

AMENDED IN ASSEMBLY APRIL 13, 2016

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2253

Introduced by Assembly Member Grove
(Coauthors: Assembly Members Gallagher, Mathis, Melendez, and Olsen)

February 18, 2016

An act to add Section ~~5076~~ 5163.5 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2253, as amended, Grove. ~~Special interest~~ *Specialized* license plates: In God We Trust—~~America, Inc. Trust.~~

Existing law authorizes a state agency to apply to the Department of Motor Vehicles (DMV) to sponsor a specialized license plate program and requires the DMV to issue those license plates if the sponsoring state agency meets certain requirements. Existing law requires the DMV to charge specified fees related to the issuance of those plates and to deposit the fees, less the DMV's costs, in the Specialized License Plate Fund. Existing law requires that moneys in the fund be allocated, upon appropriation by the Legislature, to the sponsoring agency in proportion to the amount that is attributable to the agency's specialized license plate program. Existing law authorizes the sponsoring agency to use these moneys to fund projects and programs that promote the state agency's official policy, mission, or work.

This bill would require the Department of Veterans Affairs to apply to the DMV to sponsor an In God We Trust license plate program and

would require the DMV to issue those specialized license plates for that program if the Department of Veterans Affairs satisfies certain requirements. Notwithstanding the above-described provisions regarding fees for specialized plates, the bill would require the additional fees for the issuance, renewal, or transfer of these specialized license plates to be deposited, after the DMV deducts its administrative costs, in a newly created fund, to be available upon appropriation by the Legislature for the purpose of funding specified veterans programs.

~~Under existing law, an organization may apply to the Department of Motor Vehicles for participation in a special interest license plate program, and the department is required to issue special interest license plates for that program if the issuance of those plates is required under these provisions and the sponsoring organization meets certain requirements, including, among others, collecting and submitting to the department at least 7,500 applications for the plates, as specified. Beginning January 1, 2007, existing law prohibits the department from accepting an application for participation in a special interest license plate program, and from issuing special interest license plates for a new program, under this procedure.~~

~~This bill would state legislative findings and declarations relating to specialty license plate designs as government speech. This bill would require the department, notwithstanding the above provision that prohibits the department from accepting an application from an organization and from issuing special interest license plates for a new program, to design and make available for issuance special interest license plates, in consultation with In God We Trust — America, Inc. This bill would require the payment of certain fees for the issuance, renewal, or transfer of the special interest license plates authorized pursuant to this provision, in addition to the regular fees for an original registration or renewal of registration.~~

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

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

- 1 SECTION 1. Section 5163.5 is added to the Vehicle Code, to
- 2 read:
- 3 5163.5. (a) The Department of Veterans Affairs shall apply
- 4 to the Department of Motor Vehicles, pursuant to Section 5156,
- 5 to sponsor an In God We Trust license plate program. The

1 *Department of Motor Vehicles shall issue specialized license plates*
2 *for that program if the Department of Veterans Affairs complies*
3 *with the requirements of this article.*

4 *(b) Notwithstanding subdivision (c) of Section 5157, the*
5 *additional fees prescribed by Section 5157 for the issuance,*
6 *renewal, or transfer of the specialized license plates shall be*
7 *deposited, after the Department of Motor Vehicles deducts its*
8 *administrative costs, in the Veterans Housing and Homelessness*
9 *Prevention Fund, which is hereby established in the State Treasury.*
10 *The funds in the account shall be used, upon appropriation by the*
11 *Legislature to the Department of Veterans Affairs, to support the*
12 *Veterans Housing and Homelessness Prevention Program and the*
13 *development of affordable services for veterans.*

14 ~~SECTION 1.—The Legislature finds and declares that a specialty~~
15 ~~license plate design constitutes government speech, pursuant to~~
16 ~~the United States Supreme Court's decision in Walker v. Texas~~
17 ~~Div., Sons of Confederate Veterans, Inc. (2015) 135 S.Ct. 2239,~~
18 ~~and the Legislature's consideration of this act does not implicate~~
19 ~~the free speech rights of private persons.~~

20 ~~SEC. 2.—Section 5076 is added to the Vehicle Code, to read:~~

21 ~~5076. (a) Notwithstanding Section 5060.1, the department, in~~
22 ~~consultation with In God We Trust — America, Inc., shall design~~
23 ~~and make available for issuance, pursuant to this article, special~~
24 ~~interest license plates.~~

25 ~~(b) In addition to the regular fees for an original registration or~~
26 ~~renewal of registration, the following additional fees shall be paid~~
27 ~~for the issuance, renewal, or transfer of the special interest license~~
28 ~~plates authorized pursuant to this section:~~

29 ~~(1) For the original issuance of the plates, fifty dollars (\$50).~~

30 ~~(2) For a renewal of registration with the plates, forty dollars~~
31 ~~(\$40).~~

32 ~~(3) For transfer of the plates to another vehicle, fifteen dollars~~
33 ~~(\$15).~~

34 ~~(4) For each substitute replacement plate, thirty-five dollars~~
35 ~~(\$35).~~

36 ~~(5) In addition, for the issuance of environmental license plates,~~
37 ~~as defined in Section 5103, the additional fees prescribed in~~
38 ~~Sections 5106 and 5108. The additional fees prescribed in Sections~~

- 1 ~~5106 and 5108 shall be deposited in the California Environmental~~
- 2 ~~License Plate Fund.~~