

AMENDED IN SENATE JULY 3, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2393

Introduced by Assembly Member Levine

February 21, 2014

An act to amend Section 9250.19 of the Vehicle Code, relating to vehicle registration fees, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2393, as amended, Levine. 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 on all motor vehicles, except as provided, in addition to other fees imposed for the registration of a vehicle. Existing law requires registered owners of a commercial vehicle in a county that has so imposed that \$1 fee to pay an additional \$2 fee. Existing law requires the county, after deducting administrative costs, to pay those fees to the Controller quarterly. Existing law continuously appropriates the money generated by these fees to the Controller for disbursement to each county that has adopted a resolution as described above, and limits the expenditure of the money so disbursed to certain purposes related to law enforcement.

This bill would additionally authorize a county, that has adopted the resolution to impose the \$1 fee, to increase that fee to \$2 in the same manner that it imposed the initial \$1 fee. The bill would alternatively authorize a county that has not adopted a \$1 fee to impose an initial \$2 fee in the same manner that it is authorized to impose a \$1 fee. If a county imposes a \$2 fee pursuant to these provisions, the bill would increase the additional \$2 fee on commercial vehicles to \$4. The bill would require the county to submit resolutions to *impose or* increase

fees pursuant to these provisions to the Department of Motor Vehicles at least 6 months prior to the operative date of the fee increase.

This bill makes an appropriation by authorizing a county to increase the amount of fees that are continuously appropriated to the Controller.

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 9250.19 of the Vehicle Code is amended
2 to read:

3 9250.19. (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 pursuant to this subdivision by any county board of
6 supervisors, a fee of one dollar (\$1) shall be paid at the time of
7 registration, renewal, or supplemental application for apportioned
8 registration pursuant to Article 4 (commencing with Section 8050)
9 of Chapter 4 of every vehicle, except vehicles described in
10 subdivision (a) of Section 5014.1, registered to an address within
11 that county except those expressly exempted from payment of
12 registration fees. The fees, after deduction of the administrative
13 costs incurred by the department in carrying out this section, shall
14 be paid quarterly to the Controller.

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

22 (B) If a county has not adopted a resolution to impose a
23 one-dollar (\$1) fee pursuant to paragraph (1), the county may
24 instead adopt a fee of two dollars (\$2) in the manner prescribed in
25 paragraph (1).

26 (C) A resolution to impose a fee of two dollars (\$2) pursuant
27 to subparagraph (A) or (B) shall be submitted to the department
28 at least six months prior to the operative date of the fee increase.

29 (3) In addition to the one-dollar (\$1) service fee, and upon the
30 implementation of the permanent trailer identification plate
31 program, and as part of the Commercial Vehicle Registration Act

1 of 2001, all commercial motor vehicles subject to Section 9400.1
2 registered to an owner with an address in the county that
3 established a service authority under this section, shall pay an
4 additional service fee of two dollars (\$2).

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

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

15 (5) A resolution adopted pursuant to paragraph (1) or (2) shall
16 include findings as to the purpose of, and the need for, imposing
17 the additional registration fee.

18 (b) Notwithstanding Section 13340 of the Government Code,
19 the money paid to the Controller pursuant to subdivision (a) is
20 continuously appropriated, without regard to fiscal years, for
21 disbursement by the Controller to each county that has adopted a
22 resolution pursuant to subdivision (a), based upon the number of
23 vehicles registered, or whose registration is renewed, to an address
24 within that county, or supplemental application for apportioned
25 registration, and for the administrative costs of the Controller
26 incurred under this section.

27 (c) Money allocated to a county pursuant to subdivision (b)
28 shall be expended exclusively to fund programs that enhance the
29 capacity of local law enforcement to provide automated mobile
30 and fixed location fingerprint identification of individuals who
31 may be involved in driving under the influence of alcohol or drugs
32 in violation of Section 23152 or 23153, or vehicular manslaughter
33 in violation of Section 191.5 of the Penal Code or subdivision (c)
34 of Section 192 of the Penal Code, or any combination of those and
35 other vehicle-related crimes, and other crimes committed while
36 operating a motor vehicle.

37 (d) The data from a program funded pursuant to subdivision (c)
38 shall be made available by the local law enforcement agency to a
39 local public agency that is required by law to obtain a criminal
40 history background of persons as a condition of employment with

1 that local public agency. A local law enforcement agency that
2 provides the data may charge a fee to cover its actual costs in
3 providing that data.

4 (e) (1) Money collected pursuant to this section shall not be
5 used to offset a reduction in any other source of funds for the
6 purposes authorized under this section.

7 (2) Funds collected pursuant to this section, upon
8 recommendation of local or regional Remote Access Network
9 Boards to the board of supervisors, shall be used exclusively for
10 the purchase, by competitive bidding procedures, and the operation
11 of equipment that is compatible with the Department of Justice's
12 Cal-ID master plan, as described in Section 11112.2 of the Penal
13 Code, and the equipment shall interface in a manner that is in
14 compliance with the requirement described in the Criminal Justice
15 Information Services, Electronic Fingerprint Transmission
16 Specification, prepared by the Federal Bureau of Investigation and
17 dated August 24, 1995.

18 (f) Every county that has authorized the collection of the fee
19 pursuant to subdivision (a) shall issue a fiscal yearend report to
20 the Controller on or before November 1 of each year, summarizing
21 all of the following with respect to those fees:

22 (1) The total revenues received by the county for the fiscal year.

23 (2) The total expenditures and encumbered funds by the county
24 for the fiscal year. For purposes of this subdivision, "encumbered
25 funds" means funding that is scheduled to be spent pursuant to a
26 determined schedule and for an identified purchase consistent with
27 this section.

28 (3) Any unexpended or unencumbered fee revenues for the
29 county for the fiscal year.

30 (4) The estimated annual cost of the purchase, operation, and
31 maintenance of automated mobile and fixed location fingerprint
32 equipment, related infrastructure, law enforcement enhancement
33 programs, and personnel created or utilized in accordance with
34 this section for the fiscal year. The listing shall detail the make
35 and model number of the equipment, and include a succinct
36 description of the related infrastructure items, law enforcement
37 enhancement programs, and the classification or title of any
38 personnel.

39 (5) How the use of the funds benefits the motoring public.

1 (g) For each county that fails to submit the report required
2 pursuant to subdivision (f) by November 1 of each year, the
3 Controller shall notify the Department of Motor Vehicles to
4 suspend the fee for that county imposed pursuant to subdivision
5 (a) for one year.

6 (h) If any funds received by a county pursuant to subdivision
7 (a) are not expended or encumbered in accordance with this section
8 by the close of the fiscal year in which the funds were received,
9 the Controller shall notify the Department of Motor Vehicles to
10 suspend the fee for that county imposed pursuant to subdivision
11 (a) for one year. For purposes of this subdivision, “encumbered
12 funds” means funding that is scheduled to be spent pursuant to a
13 determined schedule and for an identified purchase consistent with
14 this section.