

AMENDED IN SENATE AUGUST 12, 2013

AMENDED IN SENATE JULY 8, 2013

AMENDED IN ASSEMBLY APRIL 24, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 244**

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**Introduced by Assembly Member Bonilla**

February 6, 2013

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An act to amend Section 5156 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 244, as amended, Bonilla. Vehicles: license plates: veterans.

Existing law requires the Department of Motor Vehicles (DMV) to issue special license plates under a special interest license plate program, as specified, and authorizes organizations, including veterans' organizations, to participate in that program. Existing law authorizes any person who is the registered owner or lessee of a vehicle to apply for a special interest license plate that has a distinctive design or decal that honors all veterans or veterans who served in a particular war or armed conflict. Under existing law, these special interest license plates are subject to fees for issuance, renewal, or personalization that are additional to those required for nonspecialized license plates. Existing law requires that the revenue from those additional fees, less the DMV's costs, be deposited in the Veterans Service Office Fund, and further requires that money in the Veterans Service Office Fund be available, upon appropriation by the Legislature, to the Department of Veterans Affairs for allocation and disbursement to counties for the operation of county veterans service offices.

Existing law also establishes a specialized license plate program and requires the DMV to issue specialized license plates to a sponsoring state agency that meets certain requirements. Existing law requires that DMV charge specified additional fees for the issuance, renewal, or transfer of specialized license plates, and requires that these additional fees, less the DMV’s administrative costs, be deposited in the Specialized License Plate Fund for appropriation and allocation to each sponsoring state agency, as specified.

This bill would require the Department of Veterans Affairs to apply to the DMV to sponsor a veterans specialized license plate, and would require the DMV to issue the veterans specialized license plates if the Department of ~~Veteran’s~~ *Veterans* Affairs meets the above-described requirements. The bill would require that these license plates be subject to ~~the specified~~ additional fees ~~described above~~, and that the *department deposit the* revenue from those additional fees, ~~less the department’s costs, be deposited after deducting its administrative costs,~~ in the Veterans Service Office Fund.

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 5156 of the Vehicle Code is amended to
- 2 read:
- 3 5156. (a) (1) A state agency may apply to the department to
- 4 sponsor a specialized license plate program, and the department
- 5 shall issue specialized license plates for that program, if the agency
- 6 complies with all of the requirements of this article.
- 7 (2) The department shall not issue specialized license plates to
- 8 a state agency for a vehicle that is exempt from the payment of
- 9 registration fees pursuant to Section 9101 or 9103.
- 10 (b) Except as provided in subdivision (d), the department shall
- 11 not establish a specialized license plate program for an agency
- 12 until the department has received not less than 7,500 applications
- 13 for that agency’s specialized license plates. The agency shall collect
- 14 and hold applications for the plates. Once the agency has received
- 15 at least 7,500 applications, it shall submit the applications, along
- 16 with the necessary fees, to the department. The department shall
- 17 not issue a specialized license plate until the agency has received
- 18 and submitted to the department not less than 7,500 applications

1 for that particular specialized license plate within the time period  
2 prescribed in this section. Advance payment to the department by  
3 the agency representing the department's estimated or actual  
4 administrative costs associated with the issuance of a particular  
5 specialized license plate shall not constitute compliance with this  
6 requirement. The agency shall have 12 months, following the date  
7 of approval of the agency's initial application to sponsor a  
8 specialized license plate program, to receive the required number  
9 of applications. If, after that 12 months, 7,500 applications have  
10 not been received, the agency shall immediately do either of the  
11 following:

12 (1) Refund to all applicants all fees or deposits that have been  
13 collected.

14 (2) Contact the department to indicate the agency's intent to  
15 undertake collection of additional applications and fees or deposits  
16 for an additional period, not to exceed 12 months, in order to obtain  
17 the minimum 7,500 applications. If the agency elects to exercise  
18 the option under this subparagraph, it shall contact each applicant  
19 who has submitted an application with the appropriate fees or  
20 deposits to determine if the applicant wishes a refund of fees or  
21 deposits or requests the continuance of the holding of the  
22 application and fees or deposits until that time that the agency has  
23 received 7,500 applications. The agency shall refund the fees or  
24 deposits to an applicant so requesting. The agency shall not collect  
25 and hold applications for a period exceeding 24 months following  
26 the date of approval of the agency's initial application to sponsor  
27 a specialized license plate program.

28 (c) (1) If the number of outstanding and valid specialized license  
29 plates in a particular program, except as provided in subdivision  
30 (d), provided for in this article is less than 7,500, the department  
31 shall notify the sponsoring agency of that fact and shall inform the  
32 agency that if that number is less than 7,500 one year from the  
33 date of that notification, the department will no longer issue or  
34 replace those specialized license plates.

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

39 (d) (1) The Department of Veterans Affairs may sponsor a Gold  
40 Star Family specialized license plate program and the department

1 may establish this specialized license plate program in the absence  
2 of 7,500 paid applications as provided in subdivision (d) of Section  
3 5157.

4 (2) The Department of Veterans Affairs shall, upon receiving  
5 proof of eligibility from an applicant, authorize the department to  
6 issue Gold Star Family specialized license plates for a vehicle  
7 owned by an eligible family member of a member of the Armed  
8 Forces of the United States who was killed in the line of duty while  
9 on active duty during wartime service, or during an international  
10 terrorist attack that has been recognized by the United States  
11 Secretary of Defense as an attack against the United States or a  
12 foreign nation friendly to the United States, or during military  
13 operations while serving outside the United States, including  
14 commonwealths, territories, and possessions of the United States,  
15 or as part of a peacekeeping force, which includes personnel  
16 assigned to a force engaged in a peacekeeping operation authorized  
17 by the United Nations Security Council. An eligible family member  
18 is defined as all of the following:

19 (A) A person who is otherwise eligible under this article to  
20 register a motor vehicle.

21 (B) A person who shows proof from the United States  
22 Department of Veterans Affairs or the Department of Defense that  
23 the member who was in the Armed Forces of the United States  
24 was killed in the line of duty while on active duty in the military.

25 (C) A person who bears, and shows proof satisfactory to the  
26 Department of Veterans Affairs of, one of the following  
27 relationships to the member of the Armed Forces killed in the line  
28 of duty while serving on active duty:

- 29 (i) Widow.
- 30 (ii) Widower.
- 31 (iii) Biological parent.
- 32 (iv) Adoptive parent.
- 33 (v) Stepparent.
- 34 (vi) Foster parent in loco parentis.
- 35 (vii) Biological child.
- 36 (viii) Adoptive child.
- 37 (ix) Stepchild.
- 38 (x) Sibling.
- 39 (xi) Half-sibling.
- 40 (xii) Grandparent.

1 (xiii) Grandchild.

2 (3) Upon the death of a person issued a Gold Star Family  
3 specialized license plate, the license plate shall be transferred to  
4 the surviving spouse, if he or she requests, or shall be returned to  
5 the department within 60 days after the death of the plateholder  
6 or upon the expiration of the vehicle registration, whichever occurs  
7 first.

8 (e) (1) The Department of Veterans Affairs shall apply to the  
9 department to sponsor a veterans specialized license plate program,  
10 and the department shall issue license plates for that program if  
11 the Department of Veterans Affairs meets the requirements  
12 prescribed by this section.

13 (2) The design of the veterans specialized license plate shall be  
14 identical to the design of the veterans special interest license plate  
15 issued pursuant to Section 5068 on or before January 1, 2010, and  
16 the decals for the plate shall be identical to those offered pursuant  
17 to Section 5068.

18 ~~(3) Notwithstanding subdivision (c) of Section 5157, revenue~~  
19 ~~derived from the additional fees prescribed by Section 5157 for~~  
20 ~~the issuance, renewal, or transfer of the veterans specialized license~~  
21 ~~plates shall be deposited, after the department deducts its~~  
22 ~~administrative costs, in the Veterans Service Office Fund, created~~  
23 ~~by Section 972.2 of the Military and Veterans Code.~~

24 (3) *Notwithstanding Section 5157, in addition to the regular*  
25 *fees for an original registration, a renewal of registration, or a*  
26 *transfer of registration, the following fees shall be paid by*  
27 *individuals applying for a special interest license plate or a decal*  
28 *issued under this subdivision:*

29 (A) *Fifty dollars (\$50) for the initial issuance of the plates and*  
30 *decals. The plates shall be permanent and shall not be required*  
31 *to be replaced.*

32 (B) *Forty dollars (\$40) for each renewal of registration that*  
33 *includes the continued display of the plates or decals.*

34 (C) *Fifteen dollars (\$15) for transfer of the plates to another*  
35 *vehicle.*

36 (D) *Thirty-five dollars (\$35) for replacement plates, if they*  
37 *become damaged or unserviceable.*

38 (E) *Ten dollars (\$10) for replacement decals, if they become*  
39 *damaged or unserviceable.*

1     *(F) Seventy-eight dollars (\$78) for the personalization of the*  
2     *plates.*  
3     *(4) After deducting its administrative costs under this*  
4     *subdivision, the department shall deposit the revenue derived from*  
5     *the additional fees provided in paragraph (3) in the Veterans*  
6     *Service Office Fund created by Section 972.2 of the Military and*  
7     *Veterans Code.*

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