

AMENDED IN ASSEMBLY APRIL 29, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 767

Introduced by Assembly Member Levine
(Principal coauthors: Assembly Members Bonta and Skinner)

February 21, 2013

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

LEGISLATIVE COUNSEL'S DIGEST

AB 767, as amended, Levine. Vehicles: additional registration fees: vehicle-theft crimes.

Existing law, effective until January 1, 2018, authorizes a county, upon the adoption of a resolution by its board of supervisors, to impose a fee of \$1 on all motor vehicles, in addition to other fees imposed for the registration of a vehicle, and an additional service fee of \$2 on commercial motor vehicles of 10,001 pounds or more, as specified. These funds are continuously appropriated to local programs relating to vehicle theft crimes. Existing law authorizes the County of Los Angeles, the County of San Diego, and the County of San Bernardino to increase the motor vehicle fee from \$1 to \$2, and provides that the service fee on commercial motor vehicles shall increase from \$2 to \$4, upon adoption of a resolution by its board of supervisors, and requires the resolution 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 authorize every county to increase its motor vehicle fee from \$1 to \$2, and its commercial vehicle service fee from \$2 to \$4, upon adoption of a resolution by its board of supervisors, and submission of the resolution to the department, as described above. The

bill would delete the ~~sunset January 1, 2018, date on existing law of repeal and thereby~~ make these provisions operative indefinitely.

This bill would add a new source of revenue to be deposited into a continuously appropriated fund, thereby making an appropriation.

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) shall be paid at the time of registration or renewal of
7 registration of every vehicle, except vehicles described in
8 subdivision (a) of Section 5014.1, registered to an address within
9 that county except those expressly exempted from payment of
10 registration fees. The fees, after deduction of the administrative
11 costs incurred by the department in carrying out this section, shall
12 be paid quarterly to the Controller.

13 (2) (A) If a county has adopted a resolution to impose a
14 one-dollar (\$1) fee pursuant to paragraph (1), the county may
15 increase the fee specified in paragraph (1) to two dollars (\$2) in
16 the same manner as the imposition of the initial fee pursuant to
17 paragraph (1). The two dollars (\$2) shall be paid at the time of
18 registration or renewal of registration of a vehicle, and quarterly
19 to the Controller, as provided in paragraph (1).

20 (B) A resolution to increase the fee from one dollar (\$1) to two
21 dollars (\$2) pursuant to subparagraph (A) shall be submitted to
22 the department at least six months prior to the operative date of
23 the fee increase.

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

1 (4) (A) If a county imposes a service fee of two dollars (\$2) by
2 adopting a resolution pursuant to subparagraph (A) of paragraph
3 (2), the fee specified in paragraph (3) shall be increased to four
4 dollars (\$4). The four dollars (\$4) shall be paid at the time of
5 registration or renewal of registration of a vehicle, and quarterly
6 to the Controller as provided in paragraph (1).

7 (B) A resolution to increase the additional service fee from two
8 dollars (\$2) to four dollars (\$4) pursuant to subparagraph (A) shall
9 be submitted to the department at least six months prior to the
10 operative date of the fee increase.

11 (b) Notwithstanding Section 13340 of the Government Code,
12 the moneys paid to the Controller are continuously appropriated,
13 without regard to fiscal years, for the administrative costs of the
14 Controller, and for disbursement by the Controller to each county
15 that has adopted a resolution pursuant to subdivision (a), based
16 upon the number of vehicles registered, or whose registration is
17 renewed, to an address within that county.

18 (c) Except as otherwise provided in this subdivision, moneys
19 allocated to a county pursuant to subdivision (b) shall be expended
20 exclusively to fund programs that enhance the capacity of local
21 police and prosecutors to deter, investigate, and prosecute vehicle
22 theft crimes. In any county with a population of 250,000 or less,
23 the moneys shall be expended exclusively for those vehicle theft
24 crime programs and for the prosecution of crimes involving driving
25 while under the influence of alcohol or drugs, or both, in violation
26 of Section 23152 or 23153, or vehicular manslaughter in violation
27 of Section 191.5 of the Penal Code or subdivision (c) of Section
28 192 of the Penal Code, or any combination of those crimes.

29 (d) The moneys collected pursuant to this section shall not be
30 expended to offset a reduction in any other source of funds, nor
31 for any purpose not authorized under this section.

32 (e) Any funds received by a county prior to January 1, 2000,
33 pursuant to this section, that are not expended to deter, investigate,
34 or prosecute crimes pursuant to subdivision (c) shall be returned
35 to the Controller, for deposit in the Motor Vehicle Account in the
36 State Transportation Fund. Those funds received by a county shall
37 be expended in accordance with this section.

38 (f) Each county that adopts a resolution under subdivision (a)
39 shall submit, on or before the 13th day following the end of each
40 quarter, a quarterly expenditure and activity report to the designated

1 statewide Vehicle Theft Investigation and Apprehension
2 Coordinator in the Department of the California Highway Patrol.

3 (g) A county that imposes a fee under subdivision (a) shall issue
4 a fiscal yearend report to the Controller on or before August 31 of
5 each year. The report shall include a detailed accounting of the
6 funds received and expended in the immediately preceding fiscal
7 year, including, at a minimum, all of the following:

8 (1) The amount of funds received and expended by the county
9 under subdivision (b) for the immediately preceding fiscal year.

10 (2) The total expenditures by the county under subdivision (c)
11 for the immediately preceding fiscal year.

12 (3) Details of expenditures made by the county under
13 subdivision (c), including salaries and expenses, purchase of
14 equipment and supplies, and any other expenditures made listed
15 by type with an explanatory comment.

16 (4) A summary of vehicle theft abatement activities and other
17 vehicle theft programs funded by the fees collected ~~under~~ pursuant
18 to this section.

19 (5) The total number of stolen vehicles recovered and the value
20 of those vehicles during the immediately preceding fiscal year.

21 (6) The total number of vehicles stolen during the immediately
22 preceding fiscal year as compared to the fiscal year prior to the
23 immediately preceding fiscal year.

24 (7) Any additional, unexpended fee revenues received under
25 subdivision (b) for the county for the immediately preceding fiscal
26 year.

27 (h) Each county that fails to submit the report required pursuant
28 to subdivision (g) by November 30 of each year shall have the fee
29 suspended by the Controller for one year, commencing on July 1
30 following the Controller's determination that a county has failed
31 to submit the report.

32 (i) (1) On or before January 1, 2013, and on or before January
33 1 of each year, the Controller shall provide to the Department of
34 the California Highway Patrol copies of the yearend reports
35 submitted by the counties under subdivision ~~(g)~~, (g) and, in
36 consultation with the Department of the California Highway Patrol,
37 shall review the fiscal yearend reports submitted by each county
38 pursuant to subdivision (g) to determine if fee revenues are being
39 utilized in a manner consistent with this section. If the Controller
40 determines that the use of the fee revenues is not consistent with

1 this section, the Controller shall consult with the participating
2 counties' designated regional coordinators. If the Controller
3 determines that use of the fee revenues is still not consistent with
4 this section, the authority to collect the fee by that county shall be
5 suspended for one year.

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

10 (3) When the Controller determines that a fee shall be suspended
11 for a county, the Controller shall inform the Department of Motor
12 Vehicles on or before January 1 of each year that the authority to
13 collect a fee for that county is suspended.

14 (j) On or before January 1 of each year, the Controller shall
15 prepare and submit to the Legislature a revenue and expenditure
16 summary for each participating county that includes all of the
17 following:

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

19 (2) The total expenditures by each county.

20 (3) The unexpended revenues for each county.

21 (k) For the purposes of this section, a county-designated regional
22 coordinator is that agency designated by the participating county's
23 board of supervisors as the agency in control of its countywide
24 vehicle theft apprehension program.