

ASSEMBLY BILL

No. 2131

Introduced by Assembly Member Maienschein

February 17, 2016

An act to amend Section 5156 of the Vehicle Code, relating to license plates.

LEGISLATIVE COUNSEL'S DIGEST

AB 2131, as introduced, Maienschein. License plates.

Existing law establishes a specialized license plate program and requires the Department of Motor Vehicles to issue specialized license plates to a sponsoring state agency that meets certain requirements. Existing law requires that the department charge specified additional fees for the issuance, renewal, or transfer of specialized license plates.

This bill would make technical, nonsubstantive changes to the provision establishing a specialized license plate program.

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

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

- 1 SECTION 1. Section 5156 of the Vehicle Code is amended to
2 read:
3 5156. (a) (1) A state agency may apply to the department to
4 sponsor a specialized license plate program, and the department
5 shall issue specialized license plates for that program, if the agency
6 complies with all of the requirements of this article.

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

4 (b) Except as provided in subdivision (d), the department shall
5 not establish a specialized license plate program for an agency
6 until the department has received not less than 7,500 applications
7 for that agency's specialized license plates. The agency shall collect
8 and hold applications for the plates. Once the agency has received
9 at least 7,500 applications, it shall submit the applications, along
10 with the necessary fees, to the department. The department shall
11 not issue a specialized license plate until the agency has received
12 and submitted to the department not less than 7,500 applications
13 for that particular specialized license plate within the time period
14 prescribed in this section. Advance payment to the department by
15 the agency representing the department's estimated or actual
16 administrative costs associated with the issuance of a particular
17 specialized license plate shall not constitute compliance with this
18 requirement. The agency shall have 12 months, following the date
19 of approval of the agency's initial application to sponsor a
20 specialized license plate program, to receive the required number
21 of applications. If, after that 12 months, 7,500 applications have
22 not been received, the agency shall immediately do either of the
23 following:

24 (1) Refund to all applicants all fees or deposits that have been
25 collected.

26 (2) Contact the department to indicate the agency's intent to
27 undertake collection of additional applications and fees or deposits
28 for an additional period, not to exceed 12 months, in order to obtain
29 the minimum 7,500 applications. If the agency elects to exercise
30 the option under this ~~subparagraph~~, *paragraph*, it shall contact
31 each applicant who has submitted an application with the
32 appropriate fees or deposits to determine if the applicant wishes a
33 refund of fees or deposits or requests the continuance of the holding
34 of the application and fees or deposits until that time that the
35 agency has received 7,500 applications. The agency shall refund
36 the fees or deposits to an applicant so requesting. The agency shall
37 not collect and hold applications for a period exceeding 24 months
38 following the date of approval of the agency's initial application
39 to sponsor a specialized license plate program.

1 (c) (1) If the number of outstanding and valid specialized license
2 plates in a particular program, except as provided in subdivision
3 (d), provided for in this article is less than 7,500, the department
4 shall notify the sponsoring agency of that fact and shall inform the
5 agency that if that number is less than 7,500 one year from the
6 date of that notification, the department will no longer issue or
7 replace those specialized license plates.

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

12 (d) (1) The Department of Veterans Affairs may sponsor a Gold
13 Star Family specialized license plate ~~program~~ *program*, and the
14 department may establish this specialized license plate program
15 in the absence of 7,500 paid applications as provided in subdivision
16 (d) of Section 5157.

17 (2) The Department of Veterans Affairs shall, upon receiving
18 proof of eligibility from an applicant, authorize the department to
19 issue Gold Star Family specialized license plates for a vehicle
20 owned by an eligible family member of a member of the Armed
21 Forces of the United States who was killed in the line of duty while
22 on active duty during wartime service, or during an international
23 terrorist attack that has been recognized by the United States
24 Secretary of Defense as an attack against the United States or a
25 foreign nation friendly to the United States, or during military
26 operations while serving outside the United States, including
27 commonwealths, territories, and possessions of the United States,
28 or as part of a peacekeeping force, which includes personnel
29 assigned to a force engaged in a peacekeeping operation authorized
30 by the United Nations Security Council. An eligible family member
31 is defined as all of the following:

32 (A) A person who is otherwise eligible under this article to
33 register a motor vehicle.

34 (B) A person who shows proof from the United States
35 Department of Veterans Affairs or the Department of Defense that
36 the member who was in the Armed Forces of the United States
37 was killed in the line of duty while on active duty in the military.

38 (C) A person who bears, and shows proof satisfactory to the
39 Department of Veterans Affairs of, one of the following

1 relationships to the member of the Armed Forces killed in the line
2 of duty while serving on active duty:

- 3 (i) Widow.
- 4 (ii) Widower.
- 5 (iii) Biological parent.
- 6 (iv) Adoptive parent.
- 7 (v) Stepparent.
- 8 (vi) Foster parent in loco parentis.
- 9 (vii) Biological child.
- 10 (viii) Adoptive child.
- 11 (ix) Stepchild.
- 12 (x) Sibling.
- 13 (xi) Half-sibling.
- 14 (xii) Grandparent.
- 15 (xiii) Grandchild.

16 (3) Upon the death of a person issued a Gold Star Family
17 specialized license plate, the license plate shall be transferred to
18 the surviving spouse, if he or she requests, or shall be returned to
19 the department within 60 days after the death of the plateholder
20 or upon the expiration of the vehicle registration, whichever occurs
21 first.

22 (e) (1) The Department of Veterans Affairs shall apply to the
23 department to sponsor a veterans specialized license plate program,
24 and the department shall issue license plates for that program if
25 the Department of Veterans Affairs meets the requirements
26 prescribed by this section.

27 (2) The design of the veterans specialized license plate shall be
28 identical to the design of the veterans special interest license plate
29 issued pursuant to Section 5068 on or before January 1, 2010, and
30 the decals for the plate shall be identical to those offered pursuant
31 to Section 5068.

32 (3) Notwithstanding Section 5157, in addition to the regular
33 fees for an original registration, a renewal of registration, or a
34 transfer of registration, the following fees shall be paid by
35 individuals applying for a special interest license plate or a decal
36 issued under this subdivision:

37 (A) Fifty dollars (\$50) for the initial issuance of the plates and
38 decals. The plates shall be permanent and shall not be required to
39 be replaced.

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

3 (C) Fifteen dollars (\$15) for transfer of the plates to another
4 vehicle.

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

7 (E) Ten dollars (\$10) for replacement decals, if they become
8 damaged or unserviceable.

9 (F) Seventy-eight dollars (\$78) for the personalization of the
10 plates.

11 (4) After deducting its administrative costs under this
12 subdivision, the department shall deposit the revenue derived from
13 the additional fees provided in paragraph (3) in the Veterans
14 Service Office Fund created by Section 972.2 of the Military and
15 Veterans Code.

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