

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 192

Introduced by Assembly Member Travis Allen

January 28, 2015

An act to ~~amend~~ *add* Section ~~5156~~ *of 5166* to the Vehicle Code, relating to license plates.

LEGISLATIVE COUNSEL'S DIGEST

AB 192, as amended, Travis Allen. ~~License plates.~~ *Specialized license plates: coastal conservancy awareness.*

Existing law establishes a specialized license plate program and requires the Department of Motor Vehicles (*DMV*) to issue specialized license plates ~~to on behalf of~~ a sponsoring state agency that meets certain requirements. Existing law requires that the ~~department~~ *DMV* charge specified additional fees for the issuance, renewal, or transfer of specialized license ~~plates.~~ *plates, and requires the DMV to deposit the fees, less the DMV's costs, into the Specialized License Plate Fund. Existing law requires that moneys in the fund be allocated, upon appropriation by the Legislature, to each sponsoring agency in proportion to the amount that is attributable to the agency's specialized license plate program. Existing law authorizes the sponsoring state agency to use these moneys to fund projects and programs that promote the state agency's official policy, mission, or work.*

This bill would ~~make a technical, nonsubstantive change to this provision.~~ *require the State Coastal Conservancy to apply to the DMV to sponsor a license plate for coastal conservancy awareness, and would require the DMV, in consultation with the State Coastal Conservancy, to design for issuance these special license plates bearing a decal*

depicting a surfer design, as specified. The bill would require the DMV to deposit the fees for the issuance, renewal, or transfer of these specialized license plates, less the DMV's costs, into the Coastal Conservancy Awareness Fund, which the bill would establish in the Specialized License Plate Fund, for the deposit of revenue derived from these specialized license plates. The bill would require that these funds be allocated, upon appropriation by the Legislature, to the State Coastal Conservancy to fund specified projects and programs related to coastal conservancy, including providing for the maintenance and operation of coastal access infrastructure.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5166 is added to the Vehicle Code, to
 2 read:
 3 5166. (a) *The State Coastal Conservancy shall apply to the*
 4 *department to sponsor a coastal conservancy awareness license*
 5 *plate program. The department shall issue specialized license*
 6 *plates for that program if the State Coastal Conservancy satisfies*
 7 *the requirements of Section 5156.*
 8 (b) *The department, in consultation with the State Coastal*
 9 *Conservancy, shall design the special state coastal conservancy*
 10 *license plates as described in this section. The special state coastal*
 11 *conservancy license plates shall bear a decal that the department*
 12 *determines, in consultation with the Department of the California*
 13 *Highway Patrol, does not obscure the readability of the license*
 14 *plate depicting a surfer design, as approved by the State Coastal*
 15 *Conservancy.*
 16 (c) (1) *The fees specified in Section 5157 shall be imposed for*
 17 *the issuance, renewal, or transfer of specialized license plates*
 18 *authorized by this section. Notwithstanding subdivision (c) of*
 19 *Section 5157, after deducting its administrative costs, the*
 20 *department shall deposit the revenue derived from the additional*
 21 *fees into the Coastal Conservancy Awareness Fund, which is*
 22 *hereby established in the Specialized License Plate Fund. Upon*
 23 *appropriation by the Legislature, the moneys in the Coastal*
 24 *Conservancy Awareness Fund shall be allocated to the State*

1 Coastal Conservancy to fund projects and programs that
2 accomplish any of the following purposes:

3 (A) Educating the general public regarding the history of surfing
4 as a sport and as a recreational activity.

5 (B) Providing support for lifeguards at high-risk beaches to aid
6 in the protection of the public who utilize those beaches.

7 (C) Providing protections of coastal access for everyone.

8 (D) Providing educational programs, including publication of
9 articles, and hosting and supporting forums and events to increase
10 coastal conservancy awareness.

11 (E) Developing and supporting activities designed to assist in
12 preserving and protecting the shoreline and the delicate ecosystems
13 residing within the coastal ecosystem.

14 (F) Providing for the maintenance and operation of coastal
15 access infrastructure, including, but not limited to, trails, pathways,
16 walkways, parking, ramps and stairs, coastal cleanup efforts, and
17 any other beach access services.

18 (2) The State Coastal Conservancy may enter into an agreement
19 with any nonprofit organization, as may be appropriate, to assist
20 the State Coastal Conservancy in accomplishing any of the projects
21 or programs described in paragraph (1).

22 SECTION 1. ~~Section 5156 of the Vehicle Code is amended to~~
23 ~~read:~~

24 ~~5156. (a) (1) A state agency may apply to the department to~~
25 ~~sponsor a specialized license plate program, and the department~~
26 ~~shall issue specialized license plates for that program, if the agency~~
27 ~~complies with all of the requirements of this article.~~

28 ~~(2) The department shall not issue specialized license plates to~~
29 ~~a state agency for a vehicle that is exempt from the payment of~~
30 ~~registration fees pursuant to Section 9101 or 9103.~~

31 ~~(b) Except as provided in subdivision (d), the department shall~~
32 ~~not establish a specialized license plate program for an agency~~
33 ~~until the department has received not less than 7,500 applications~~
34 ~~for that agency's specialized license plates. The agency shall collect~~
35 ~~and hold applications for the plates. Once the agency has received~~
36 ~~at least 7,500 applications, it shall submit the applications, along~~
37 ~~with the necessary fees, to the department. The department shall~~
38 ~~not issue a specialized license plate until the agency has received~~
39 ~~and submitted to the department not less than 7,500 applications~~
40 ~~for that particular specialized license plate within the time period~~

1 prescribed in this section. Advance payment to the department by
2 the agency representing the department's estimated or actual
3 administrative costs associated with the issuance of a particular
4 specialized license plate shall not constitute compliance with this
5 requirement. The agency shall have 12 months, following the date
6 of approval of the agency's initial application to sponsor a
7 specialized license plate program, to receive the required number
8 of applications. If, after that 12 months, 7,500 applications have
9 not been received, the agency shall immediately do either of the
10 following:

11 (1) Refund to all applicants all fees or deposits that have been
12 collected.

13 (2) Contact the department to indicate the agency's intent to
14 undertake collection of additional applications and fees or deposits
15 for an additional period, not to exceed 12 months, in order to obtain
16 the minimum 7,500 applications. If the agency elects to exercise
17 the option under this paragraph, it shall contact each applicant who
18 has submitted an application with the appropriate fees or deposits
19 to determine if the applicant wishes a refund of fees or deposits
20 or requests the continuance of the holding of the application and
21 fees or deposits until that time that the agency has received 7,500
22 applications. The agency shall refund the fees or deposits to an
23 applicant so requesting. The agency shall not collect and hold
24 applications for a period exceeding 24 months following the date
25 of approval of the agency's initial application to sponsor a
26 specialized license plate program.

27 (e) (1) If the number of outstanding and valid specialized license
28 plates in a particular program, except as provided in subdivision
29 (d), provided for in this article is less than 7,500, the department
30 shall notify the sponsoring agency of that fact and shall inform the
31 agency that if that number is less than 7,500 one year from the
32 date of that notification, the department will no longer issue or
33 replace those specialized license plates.

34 (2) Those particular specialized license plates that were issued
35 prior to the discontinuation provided by paragraph (1) may continue
36 to be used and attached to the vehicle for which they were issued
37 and may be renewed, retained, or transferred pursuant to this code.

38 (d) (1) The Department of Veterans Affairs may sponsor a Gold
39 Star Family specialized license plate program, and the department
40 may establish this specialized license plate program in the absence

1 of 7,500 paid applications as provided in subdivision (d) of Section
2 5157.

3 ~~(2) The Department of Veterans Affairs shall, upon receiving~~
4 ~~proof of eligibility from an applicant, authorize the department to~~
5 ~~issue Gold Star Family specialized license plates for a vehicle~~
6 ~~owned by an eligible family member of a member of the Armed~~
7 ~~Forces of the United States who was killed in the line of duty while~~
8 ~~on active duty during wartime service, or during an international~~
9 ~~terrorist attack that has been recognized by the United States~~
10 ~~Secretary of Defense as an attack against the United States or a~~
11 ~~foreign nation friendly to the United States, or during military~~
12 ~~operations while serving outside the United States, including~~
13 ~~commonwealths, territories, and possessions of the United States,~~
14 ~~or as part of a peacekeeping force, which includes personnel~~
15 ~~assigned to a force engaged in a peacekeeping operation authorized~~
16 ~~by the United Nations Security Council. An eligible family member~~
17 ~~is defined as all of the following:~~

18 ~~(A) A person who is otherwise eligible under this article to~~
19 ~~register a motor vehicle.~~

20 ~~(B) A person who shows proof from the United States~~
21 ~~Department of Veterans Affairs or the Department of Defense that~~
22 ~~the member who was in the Armed Forces of the United States~~
23 ~~was killed in the line of duty while on active duty in the military.~~

24 ~~(C) A person who bears, and shows proof satisfactory to the~~
25 ~~Department of Veterans Affairs of, one of the following~~
26 ~~relationships to the member of the Armed Forces killed in the line~~
27 ~~of duty while serving on active duty:~~

28 ~~(i) Widow.~~

29 ~~(ii) Widower.~~

30 ~~(iii) Biological parent.~~

31 ~~(iv) Adoptive parent.~~

32 ~~(v) Stepparent.~~

33 ~~(vi) Foster parent in loco parentis.~~

34 ~~(vii) Biological child.~~

35 ~~(viii) Adoptive child.~~

36 ~~(ix) Stepchild.~~

37 ~~(x) Sibling.~~

38 ~~(xi) Half-sibling.~~

39 ~~(xii) Grandparent.~~

40 ~~(xiii) Grandchild.~~

1 ~~(3) Upon the death of a person issued a Gold Star Family~~
2 ~~specialized license plate, the license plate shall be transferred to~~
3 ~~the surviving spouse, if he or she requests, or shall be returned to~~
4 ~~the department within 60 days after the death of the plateholder~~
5 ~~or upon the expiration of the vehicle registration, whichever occurs~~
6 ~~first.~~

7 ~~(e) (1) The Department of Veterans Affairs shall apply to the~~
8 ~~department to sponsor a veterans specialized license plate program,~~
9 ~~and the department shall issue license plates for that program if~~
10 ~~the Department of Veterans Affairs meets the requirements~~
11 ~~prescribed by this section.~~

12 ~~(2) The design of the veterans specialized license plate shall be~~
13 ~~identical to the design of the veterans special interest license plate~~
14 ~~issued pursuant to Section 5068 on or before January 1, 2010, and~~
15 ~~the decals for the plate shall be identical to those offered pursuant~~
16 ~~to Section 5068.~~

17 ~~(3) Notwithstanding Section 5157, in addition to the regular~~
18 ~~fees for an original registration, a renewal of registration, or a~~
19 ~~transfer of registration, the following fees shall be paid by~~
20 ~~individuals applying for a special interest license plate or a decal~~
21 ~~issued under this subdivision:~~

22 ~~(A) Fifty dollars (\$50) for the initial issuance of the plates and~~
23 ~~decals. The plates shall be permanent and shall not be required to~~
24 ~~be replaced.~~

25 ~~(B) Forty dollars (\$40) for each renewal of registration that~~
26 ~~includes the continued display of the plates or decals.~~

27 ~~(C) Fifteen dollars (\$15) for transfer of the plates to another~~
28 ~~vehicle.~~

29 ~~(D) Thirty-five dollars (\$35) for replacement plates, if they~~
30 ~~become damaged or unserviceable.~~

31 ~~(E) Ten dollars (\$10) for replacement decals, if they become~~
32 ~~damaged or unserviceable.~~

33 ~~(F) Seventy-eight dollars (\$78) for the personalization of the~~
34 ~~plates.~~

35 ~~(4) After deducting its administrative costs under this~~
36 ~~subdivision, the department shall deposit the revenue derived from~~
37 ~~the additional fees provided in paragraph (3) in the Veterans~~

- 1 ~~Service Office Fund created by Section 972.2 of the Military and~~
- 2 ~~Veterans Code.~~

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