

AMENDED IN SENATE MARCH 27, 2012

SENATE BILL

No. 1209

Introduced by Senator Runner

February 22, 2012

An act to ~~amend Section 11156 of~~ *add Section 9250.20 to the Revenue and Taxation Vehicle Code*, relating to ~~taxation~~ *vehicles*, and *making an appropriation therefor*.

LEGISLATIVE COUNSEL'S DIGEST

SB 1209, as amended, Runner. ~~Taxation: City and County of San Francisco: vehicle license fee surcharge. Vehicles: registration fees: nonresident owners.~~

Existing law prohibits a person from operating a motor vehicle upon a highway or in an offstreet public parking facility unless the motor vehicle is registered with the Department of Motor Vehicles. Existing law requires a vehicle owned by a person residing outside the state that is based in California or primarily used on California highways to be registered in the state. Existing law imposes, with specified exemptions, a fee on the registration of a motor vehicle. Existing law authorizes certain local governmental entities to impose additional registration-related fees for specified purposes.

This bill would impose an additional fee, in an amount to be determined as specified, at the time of registration or renewal of registration on a motor vehicle registered to a nonresident owner who submits a registration or renewal of registration form with a residence or business address, as applicable, that is outside of the state. The bill would provide that the above fee applies to a motor vehicle that is initially registered or that has a registration expiring on or after July 1, 2013. The bill would continuously appropriate the fee collected, less

the administrative costs incurred by the Department of Motor Vehicles, in equal portion, to the Department of the California Highway Patrol to support databases and public warning systems used to alert motorists and the general public of specified information and the Department of Justice to maintain criminal justice databases designed to enhance the effectiveness of public safety warning systems, thereby making an appropriation.

~~Existing law authorizes the City and County of San Francisco, upon meeting specified requirements, to impose a vehicle license fee surcharge for the privilege of operating any vehicle upon the public highways in the county, as provided. Existing law presumes, for purposes of this law, that a person is operating a vehicle on the public highways only in the county in which the person resides, and requires the person to be subject to a vehicle license fee surcharge only in that county.~~

~~This bill would authorize the Department of Motor Vehicles, in determining the place of residence of a person, to rely upon the address reflected in its records for that person, unless it is established to the satisfaction of the department that the place of residence of that person is elsewhere.~~

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~^{yes}. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. Section 9250.20 is added to the Vehicle Code, to
- 2 read:
- 3 9250.20. (a) *In addition to any other fees specified in this code*
- 4 *and in the Revenue and Taxation Code, an additional fee, in the*
- 5 *amount determined pursuant to subdivision (d), shall be paid at*
- 6 *the time of registration or renewal of registration of a motor*
- 7 *vehicle registered to a nonresident owner who submits a*
- 8 *registration or renewal of registration form with a residence or*
- 9 *business address, as applicable, that is outside of the state.*
- 10 (b) *Notwithstanding Section 13340 of the Government Code,*
- 11 *all fees collected pursuant to subdivision (a), after deduction of*
- 12 *the administrative costs incurred by the department in carrying*
- 13 *out this section, shall be continuously appropriated as follows:*
- 14 (1) *Fifty percent to the Department of the California Highway*
- 15 *Patrol to be used to support databases and public warning systems*

1 used to alert motorists and the general public of abductions,
2 shootings, and other imminent threats to public safety.

3 (2) Fifty percent to the Department of Justice to be used to
4 maintain criminal justice databases designed to enhance the
5 effectiveness of public safety warning systems.

6 (c) This section shall become operative, and shall apply to a
7 vehicle that is subject to the registration requirement pursuant to
8 this code and is applying for an initial registration or is renewing
9 its registration that expires, on or after July 1, 2013.

10 (d) The additional fee required pursuant to subdivision (a) shall
11 equal the average additional fee imposed pursuant to action taken
12 by a local entity pursuant to this article upon the registration or
13 renewal of registration occurring in this state in the immediately
14 preceding fiscal year, as determined by the department.

15 SECTION 1. ~~Section 11156 of the Revenue and Taxation Code~~
16 ~~is amended to read:~~

17 ~~11156. A person shall, for the purposes provided for in Section~~
18 ~~11154, be presumed to be operating a vehicle on the public~~
19 ~~highways only in the county in which he or she resides, or, in the~~
20 ~~case of other than a natural person, only in the county in which~~
21 ~~the vehicle is principally garaged, and he or she shall be subject~~
22 ~~to a local vehicle license fee surcharge only in that county. In~~
23 ~~determining the place of residence of a person, the department~~
24 ~~may rely upon the address reflected in its records for that person,~~
25 ~~unless the person or persons, a county, or a district establishes to~~
26 ~~the satisfaction of the department that the place of residence of~~
27 ~~that person is elsewhere.~~