition Fund, administering~~
 28 ~~allocations from the fund to the network of California fairs, as~~
 29 ~~defined in Sections 19418 to 19418.3, inclusive, and providing~~
 30 ~~oversight of activities carried out by each California fair.~~

31 ~~(b) Oversight shall include, but not be limited to, the following:~~

32 ~~(1) Monitoring the solvency of the Fair and Exposition Fund.~~

33 ~~(2) Distributing available state resources to the network of~~
 34 ~~California fairs based on criteria for state allocations approved by~~
 35 ~~the Secretary of Food and Agriculture. The criteria for the~~
 36 ~~distribution of available state resources to the network of California~~
 37 ~~fairs shall not include a consideration of the structure that governs~~
 38 ~~the fair.~~

39 ~~(3) Creating a framework for administration of the network of~~
 40 ~~California fairs allowing for maximum autonomy and local~~

1 ~~decisionmaking authority, and conducting, or causing to be~~
2 ~~conducted, annual fiscal audits and periodic compliance audits.~~

3 ~~(4) Conducting fiscal and performance audits of citrus fruit fairs~~
4 ~~that are requested by the fair that is the subject of the audit and~~
5 ~~that the Department of Food and Agriculture deems to be~~
6 ~~necessary.~~

7 ~~(5) Guiding and providing incentives to fairs to seek matching~~
8 ~~funds and generate new revenue from a variety of sources.~~

9 ~~(6) Supporting continuous improvement of fair programming~~
10 ~~to ensure that California fairs remain highly relevant community~~
11 ~~institutions.~~

12 ~~SEC. 2. Section 19620.1 of the Business and Professions Code~~
13 ~~is amended to read:~~

14 ~~19620.1. From the total revenue received by the department,~~
15 ~~exclusive of money received pursuant to Sections 19640 and 19641,~~
16 ~~the Legislature shall annually appropriate to the department those~~
17 ~~sums as it deems necessary for the following purposes:~~

18 ~~(a) For the oversight of the network of California fairs receiving~~
19 ~~money from the fund.~~

20 ~~(b) For reviewing annual audits submitted by all district~~
21 ~~agricultural association fairs and citrus fruit fairs.~~

22 ~~SEC. 3. Section 3205 is added to the Food and Agricultural~~
23 ~~Code, to read:~~

24 ~~3205. (a) Upon the agreement of the county board of~~
25 ~~supervisors and the governing body of the county fair, an audit of~~
26 ~~the county fair may be performed. If an audit is performed pursuant~~
27 ~~to these provisions, a copy of the audit shall be provided to the~~
28 ~~department. Costs associated with an audit are the responsibility~~
29 ~~of the fair.~~

30 ~~(b) With the approval of the department, two or more fairs may~~
31 ~~contract for a single audit by the same certified public accountant~~
32 ~~in order to be more cost effective.~~

33 ~~(c) With the approval of the department, district agricultural~~
34 ~~associations and the California Exposition and State Fair are~~
35 ~~relieved of any requirements to abide by the provisions of the State~~
36 ~~Contracting Manual which may apply to competitively bidding an~~
37 ~~audit service contract as developed by the Department of General~~
38 ~~Services.~~

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