

**Assembly Bill No. 244**

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Passed the Assembly September 6, 2013

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*Chief Clerk of the Assembly*

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Passed the Senate September 3, 2013

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*

CHAPTER \_\_\_\_\_

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

LEGISLATIVE COUNSEL'S DIGEST

AB 244, 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 Veterans Affairs meets the above-described requirements. The bill would require that these

license plates be subject to specified additional fees, and that the department deposit the revenue from those additional fees, after deducting its administrative costs, in the Veterans Service Office Fund.

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

SECTION 1. Section 5156 of the Vehicle Code is amended to read:

5156. (a) (1) A state agency may apply to the department to sponsor a specialized license plate program, and the department shall issue specialized license plates for that program, if the agency complies with all of the requirements of this article.

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

(b) Except as provided in subdivision (d), the department shall not establish a specialized license plate program for an agency until the department has received not less than 7,500 applications for that agency's specialized license plates. The agency shall collect and hold applications for the plates. Once the agency has received at least 7,500 applications, it shall submit the applications, along with the necessary fees, to the department. The department shall not issue a specialized license plate until the agency has received and submitted to the department not less than 7,500 applications for that particular specialized license plate within the time period prescribed in this section. Advance payment to the department by the agency representing the department's estimated or actual administrative costs associated with the issuance of a particular specialized license plate shall not constitute compliance with this requirement. The agency shall have 12 months, following the date of approval of the agency's initial application to sponsor a specialized license plate program, to receive the required number of applications. If, after that 12 months, 7,500 applications have not been received, the agency shall immediately do either of the following:

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

(2) Contact the department to indicate the agency's intent to undertake collection of additional applications and fees or deposits

for an additional period, not to exceed 12 months, in order to obtain the minimum 7,500 applications. If the agency elects to exercise the option under this subparagraph, it shall contact each applicant who has submitted an application with the appropriate fees or deposits to determine if the applicant wishes a refund of fees or deposits or requests the continuance of the holding of the application and fees or deposits until that time that the agency has received 7,500 applications. The agency shall refund the fees or deposits to an applicant so requesting. The agency shall not collect and hold applications for a period exceeding 24 months following the date of approval of the agency's initial application to sponsor a specialized license plate program.

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

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

(d) (1) The Department of Veterans Affairs may sponsor a Gold Star Family specialized license plate program and the department may establish this specialized license plate program in the absence of 7,500 paid applications as provided in subdivision (d) of Section 5157.

(2) The Department of Veterans Affairs shall, upon receiving proof of eligibility from an applicant, authorize the department to issue Gold Star Family specialized license plates for a vehicle owned by an eligible family member of a member of the Armed Forces of the United States who was killed in the line of duty while on active duty during wartime service, or during an international terrorist attack that has been recognized by the United States Secretary of Defense as an attack against the United States or a foreign nation friendly to the United States, or during military operations while serving outside the United States, including commonwealths, territories, and possessions of the United States, or as part of a peacekeeping force, which includes personnel

assigned to a force engaged in a peacekeeping operation authorized by the United Nations Security Council. An eligible family member is defined as all of the following:

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

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

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

- (i) Widow.
- (ii) Widower.
- (iii) Biological parent.
- (iv) Adoptive parent.
- (v) Stepparent.
- (vi) Foster parent in loco parentis.
- (vii) Biological child.
- (viii) Adoptive child.
- (ix) Stepchild.
- (x) Sibling.
- (xi) Half-sibling.
- (xii) Grandparent.
- (xiii) Grandchild.

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

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

(2) The design of the veterans specialized license plate shall be identical to the design of the veterans special interest license plate issued pursuant to Section 5068 on or before January 1, 2010, and

the decals for the plate shall be identical to those offered pursuant to Section 5068.

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

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

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

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

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

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

(F) Seventy-eight dollars (\$78) for the personalization of the plates.

(4) After deducting its administrative costs under this subdivision, the department shall deposit the revenue derived from the additional fees provided in paragraph (3) in the Veterans Service Office Fund created by Section 972.2 of the Military and Veterans Code.



Approved \_\_\_\_\_, 2013

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*Governor*