

AMENDED IN ASSEMBLY APRIL 10, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1539

Introduced by Assembly Member Hayashi
(Coauthors: Assembly Members Atkins, Galgiani, Lara, Ma, Mitchell,
Swanson, and Torres)

January 24, 2012

An act to add Section 5157.5 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL’S DIGEST

AB 1539, as amended, Hayashi. Vehicles: specialized license plates: antibullying license plate program.

Existing law requires the Department of Motor Vehicles to issue specialized license plates in accordance with requirements that include, among other things, a distinct license plate design or message that publicizes or promotes the official policy, mission, or work of a state agency and that additional fees charged be used, upon appropriation by the Legislature, for programs that further that agency’s policy, mission, or work.

This bill would require the department, in consultation with the State Department of Education, to design and make available for issuance specialized license plates that contain a message that promotes the policy of the state that prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics and disability, gender, *gender identity*, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. The bill would require that the specialized license plate be known as the “Antibullying License Plate Program.”

The bill would create the Antibullying Program Account in the Specialized License Plate Fund and moneys in the account would be available, upon appropriation by the Legislature, for the program. The bill would require the State Department of Education to transfer sufficient ~~moneys~~ moneys to the Department of Motor Vehicles to initiate the program.

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. The Legislature finds and declares all of the
2 following:

3 (a) The bullying of young people who are members of the
4 lesbian, gay, bisexual, and transgender (LGBT) community has
5 increased in our schools over the years.

6 (b) The 2009 National School Climate Survey found that 8 in
7 10 LGBT students had been verbally harassed at school, and 4 in
8 10 had been physically harassed. The survey of 7,000 LGBT
9 middle and high school students also found that one in five had
10 been the victim of a physical assault at school.

11 SEC. 2. Section 5157.5 is added to the Vehicle Code, to read:

12 5157.5. (a) Notwithstanding Section 5156, the department, in
13 consultation with the State Department of Education, shall design
14 and make available for issuance pursuant to this article specialized
15 license plates that contain a message that promotes the policy of
16 the state that prohibits discrimination, harassment, intimidation,
17 and bullying based on actual or perceived characteristics and
18 disability, gender, *gender identity*, nationality, race or ethnicity,
19 religion, sexual orientation, or association with a person or group
20 with one or more of these actual or perceived characteristics. The
21 specialized license plate shall be known as the “Antibullying
22 License Plate Program.” The design of the license plates shall be
23 subject to Sections 5154 and 5155. Any person described in Section
24 5101, upon payment of the additional fees set forth in subdivision
25 (b), may apply for and be issued a set of specialized license plates.
26 The plates may be issued in a combination of numbers or letters,
27 or both, requested by the owner or lessee of the vehicle.

28 (b) In addition to the regular fees for an original registration or
29 renewal of registration, the following additional fees shall be paid

1 for the issuance, renewal, or transfer of the specialized license
2 plates authorized pursuant to this section:

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

4 (2) For a renewal of registration with the plates, forty dollars
5 (\$40).

6 (3) For transfer of the plates to another vehicle, fifteen dollars
7 (\$15).

8 (4) For each substitute replacement plate, thirty-five dollars
9 (\$35).

10 (5) For the conversion of an existing specialized license plate
11 to the specialized license plate authorized pursuant to this section,
12 sixty-five dollars (\$65).

13 (c) (1) The State Department of Education ~~shall~~ *shall* transfer
14 sufficient ~~monies~~ *moneys* to the Department of Motor Vehicles to
15 initiate the Antibullying License Plate Program. After deducting
16 its administrative costs under this section, the department shall
17 deposit the additional revenue derived from the issuance, renewal,
18 transfer, and substitution of the specialized license plates into the
19 Antibullying Program Account, which is hereby created in the
20 Specialized License Plate Fund.

21 (2) Upon appropriation by the Legislature, the money in the
22 account shall be allocated by the Controller to the State Department
23 of Education for expenditure in support of state or local
24 antibullying programs administered by the State Department of
25 Education or through grants to local school districts.

26 (d) The State Department of Education shall report to the
27 Legislature on or before June 30 of each year on its use and
28 expenditure of the money in the Antibullying Program Account,
29 beginning one year after the initial issuance of the specialized
30 license plates authorized by this section.