



REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

CONSENT
May 19, 2009

Honorable Members of the
Law and Legislation Committee

Subject: Legislative Position: Support AB 286 (Salas and Jones): Vehicles: additional registration fees

Location/Council District: Citywide

Recommendation:

Adopt a support position on AB 286 (Salas and Jones) related to vehicle registration fees.

Contact: Gene Reese, Lieutenant, 808-0552

Presenters: Not applicable

Department: Sacramento Police Department

Division: Office of Investigations

Organization No: 11001221

Description/Analysis

Issue: Staff is asking the committee to adopt a support position on AB 286, which would extend the repeal date of an existing law that imposes, as a County option, an additional vehicle registration fee of \$1, an additional service fee of \$2 on all commercial motor vehicles and continuously sets aside those monies to fund local programs relating to vehicle theft crimes.

Since 1991, the annual fees collected by the Department of Motor Vehicles (DMV) for vehicles registered in Sacramento County have funded the Police Department's bait car program. The program which includes eight bait cars is designed to equip and deploy law enforcement undercover vehicles that are stolen by criminals who are then apprehended and prosecuted. The vehicle registration funds also pay for two full-time auto theft detective positions and one part-time reserve officer position whose time is dedicated to auto theft prevention, education and apprehension.

In 2008, 66 persons were arrested for auto theft as a result of the bait car program that took place throughout the City of Sacramento.

Under existing law, the fees that pay for this successful auto theft program would be repealed as of January 1, 2010 and would no longer be available to the police department for the deterrence, investigation and prosecution of vehicle theft crimes. This bill would extend that date to January 1, 2018.

The bill would also require that the year-end reports that counties compile on the usage of the fees also include details of the expenditures made by the County, including salaries and expenses, the purchase of equipment and supplies and any other expenditures made listed by type with an explanatory comment.

Policy Considerations: This bill is consistent with the City's written and stated operational principle of promoting public safety and livability for all Sacramento residents.

Environmental Considerations: None.

Rationale for Recommendation: AB 286 is sponsored by the California State Sheriffs' Association and would serve to deter vehicle theft crimes in the City of Sacramento.

Financial Considerations: The cost of the registration fees is born by vehicle owners and has no negative fiscal impact on the City of Sacramento.

Emerging Small Business Development (ESBD): None.

Subject: AB 286 (Salas and Jones): Vehicles: additional registration fee May 19, 2009

Respectfully Submitted by: 
Gene Reese, Lieutenant

Approved by: 
Rick Brazier
Chief of Police

Recommendation Approved:


RAY KERRIDGE
City Manager

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Subject: AB 286 (Salas and Jones): Vehicles: additional registration fee May 19, 2009

Attachment 1 - Draft Letter of Support

June 2, 2009

The Honorable Mary Salas and Dave Jones
California State Assembly
Sacramento, CA 95814
ATTN: Legislative Director

SUBJECT: Support AB 286 – Vehicles: additional registration fee

Dear Assembly Members Salas and Jones:

On behalf of the City of Sacramento, I am pleased to write in support of AB 286. AB 286 would extend the repeal date of existing law that imposes, as a County option, an additional vehicle registration fee of \$1, an additional service fee of \$2 on all commercial motor vehicles and continuously sets aside those monies to fund local programs relating to vehicle theft crimes.

AB 286 is sponsored by the California State Sheriffs' Association and Highway Patrol and would greatly assist law enforcement agencies in reducing vehicle theft crimes throughout the State.

Thank you for introducing this important legislation.

Sincerely,

SANDY SHEEDY, Chair
Law and Legislation Committee

cc: Senator Darrell Steinberg
Senator Dave Cox
Assembly Member Dave Jones
Assembly Member Alan Nakanishi
Assembly Member Roger Niello
Mayor Johnson and Members of the City Council
David Jones, Emanuels and Jones and Associates

Attachment 2 – Bill Text

BILL NUMBER: AB 286 INTRODUCED
BILL TEXT

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:

SECTION 1. Section 9250.14 of the Vehicle Code is amended to read:

9250.14. (a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, upon the adoption of a resolution by any county board of supervisors, a fee of one dollar (\$1) shall be paid at the time of registration or renewal of registration of every vehicle, except vehicles described in subdivision (a) of Section 5014.1, registered to an address within that county except those expressly exempted from payment of registration fees. The fees, after deduction of the administrative costs incurred by the department in carrying out this section, shall be paid quarterly to the Controller.

(2) In addition to the one dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program,

and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles subject to Section 9400.1 registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

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

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

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

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

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

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

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

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

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

~~(3)~~

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

~~(4)~~

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

~~—(5)~~

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

~~—(6)~~

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

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

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

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

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

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

(1) The total revenues received by each county.

(2) The total expenditures by each county.

(3) The unexpended revenues for each county.

(k) The Department of the California Highway Patrol, in consultation with all participating county designated regional coordinators, shall review the effectiveness of reducing vehicle theft crimes that were funded by the fees imposed by this section. The Department of the California Highway Patrol shall provide a report based on that review and, on or before January 1, 2009, shall submit that report to the Legislature.

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

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