

Date of Hearing: April 27, 2015

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 192 (Travis Allen) – As Amended April 20, 2015

SUBJECT: License plates

SUMMARY: Requires the State Coastal Conservancy (SCC) to apply to the Department of Motor Vehicles (DMV) to sponsor a coastal conservancy specialized license plate program (program), as specified. Establishes the Coastal Conservancy Awareness Fund (Fund) and specifies that revenues from the Fund will be used by SCC to fund programs related to coastal protection and public awareness, as specified.

EXISTING LAW:

- 1) Allows any state agency to apply to DMV to sponsor a specialized license plate program.
- 2) Requires DMV to issue specialized license plates for that program if the agency complies with all statutory requirements.
- 3) Prohibits DMV from establishing a specialized license plate program for an agency until it has received not less than 7,500 paid applications for that agency's specialized license plates.
- 4) Requires the agency to collect and hold applications for the plates. Once the agency has received at least 7,500 applications, it must submit the applications, along with the necessary fees, to DMV.
- 5) Prohibits advance payment to DMV of its estimated or actual administrative costs associated with the issuance of a particular specialized license plate from constituting compliance with the 7,500 application threshold requirement.
- 6) Requires funds accruing to a sponsoring state agency from the sale of specialized license plates to be expended exclusively for projects and programs that promote that agency's official policy, mission, or work.
- 7) Allows specialized license plates to feature a distinctive design, decal, or distinctive message in a two-inch by three-inch space to the left of the plate's numerical sequence and a space not larger than 5/8-inch in height below the numerical series.

FISCAL EFFECT: Unknown

COMMENTS: Prior to 2007, any new specialized license plate required specific legislative authorization. That practice was held to be unconstitutional by the federal courts in that the Legislature approved some of the plates and rejected others, while using no standardized or objective criteria for those decisions. In response to the court decision, AB 84 (Leslie), Chapter 454, Statutes of 2006, established the current specialized license plate program to provide a forum for government speech that promotes California's state policies. AB 84 excludes private organizations from seeking specialized license plates as a forum for private speech, and thus addresses the court's objection.

Plates now created and the revenue they generate must publicize or promote a state agency, or the official policy, mission, or work of a state agency. Furthermore, the process requires that at least 7,500 paid applications must be received by the state agency prior to notifying DMV. The 7,500-application threshold was previously put into statute for specialized license plates and was arrived at in an attempt to assure that DMV's startup costs would be fully covered by the portion of the registration fee surcharge that is directed to DMV and to avoid a proliferation of different types of plates, which can be troublesome from a law enforcement perspective.

According to SCC's 2013 strategic plan the California coast is an environmental, recreational and economic asset to the state. The plan highlights that two out of every three Californians lives in a coastal county and millions of visitors come to our coast each year. Furthermore, California's coast is also a major economic driver to the state - the National Ocean Economics Program found that in 2000 the total gross state product of California's coast and ocean was approximately \$42.9 billion and it supported almost 700,000 jobs.

The author introduced AB 192 in an attempt to establish a funding source to support coastal protection efforts and raise coastal awareness through education and outreach efforts. The author notes that this bill will "continue to protect access to California's coasts, educate more people about the history and recreational value of our beaches, and promote the protection of the coast for everyone to be able to enjoy it for generations to come."

Related legislation: AB 63 (Bonilla), requires the California Department of Education to apply to the DMV to sponsor a specialized license plate program to generate funds for school violence prevention programs. This bill passed out of the Assembly Education Committee on March 25, 2015, with a 6-0 vote and subsequently passed out of this Committee on April 13, 2015 with a 16-0 vote.

AB 270 (Nazarian), requires the State Department of Public Health to apply to DMV to sponsor a diabetes awareness, education, and research specialized license plate program, as specified. AB 270 passed out of this committee on a 16-0 vote and is awaiting a hearing in the Assembly Appropriations Committee.

AB 932 (Daly and Thurmond), requires the State Department of Parks and Recreation to apply to DMV to sponsor a specialized license plate program using professional sport team logos. Establishes the California State Parks Account and specifies that revenues from the Account be used by DPR to fund local park and recreation programs. AB 932 passed out of this committee on a 14-0 vote and subsequently passed out of the Arts, Entertainment, Sports, Tourism, and Internet Media Committee on April 21, 2015 with a 7-0.

Previous legislation: Over the past 5 years, 13 bills have been introduced directing a state agency to sponsor a specialized license plate for a variety of causes. Of the 13 bills, eight passed the Legislature and were signed by the Governor. Most recently, in 2014, four bills were introduced and enacted to raise money for Salton Sea restoration [AB 1096 (Nestande), Chapter 353, Statutes of 2014], kidney disease research [AB 2450 (Logue), Chapter 359, Statutes of 2014], breast cancer awareness [AB 49 (Buchanan), Chapter 351, Statutes of 2014], and domestic violence prevention [AB 2321 (Gomez), Chapter 358, Statutes of 2014].

REGISTERED SUPPORT / OPPOSITION:**Support**

None on file

Opposition

None on file

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