

ASSEMBLY BILL

No. 286

Introduced by Assembly Members Salas and Jones

February 13, 2009

An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 286, as introduced, Salas. Vehicles: additional registration fees.

Existing law, in addition to the other fees imposed for the registration of a vehicle, imposes, as a county option with certain exceptions, an additional fee of \$1, and an additional service fee of \$2, on all commercial motor vehicles, and continuously appropriates the money to fund local programs relating to vehicle theft crimes. These provisions are to be repealed as of January 1, 2010.

Existing law requires each participating county to issue a fiscal year-end report to the Controller, summarizing certain matters.

This bill would extend the repeal date of January 1, 2010, to January 1, 2018, and would thus extend the fee and the continuous appropriation until January 1, 2018, thereby making an appropriation.

This bill would additionally require the year-end report to the Controller to include a detailed accounting of the funds received and expended in the immediately preceding fiscal year, as well as include additional information on county expenditures to fund programs relating to vehicle theft crimes and in some cases crimes involving driving under the influence of alcohol or drugs, or both.

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 9250.14 of the Vehicle Code is amended
2 to read:

3 9250.14. (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 by any county board of supervisors, a fee of one dollar
6 (\$1) shall be paid at the time of registration or renewal of
7 registration of every vehicle, except vehicles described in
8 subdivision (a) of Section 5014.1, registered to an address within
9 that county except those expressly exempted from payment of
10 registration fees. The fees, after deduction of the administrative
11 costs incurred by the department in carrying out this section, shall
12 be paid quarterly to the Controller.

13 (2) In addition to the one dollar (\$1) service fee, and upon the
14 implementation of the permanent trailer identification plate
15 program, and as part of the Commercial Vehicle Registration Act
16 of 2001, all commercial motor vehicles subject to Section 9400.1
17 registered to an owner with an address in the county that
18 established a service authority under this section, shall pay an
19 additional service fee of two dollars (\$2).

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

27 (c) Except as otherwise provided in this subdivision, money
28 allocated to a county pursuant to subdivision (b) shall be expended
29 exclusively to fund programs that enhance the capacity of local
30 police and prosecutors to deter, investigate, and prosecute vehicle
31 theft crimes. In any county with a population of 250,000 or less,
32 the money shall be expended exclusively for those vehicle theft
33 crime programs and for the prosecution of crimes involving driving
34 while under the influence of alcohol or drugs, or both, in violation
35 of Section 23152 or 23153, or vehicular manslaughter in violation
36 of Section 191.5 or subdivision (c) of Section 192 of the Penal
37 Code, or any combination of those crimes.

1 (d) No money collected pursuant to this section shall be
2 expended to offset a reduction in any other source of funds, nor
3 for any purpose not authorized under this section.

4 (e) Any funds received by a county prior to January 1, 2000,
5 pursuant to this section that are not expended to deter, investigate,
6 or prosecute crimes pursuant to subdivision (c) shall be returned
7 to the Controller, for deposit in the Motor Vehicle Account in the
8 State Transportation Fund. Those funds received by a county shall
9 be expended in accordance with this section.

10 (f) Each county that adopts a resolution under subdivision (a)
11 shall submit, on or before the 13th day following the end of each
12 quarter, a quarterly expenditure and activity report to the designated
13 statewide Vehicle Theft Investigation and Apprehension
14 Coordinator in the Department of the California Highway Patrol.

15 (g) A county that imposes a fee under subdivision (a) shall issue
16 a fiscal-year-end ~~year-end~~ report to the Controller on or before
17 August 31 of each year ~~summarizing all of the following~~. *The*
18 *report shall include a detailed accounting of the funds received*
19 *and expended in the immediately preceding fiscal year, including,*
20 *at a minimum, all of the following:*

21 (1) The total revenues received by the county under subdivision
22 (b) for the immediately preceding fiscal year.

23 (2) The total expenditures by the county under subdivision (c)
24 for the immediately preceding fiscal year.

25 (3) *Details of expenditures made by the county under subdivision*
26 *(c), including salaries and expenses, purchase of equipment and*
27 *supplies, and any other expenditures made listed by type with an*
28 *explanatory comment.*

29 ~~(3)~~

30 (4) A summary of vehicle theft abatement activities and other
31 vehicle theft programs funded by the fees collected under this
32 section.

33 ~~(4)~~

34 (5) The total number of stolen vehicles recovered and the value
35 of those vehicles during the immediately preceding fiscal year.

36 ~~(5)~~

37 (6) The total number of vehicles stolen during the immediately
38 preceding fiscal year as compared to the fiscal year prior to the
39 immediately preceding fiscal year.

40 ~~(6)~~

1 (7) Any additional, unexpended fee revenues received under
2 subdivision (b) for the county for the immediately preceding fiscal
3 year.

4 (h) Each county that fails to submit the report required pursuant
5 to subdivision (g) by November 30 of each year shall have the fee
6 suspended by the Controller for one year, commencing on July 1
7 following the Controller's determination that a county has failed
8 to submit the report.

9 (i) (1) On or before January 1, 2006, and on or before January
10 1 annually thereafter, the Controller shall provide to the Department
11 of the California Highway Patrol copies of the yearend reports
12 submitted by the counties under subdivision (g), and, in
13 consultation with the Department of the California Highway Patrol,
14 shall review the fiscal yearend reports submitted by each county
15 pursuant to subdivision (g) to determine if fee revenues are being
16 utilized in a manner consistent with this section. If the Controller
17 determines that the use of the fee revenues is not consistent with
18 this section, the Controller shall consult with the participating
19 counties' designated regional coordinators. If the Controller
20 determines that the fee revenues are still not consistent with this
21 section, the authority to collect the fee by that county shall be
22 suspended for one year.

23 (2) If the Controller determines that a county has not submitted
24 a fiscal yearend report as required in subdivision (g), the
25 authorization to collect the service fee shall be suspended for one
26 year pursuant to subdivision (h).

27 (3) When the Controller determines that a fee shall be suspended
28 for a county, the Controller shall inform the Department of Motor
29 Vehicles on or before January 1, 2006, and on or before January
30 1 annually thereafter, that the authority to collect a fee for that
31 county is suspended.

32 (j) On or before January 1, 2006, and on or before January 1
33 annually thereafter, the Controller shall prepare and submit to the
34 Legislature a revenue and expenditure summary for each
35 participating county that includes all of the following:

36 (1) The total revenues received by each county.

37 (2) The total expenditures by each county.

38 (3) The unexpended revenues for each county.

39 (k) The Department of the California Highway Patrol, in
40 consultation with all participating county designated regional

1 coordinators, shall review the effectiveness of reducing vehicle
2 theft crimes that were funded by the fees imposed by this section.
3 The Department of the California Highway Patrol shall provide a
4 report based on that review and, on or before January 1, 2009,
5 shall submit that report to the Legislature.

6 (l) For the purposes of this section, a county designated regional
7 coordinator is that agency designated by the participating county's
8 board of supervisors as the agency in control of its countywide
9 vehicle theft apprehension program.

10 (m) This section shall remain in effect only until January 1,
11 ~~2010~~ 2018, and as of that date is repealed, unless a later enacted
12 statute that is enacted on or before January 1, ~~2010~~ 2018, deletes
13 or extends that date.