

**CITY OF OAKLAND
BILL ANALYSIS**



Date: May 9, 2013

Bill Number: AB 1324

Bill Author: Skinner and Bonta

DEPARTMENT INFORMATION

Contact: Claudia Burgos, District 5, 510-238-7051
cburgos@oaklandnet.com

RECOMMENDED POSITION: SUPPORT

Summary of the Bill:

Current law allows counties to add a \$1 surcharge to vehicle registration (or \$2 for commercial vehicles) which is directed towards local programs to deter investigate, and prosecute vehicle thefts.

Assembly Bill 1324 (Skinner and Bonta) "Preventing Car Thefts" would allow the Alameda County Board of Supervisors to raise its surcharge fee from \$1 to \$2, and from \$2 to \$4 for commercial vehicles to help Alameda County fund investigations and prosecutions of vehicle thefts.

Positive Factors for Oakland

As of May 5, 2013, according to our crime stats from this year we have had:

- 2,610 Motor Vehicle Thefts
- 47 Carjackings
- 2,168 Auto Robberies

Given the level of car thefts in our City and the presence of robberies, it is in the City's best interest to support Senate Bill 1324 to further increase the vehicle registration fee to help fund investigations and persecution of vehicle theft crimes.

Negative Factors for Oakland: None.

A support position is recommended.

PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:

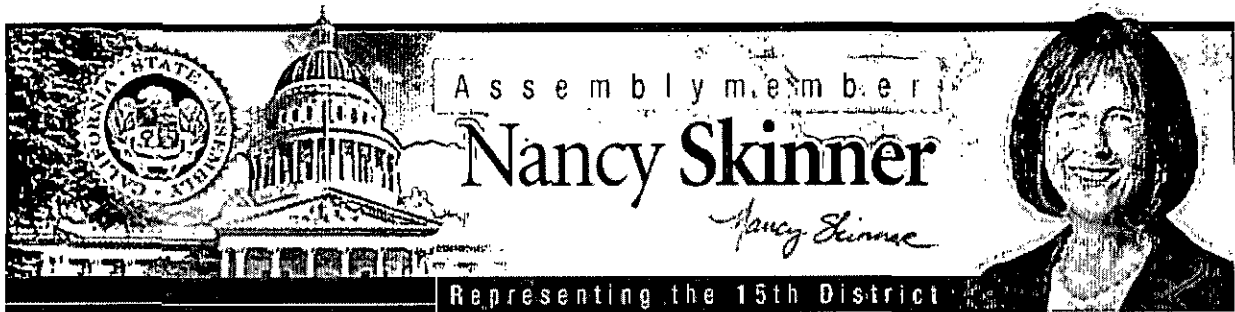
Critical (top priority for City lobbyist, city position required ASAP)

Very Important (priority for City lobbyist, city position necessary)

Somewhat Important (City position desirable if time and resources are available)

Minimal or **None (do not review with City Council, position not required)**

**Respectfully Submitted,
Councilmember Gallo,**



**Assembly Bill 1324 (Skinner and Bonta)
Preventing Car Thefts**

ISSUE

Current law allows counties to add a \$1 surcharge to vehicle registration fees (or \$2 for commercial vehicles), which is directed towards local programs to deter, investigate, and prosecute vehicle theft. Almost all counties have taken advantage of this law, and have reported the use of the fee to be highly successful.

Alameda County faces an urgent need to address car theft: From 2011 to 2012, 12,622 cars were reported stolen in the county, a 17% increase from 2011. This rate was higher than the 11% increase in car theft rates seen statewide. Increases were reported by almost every citywide police department in Alameda County, as well as by the Alameda County Sheriff's Office, BART Police, and CPIP offices in the county.

In 2012, the Boards of Supervisors in three southern California counties with particularly high rates of vehicle theft received authorization from the Assembly to increase their fees from \$1 to \$2, and from \$2 to \$4 for commercial vehicles.

AB 1324 (SKINNER)

AB 1324 would similarly allow the Alameda County Board of Supervisors to raise its additional vehicle registration fee from \$1 to \$2, and from \$2 to \$4 with commercial vehicles. This bill would provide Alameda County with much-needed funds to prevent and combat the growing problem of vehicle theft.

SUPPORT

City of Oakland

Assemblymember Nancy Skinner

Staff Contact: Tom Hughes (916) 319-2015 or Tom.Hughes@asm.ca.gov

AMENDED IN ASSEMBLY MAY 2, 2013
AMENDED IN ASSEMBLY MARCH 21, 2013
CALIFORNIA LEGISLATURE—2013—14 REGULAR SESSION

ASSEMBLY BILL

No. 1324

Introduced by Assembly Members Skinner and Bonta
(Coauthor: Assembly Member Buchanan)
(Coauthor: Senator Hancock)

February 22, 2013

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1324, as amended, Skinner. Vehicles: additional registration fees: vehicle theft crimes.

Existing law, until January 1, 2018, in addition to the other fees imposed for the registration of a vehicle, authorizes a county to impose an additional fee of \$1 on all motor vehicles, and an additional service fee of \$2 on commercial motor vehicles of 10,001 pounds or more, as specified, and continuously appropriates the money to fund local programs relating to vehicle theft crimes. Existing law also authorizes the County of Los Angeles, the County of San Diego, and the County of San Bernardino to increase the motor vehicle fee from \$1 to \$2, provides that the service fee on commercial motor vehicles would increase from \$2 to \$4 in those counties, upon adoption of a resolution of their boards of supervisors, and requires the resolution to be submitted to the Department of Motor Vehicles at least 6 months prior to the operative date of the fee increase. Existing law provides that these fees are deposited into a continuously appropriated fund.

This bill would, until January 1, 2018, additionally authorize the County of Alameda to increase the motor vehicle fee from \$1 to \$2, would provide that the service fee on commercial motor vehicles would increase from \$2 to \$4, upon adoption of a resolution of its board of supervisors, and would require the resolution to be submitted to the Department of Motor Vehicles at least 6 months prior to the operative date of the fee increase. The bill would make an appropriation by depositing the increased fees in a continuously appropriated fund.

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) (A) If the County of Alameda, the County of Los Angeles,
14 the County of San Diego, or the County of San Bernardino has
15 adopted a resolution to impose a one-dollar (\$1) fee pursuant to
16 paragraph (1), the county may increase the fee specified in
17 paragraph (1) to two dollars (\$2) in the same manner as the
18 imposition of the initial fee pursuant to paragraph (1). The two
19 dollars (\$2) shall be paid at the time of registration or renewal of
20 registration of a vehicle, and quarterly to the Controller, as provided
21 in paragraph (1).

22 (B) A resolution to increase the fee from one dollar (\$1) to two
23 dollars (\$2) pursuant to subparagraph (A) shall be submitted to
24 the department at least six months prior to the operative date of
25 the fee increase.

26 (3) In addition to the service fee imposed pursuant to paragraph
27 (1), and upon the implementation of the permanent trailer

1 identification plate program, and as part of the Commercial Vehicle
2 Registration Act of 2001 (Chapter 861 of the Statutes of 2000),
3 all commercial motor vehicles subject to Section 9400.1 registered
4 to an owner with an address in the county that established a service
5 authority under this section, shall pay an additional service fee of
6 two dollars (\$2).

7 (4) (A) If a county imposes a service fee of two dollars (\$2) by
8 adopting a resolution pursuant to subparagraph (A) of paragraph
9 (2), the fee specified in paragraph (3) shall be increased to four
10 dollars (\$4). The four dollars (\$4) shall be paid at the time of
11 registration or renewal of registration of a vehicle, and quarterly
12 to the Controller as provided in paragraph (1).

13 (B) A resolution to increase the additional service fee from two
14 dollars (\$2) to four dollars (\$4) pursuant to subparagraph (A) shall
15 be submitted to the department at least six months prior to the
16 operative date of the fee increase.

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

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

35 (d) The moneys collected pursuant to this section shall not be
36 expended to offset a reduction in any other source of funds, nor
37 for any purpose not authorized under this section.

38 (e) Any funds received by a county prior to January 1, 2000,
39 pursuant to this section, that are not expended to deter, investigate,
40 or prosecute crimes pursuant to subdivision (c) shall be returned

1 to the Controller, for deposit in the Motor Vehicle Account in the
2 State Transportation Fund. Those funds received by a county shall
3 be expended in accordance with this section.

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

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

14 (1) The amount of funds received and expended by the county
15 under subdivision (b) for the immediately preceding fiscal year.

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

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

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

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

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

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

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

38 (i) (1) On or before January 1, 2013, and on or before January
39 1 of each year, the Controller shall provide to the Department of
40 the California Highway Patrol copies of the yearend reports

1. submitted by the counties under subdivision (g), and, in
2 consultation with the Department of the California Highway Patrol,
3 shall review the fiscal yearend reports submitted by each county
4 pursuant to subdivision (g) to determine if fee revenues are being
5 utilized in a manner consistent with this section. If the Controller
6 determines that the use of the fee revenues is not consistent with
7 this section, the Controller shall consult with the participating
8 counties' designated regional coordinators. If the Controller
9 determines that use of the fee revenues is still not consistent with
10 this section, the authority to collect the fee by that county shall be
11 suspended for one year.

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

16 (3) When the Controller determines that a fee shall be suspended
17 for a county, the Controller shall inform the Department of Motor
18 Vehicles on or before January 1 of each year that the authority to
19 collect a fee for that county is suspended.

20 (j) On or before January 1 of each year, the Controller shall
21 prepare and submit to the Legislature a revenue and expenditure
22 summary for each participating county that includes all of the
23 following:


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

25 (2) The total expenditures by each county.

26 (3) The unexpended revenues for each county.

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

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



CITY ATTORNEY'S OFFICE

2013 MAY -9 PM 5:08

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember Noel Gallo

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 1324 (SKINNER AND BONTA) AUTHORIZING ALAMEDA COUNTY TO INCREASE ANNUAL VEHICLE REGISTRATION FEES, WITH THE PROCEEDS TO BE USED TO FUND LOCAL INVESTIGATION AND PROSECUTION OF VEHICLE THEFT CRIMES

WHEREAS, current law allows counties to add a \$1 surcharge to vehicle registration (or \$2 for commercial vehicles) which is directed towards local programs to deter investigate, and prosecute vehicle theft; and

WHEREAS, AB 1324 would allow the Alameda County Board of Supervisors to raise its surcharge fee from \$1 to \$2, and from \$2 to \$4 for commercial vehicles; and

WHEREAS, AB 1324 would help Alameda County to address its increasing vehicle theft problem; and

WHEREAS, from 2011 to 2012, 12,622 cars were reported stolen in the county, a 17% increase from 2011 and overall 11% higher than the state of California; and

WHEREAS, AB 1324 would provide Alameda County with much-needed funds to prevent and combat the growing problem of vehicle theft; and

WHEREAS, as of May 5, 2013, Oakland has had 2,610 motor vehicle thefts; and

WHEREAS, as of May 5, 2013, Oakland has had 47 carjackings and 2,168 auto robberies; and

WHEREAS, given the level of car thefts in our City and the presence of robberies, it is in the City's best interest to support Senate Bill 1324 to further increase the vehicle registration fee to help fund investigations and prosecution of vehicle theft crimes; now therefore be it

RESOLVED that the Oakland City Council supports California Assembly Bill 1324 and encourages the California State Legislature to accept it; and be it

FURTHER RESOLVED: That the City Council hereby directs the City Administrator and the City's legislative lobbyist to advocate for the above position in the California State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2013

PASSED BY THE FOLLOWING VOTE:

**AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID,
SCHAAF AND PRESIDENT KERNIGHAN**

NOES-

ABSENT-

ABSTENTION-

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Date of Attestation: