



**Date:** June 7, 2011  
**To:** Honorable Mayor and City Council  
**From:** Councilmember Patrick O'Donnell, Chair, State Legislation Committee  
**Subject:** **ASSEMBLY BILL 610 (SOLORIO) REGARDING SPECIALIZED LICENSE PLATES**

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The State Legislation Committee, at its meeting held Tuesday, May 31, 2011, considered communications relative to the above subject.

It is the recommendation of the State Legislation Committee that the City Council concur in the recommendations of the Committee to discuss and take action on Assembly Bill 610 (Solorio) regarding specialized license plates.

Respectfully submitted,

STATE LEGISLATION COMMITTEE

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Councilmember Patrick O'Donnell, Chair

Prepared by:  
Dina Lopez Wild



**Date:** June 7, 2011

**To:** Mayor and Members of the City Council

**From:** Patrick O'Donnell, Chair of the State Legislation Committee 

**Subject:** **Recommendation to consider a City position on Assembly Bill 610 (Solorio) regarding specialized license plates**

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On Tuesday, May 31, 2011, the State Legislation Committee held a meeting to discuss AB 610 (Solorio) and recommended consideration by the full City Council. This bill would add a new section of law to the California Vehicle Code to allow the Department of Motor Vehicles (DMV) to produce new specialized license plates once 2,500 applications for the plate have been received, contingent upon specified conditions.

Additional information regarding this bill is included in the attached fact sheet.

**Fiscal Impact:** There is no additional fiscal impact in taking a legislative position on a bill, as resources are already budgeted for legislative advocacy.

**Recommendation:** Consider a City position on Assembly Bill 610 (Solorio) regarding specialized license plates.



# **AB 610 (SOLORIO): VEHICLES:** **SPECIALIZED LICENSE PLATES: DONATIONS**

AS AMENDED ON MAY 27, 2011

JUNE 2011

## **Introduction**

The following is an analysis of AB 610 (Solario), legislation pertaining to specialized license plates and donations.

## **Background**

Prior to 2007, any new special interest license plate required specific legislative authorization. This practice was held to be unconstitutional as the Courts found that the Legislature approved some of the plates, and rejected others, using no standardized or objective criteria for those decisions. Subsequently, AB 84 (Leslie), Chapter 91, Statutes of 2006, established an administrative process wherein the Department of Motor Vehicles (DMV) issues specialized license plates when: (1) those license plates are sponsored by a state agency, (2) the revenues the specialized plate generates support the sponsoring agency's program, and (3) at least 7,500 paid applications for the specialized plate have been received.

## **Bill Summary**

AB 610 would add a completely new section of law, to the California Vehicle Code. This section, Section 5156.5, would allow the Department of Motor Vehicles (DMV) to produce new specialized license plates once 2,500 paid applications for the plate have been received, if certain conditions are met. Conditions include a requirement for a state agency, board or commission sponsor the new specialized license plate. The sponsoring organization would be responsible for the managing the applications and collecting application funds until 2,500 paid applications have been received and the funds are transferred by the Legislature to the DMV for the issuance of the plates.

There have been concerns regarding graphics on the specialized plates proposed for production. As a result, AB 610 was amended on April 6, 2011 to include the following language: *"The specialized license plate shall be of a size, color, and configuration that meets the design criteria as set forth in the California Vehicle Code, Section 5155."*

AB 610 prescribes a process for creating new specialized license plates, as well as dictates the responsibilities of the sponsoring organization and the DMV. The bill stipulates that the sponsoring organization is responsible for collecting and holding applications for the plates. Once the sponsoring organization has received at least 2,500 paid applications, it will submit the applications, along with the necessary fees, to the DMV. The sponsoring organization will have 12 months, following the date of approval of the organization's initial application, to receive the required number of orders for the new license plate design.

If the sponsoring organization is unable to collect 2,500 paid applications within 12 months, then the sponsoring organization will be required to either: (1) refund to all applicants all fees or deposits that have been collected, or (2) contact the DMV to express an intent to undertake collection of additional applications and fees for an additional period, not to exceed 12 months. If the sponsoring organization elects the second option, the sponsoring organization will be required to notify all applicants who have deposited funds of the status of the new specialized license plate design and make available the option for a refund.

Sponsoring organizations will not be allowed to withhold application funds or deposits for more than 24 months following the date of approval of the organization's initial application to sponsor a specialized license plate program.

Upon determination by the DMV that there are sufficient funds for the program, moneys will be appropriated by the Legislature, to the DMV for the necessary administrative costs of establishing the specialized license plate program.

Amendments to this bill on May 27, 2011 stipulate that the DMV shall not establish a specialized license plate program for any agency until the DMV has received not less than 2,500 paid applications for that agency's specialized license plates, as well as a sufficient amount of additional funds from donations to cover the department's startup costs for the manufacture of the specialized license plate.

Recent amendments also require the DMV to provide to the sponsoring state agency, board, or commission an estimate of its actual costs to initiate the specialized license plate program authorized under this section.

AB 610 does not authorize the DMV to issue specialized a license plate to an agency for a vehicle that is exempt from the payment of vehicle registration fees.

### **Committee Analysis**

DMV estimates the start-up cost for establishing a new license plate to be approximately \$400,000. As a result, the DMV established a minimum of 7,500 applications received prior to production of a new specialized plate in order to cover the cost of start up and production. Additionally, if this program were to become effective, minor costs would be incurred by the DMV totaling less than \$50,000 to monitor the amount of funds available for each specialized license plate program, track the number of outstanding and valid specialized plates for each specialized license plate program, and notify the sponsoring agency when that number drops below 2,500.

**Supporters.** The author of this bill asserts that the 7,500 application requirement sets "a very high threshold for pre-orders." He states that this, in conjunction with another change enacted in 2006 prohibiting full-plate graphics, has resulted in "no new plates (having) been issued, even though numerous nonprofits have attempted to create new special-interest license plates." This bill would require only 2,500 applications to be received, and sufficient funds from donations to cover the DMV's startup costs for plate manufacturing before the plates are produced. While this bill would apply to all special-interest license plates, the impetus of this bill is to allow specialized license plates that would help fund spay and neuter programs throughout California.

**Opponents.** These are no registered opponents for this bill.

### **Supporters** *\*As of April 6, 2011*

- Animal Legal Defense Fund
- Humane Society Veterinary Medical Association
- Pam Slater-Price, San Diego County Supervisor
- PAW - PAC
- Social Compassion in Legislation
- TakeMeHome Animal Rescue

### **Opposition** *\*As of April 6, 2011*

- None on file

### **Legislative History**

- Introduced in the State Assembly on February 16, 2011
- Passed the Assembly Committee on Transportation (9-0) on April 6, 2011
- Passed the Assembly Appropriations Committee (13-4) on May 4, 2011.
- **Status:** Awaiting Assembly floor vote.



**City of Long Beach Memorandum**  
*Working Together to Serve*

## REQUEST TO ADD AGENDA ITEM

**Date:** *June 3, 2011*

**To:** Larry Herrera, City Clerk

**From:** ***Councilmember Patrick O'Donnell***


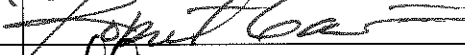
**Subject:** Request to Add Agenda Item to Council Agenda of ***June 7, 2011***

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Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

**Consider a City position on Assembly Bill 610 (Solorio) regarding specialized license plates.**

Council District	Authorizing Councilmember	Signed by
4	Patrick O'Donnell	
1	Robert Garcia	
7	James Johnson	