

AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2204**

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**Introduced by Assembly Member Achadjian**

February 20, 2014

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An act to amend Section 9250.14 of the Vehicle Code, relating to vehicle registration fees, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2204, as amended, Achadjian. Vehicle registration fees.

Existing law authorizes a county, upon the adoption of a resolution by its board of supervisors, to impose a fee of \$1 *or* \$2 on all motor vehicles, except as provided, in addition to other fees imposed for the registration of a vehicle, and an additional service fee of \$2 on specified commercial motor vehicles. *Existing law requires these fees to be paid to the Controller quarterly, as specified. Existing law provides that these moneys are continuously appropriated for the administrative costs of the Controller, and for disbursement by the Controller to each county that has adopted a resolution to impose the fees described above, as specified. Existing law requires the moneys allocated to a county to be expended exclusively to fund programs that enhance the capacity of local police and prosecutors to deter, investigate, and prosecute vehicle theft crimes. However, in any county with a population of 250,000 or less, existing law allows the moneys to also be expended for the prosecution of crimes involving driving while under the influence of alcohol or drugs, or both, vehicular manslaughter, or any combination of those crimes.*

~~This bill would make a nonsubstantive, technical change to those provisions.~~

*This bill would revise the above provision to apply to any county with a population of 300,000 or less. By expanding the purposes for which continuously appropriated funds may be expended, this bill would make an appropriation.*

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 a 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) If a county has not adopted a resolution to impose a  
 21 one-dollar (\$1) fee pursuant to paragraph (1), the county may  
 22 instead adopt a fee of two dollars (\$2) in the manner prescribed in  
 23 paragraph (1).  
 24 (C) A resolution to impose a fee of two dollars (\$2) pursuant  
 25 to subparagraph (A) or (B) shall be submitted to the department  
 26 at least six months prior to the operative date of the fee increase.  
 27 (3) In addition to the service fee imposed pursuant to paragraph  
 28 (1), and upon the implementation of the permanent trailer  
 29 identification plate program, and as part of the Commercial Vehicle  
 30 Registration Act of 2001 (Chapter 861 of the Statutes of 2000),  
 31 all commercial motor vehicles subject to Section 9400.1 registered

1 to an owner with an address in the county that established a service  
2 authority under this section, shall pay an additional service fee of  
3 two dollars (\$2).

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

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

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

21 (c) Except as otherwise provided in this subdivision, moneys  
22 allocated to a county pursuant to subdivision (b) shall be expended  
23 exclusively to fund programs that enhance the capacity of local  
24 police and prosecutors to deter, investigate, and prosecute vehicle  
25 theft crimes. In any county with a population of ~~250,000~~ 300,000  
26 or less, the moneys shall be expended exclusively for those vehicle  
27 theft crime programs and for the prosecution of crimes involving  
28 driving while under the influence of alcohol or drugs, or both, in  
29 violation of Section 23152 or 23153, or vehicular manslaughter  
30 in violation of Section 191.5 of the Penal Code or subdivision (c)  
31 of Section 192 of the Penal Code, or any combination of those  
32 crimes.

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

36 (e) Any funds received by a county prior to January 1, 2000,  
37 pursuant to this section, that are not expended to deter, investigate,  
38 or prosecute crimes pursuant to subdivision (c) shall be returned  
39 to the Controller, for deposit in the Motor Vehicle Account in the

1 State Transportation Fund. Those funds received by a county shall  
2 be expended in accordance with this section.

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

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

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

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

17 (3) Details of expenditures made by the county under  
18 subdivision (c), including salaries and expenses, purchase of  
19 equipment and supplies, and any other expenditures made listed  
20 by type with an explanatory comment.

21 (4) A summary of vehicle theft abatement activities and other  
22 vehicle theft programs funded by the fees collected pursuant to  
23 this section.

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

26 (6) The total number of vehicles stolen during the immediately  
27 preceding fiscal year as compared to the fiscal year prior to the  
28 immediately preceding fiscal year.

29 (7) Any additional, unexpended fee revenues received under  
30 subdivision (b) for the county for the immediately preceding fiscal  
31 year.

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

37 (i) (1) On or before January 1, 2013, and on or before January  
38 1 of each year, the Controller shall provide to the Department of  
39 the California Highway Patrol copies of the yearend reports  
40 submitted by the counties under subdivision (g) and, in consultation

1 with the Department of the California Highway Patrol, shall review  
2 the fiscal yearend reports submitted by each county pursuant to  
3 subdivision (g) to determine if fee revenues are being utilized in  
4 a manner consistent with this section. If the Controller determines  
5 that the use of the fee revenues is not consistent with this section,  
6 the Controller shall consult with the participating counties'  
7 designated regional coordinators. If the Controller determines that  
8 use of the fee revenues is still not consistent with this section, the  
9 authority to collect the fee by that county shall be suspended for  
10 one year.

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

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

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

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

24 (2) The total expenditures by each county.

25 (3) The unexpended revenues for each county.

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