

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1324

Introduced by Assembly Members Skinner and Bonta

February 22, 2013

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
Less than 6,000 lbs.	\$ 87
6,000 lbs. or more but less than 10,000 lbs.	266
10,000 lbs. or more	358

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

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
2,000 lbs. to and including 3,000 lbs.	\$ 43
3,001 lbs. to and including 4,000 lbs.	77
4,001 lbs. to and including 5,000 lbs.	154
5,001 lbs. to and including 6,000 lbs.	231
6,001 lbs. to and including 7,000 lbs.	308
7,001 lbs. to and including 8,000 lbs.	385
8,001 lbs. to and including 9,000 lbs.	462
9,001 lbs. to and including 10,000 lbs.	539

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.~~

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