

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1324**

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**Introduced by Assembly Members Skinner and Bonta**

February 22, 2013

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An act to amend Section ~~9400~~ 9250.14 of the Vehicle Code, relating to vehicles, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1324, as amended, Skinner. ~~Vehicle weight fees. Vehicles: additional registration fees: vehicle theft crimes.~~

*Existing law, until January 1, 2018, in addition to the other fees imposed for the registration of a vehicle, authorizes a county to impose an additional fee of \$1 on all motor vehicles, and an additional service fee of \$2 on commercial motor vehicles of 10,001 pounds or more, as specified, and continuously appropriates the money to fund local programs relating to vehicle theft crimes. Existing law also 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, provides that the service fee on commercial motor vehicles would increase from \$2 to \$4 in those counties, upon adoption of a resolution of their boards 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. Existing law provides that these fees are deposited into a continuously appropriated fund.*

*This bill would, until January 1, 2018, additionally authorize the County of Alameda to increase the motor vehicle fee from \$1 to \$2, would provide that the service fee on commercial motor vehicles would increase from \$2 to \$4, upon adoption of a resolution of its board of*

*supervisors, and would require the resolution to be submitted to the Department of Motor Vehicles at least 6 months prior to the operative date of the fee increase. The bill would make an appropriation by depositing the increased fees in a continuously appropriated fund.*

~~Under existing law, in addition to vehicle registration fees, an annual fee based upon vehicle weight is imposed on commercial motor vehicles. Existing law applies these provisions to pickup trucks and provides that whenever a camper is temporarily attached to a motor vehicle, as specified, it is deemed a load and the fees imposed are based on the unladen weight of the motor vehicle, exclusive of the camper.~~

~~This bill would make technical, nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ 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 the *County of Alameda, the County of Los Angeles,*
- 14    the County of San Diego, or the County of San Bernardino has
- 15    adopted a resolution to impose a one-dollar (\$1) fee pursuant to
- 16    paragraph (1), the county may increase the fee specified in
- 17    paragraph (1) to two dollars (\$2) in the same manner as the
- 18    imposition of the initial fee pursuant to paragraph (1). The two
- 19    dollars (\$2) shall be paid at the time of registration or renewal of
- 20    registration of a vehicle, and quarterly to the Controller, as provided
- 21    in paragraph (1).
- 22    (B) A resolution to increase the fee from one dollar (\$1) to two
- 23    dollars (\$2) pursuant to subparagraph (A) shall be submitted to

1 the department at least six months prior to the operative date of  
2 the fee increase.

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

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

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

21 (b) Notwithstanding Section 13340 of the Government Code,  
22 the moneys paid to the Controller are continuously appropriated,  
23 without regard to fiscal years, for the administrative costs of the  
24 Controller, and for disbursement by the Controller to each county  
25 that has adopted a resolution pursuant to subdivision (a), based  
26 upon the number of vehicles registered, or whose registration is  
27 renewed, to an address within that county.

28 (c) Except as otherwise provided in this subdivision, moneys  
29 allocated to a county pursuant to subdivision (b) shall be expended  
30 exclusively to fund programs that enhance the capacity of local  
31 police and prosecutors to deter, investigate, and prosecute vehicle  
32 theft crimes. In any county with a population of 250,000 or less,  
33 the moneys shall be expended exclusively for those vehicle theft  
34 crime programs and for the prosecution of crimes involving driving  
35 while under the influence of alcohol or drugs, or both, in violation  
36 of Section 23152 or 23153, or vehicular manslaughter in violation  
37 of Section 191.5 of the Penal Code or subdivision (c) of Section  
38 192 of the Penal Code, or any combination of those crimes.

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

4 (e) Any funds received by a county prior to January 1, 2000,  
5 pursuant to this section, that are not expended to deter, investigate,  
6 or prosecute crimes pursuant to subdivision (c) shall be returned  
7 to the Controller, for deposit in the Motor Vehicle Account in the  
8 State Transportation Fund. Those funds received by a county shall  
9 be expended in accordance with this section.

10 (f) Each county that adopts a resolution under subdivision (a)  
11 shall submit, on or before the 13th day following the end of each  
12 quarter, a quarterly expenditure and activity report to the designated  
13 statewide Vehicle Theft Investigation and Apprehension  
14 Coordinator in the Department of the California Highway Patrol.

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

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

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

24 (3) Details of expenditures made by the county under  
25 subdivision (c), including salaries and expenses, purchase of  
26 equipment and supplies, and any other expenditures made listed  
27 by type with an explanatory comment.

28 (4) A summary of vehicle theft abatement activities and other  
29 vehicle theft programs funded by the fees collected under this  
30 section.

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

33 (6) The total number of vehicles stolen during the immediately  
34 preceding fiscal year as compared to the fiscal year prior to the  
35 immediately preceding fiscal year.

36 (7) Any additional, unexpended fee revenues received under  
37 subdivision (b) for the county for the immediately preceding fiscal  
38 year.

39 (h) Each county that fails to submit the report required pursuant  
40 to subdivision (g) by November 30 of each year shall have the fee

1 suspended by the Controller for one year, commencing on July 1  
2 following the Controller's determination that a county has failed  
3 to submit the report.

4 (i) (1) On or before January 1, 2013, and on or before January  
5 1 of each year, the Controller shall provide to the Department of  
6 the California Highway Patrol copies of the yearend reports  
7 submitted by the counties under subdivision (g), and, in  
8 consultation with the Department of the California Highway Patrol,  
9 shall review the fiscal yearend reports submitted by each county  
10 pursuant to subdivision (g) to determine if fee revenues are being  
11 utilized in a manner consistent with this section. If the Controller  
12 determines that the use of the fee revenues is not consistent with  
13 this section, the Controller shall consult with the participating  
14 counties' designated regional coordinators. If the Controller  
15 determines that use of the fee revenues is still not consistent with  
16 this section, the authority to collect the fee by that county shall be  
17 suspended for one year.

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

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

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

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

31 (2) The total expenditures by each county.

32 (3) The unexpended revenues for each county.

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

37 (l) This section shall remain in effect only until January 1, 2018,  
38 and as of that date is repealed, unless a later enacted statute that  
39 is enacted on or before January 1, 2018, deletes or extends that  
40 date.

1 SECTION 1. ~~Section 9400 of the Vehicle Code is amended to~~  
2 ~~read:~~

3 ~~9400. Except as provided in Section 9400.1, and in addition~~  
4 ~~to any other registration fee, there shall be paid the fees set forth~~  
5 ~~in this section for the registration of any commercial motor vehicle~~  
6 ~~that operates with unladen weight. Weight fees for pickup trucks~~  
7 ~~are calculated under this section. Whenever a camper is temporarily~~  
8 ~~attached to a motor vehicle designed to transport property, the~~  
9 ~~motor vehicle shall be subject to the fees imposed by this section.~~  
10 ~~The camper shall be deemed to be a load, and fees imposed by this~~  
11 ~~section upon the motor vehicle shall be based upon the unladen~~  
12 ~~weight of the motor vehicle, exclusive of the camper.~~

13 ~~(a) For any electric vehicle designed, used, or maintained as~~  
14 ~~described in this section, fees shall be paid according to the~~  
15 ~~following schedule:~~

Unladen Weight	Fee
<del>Less than 6,000 lbs. ....</del>	<del>\$ 87</del>
<del>6,000 lbs. or more but less than 10,000 lbs. ....</del>	<del>266</del>
<del>10,000 lbs. or more ....</del>	<del>358</del>

21  
22 ~~(b) For any motor vehicle having not more than two axles and~~  
23 ~~designed, used, or maintained as described in this section, other~~  
24 ~~than an electric vehicle, fees shall be paid according to the~~  
25 ~~following schedule:~~

Unladen Weight	Fee
<del>Less than 3,000 lbs. ....</del>	<del>\$ 8</del>
<del>3,000 lbs. to and including 4,000 lbs. ....</del>	<del>-24</del>
<del>4,001 lbs. to and including 5,000 lbs. ....</del>	<del>-80</del>
<del>5,001 lbs. to and including 6,000 lbs. ....</del>	<del>154</del>
<del>6,001 lbs. to and including 7,000 lbs. ....</del>	<del>204</del>
<del>7,001 lbs. to and including 8,000 lbs. ....</del>	<del>257</del>
<del>8,001 lbs. to and including 9,000 lbs. ....</del>	<del>308</del>
<del>9,001 lbs. to and including 10,000 lbs. ....</del>	<del>360</del>

36  
37 ~~(c) For any motor vehicle having three or more axles designed,~~  
38 ~~used, or maintained as described in this section, other than an~~  
39 ~~electric vehicle, fees shall be paid according to the following~~  
40 ~~schedule:~~

Unladen Weight	Fee
<del>2,000 lbs. to and including 3,000 lbs. ....</del>	<del>\$ 43</del>
<del>3,001 lbs. to and including 4,000 lbs. ....</del>	<del>77</del>
<del>4,001 lbs. to and including 5,000 lbs. ....</del>	<del>154</del>
<del>5,001 lbs. to and including 6,000 lbs. ....</del>	<del>231</del>
<del>6,001 lbs. to and including 7,000 lbs. ....</del>	<del>308</del>
<del>7,001 lbs. to and including 8,000 lbs. ....</del>	<del>385</del>
<del>8,001 lbs. to and including 9,000 lbs. ....</del>	<del>462</del>
<del>9,001 lbs. to and including 10,000 lbs. ....</del>	<del>539</del>

10

11 ~~(d) This section is not applicable to any vehicle that is operated~~  
12 ~~or moved over the highway exclusively for the purpose of historical~~  
13 ~~exhibition or other similar noncommercial purpose.~~

14 ~~(e) The fee changes effected by this section apply to initial or~~  
15 ~~original registration on or after January 1, 1995, and prior to~~  
16 ~~December 31, 2001, of any commercial vehicle never before~~  
17 ~~registered in this state and to renewal of registration of any~~  
18 ~~commercial vehicle whose registration expires on or after January~~  
19 ~~1, 1995, and prior to December 31, 2001.~~

20 ~~(f) Commercial vehicles, other than those specified in Section~~  
21 ~~9400.1, with an initial registration or renewal of registration that~~  
22 ~~is due on or after December 31, 2001, are subject to the payment~~  
23 ~~of fees specified in this section.~~

O