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AB-2509 Vehicles: vehicle license fee and registration fees: exemptions. (2021-2022)

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Assembly Bill No. 2509

CHAPTER 382

An act to amend, repeal, and add Section 9105 of the Vehicle Code, and to amend, repeal, and add Sections 10783 and 10783.2 of the Revenue and Taxation Code, relating to vehicles.

[Approved by Governor September 17, 2022. Filed with Secretary of State September 17, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2509, Fong. Vehicles: vehicle license fee and registration fees: exemptions.

Existing law exempts, except as specified, a vehicle that is owned by a disabled veteran, a former American prisoner of war, or a Congressional Medal of Honor recipient, or the surviving spouse of a former American prisoner of war or Congressional Medal of Honor recipient who has elected to retain special license plates, that is of a type subject to registration under the Vehicle Code, and that is not used for hire, compensation, or profit, from certain fees imposed pursuant to the Vehicle Code and a vehicle license fee imposed for the privilege of operating specified vehicles.

Beginning January 1, 2027, this bill would additionally exempt a Purple Heart recipient, and the surviving spouse of a Purple Heart recipient who has elected to retain special license plates, from those fees.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 9105 of the Vehicle Code is amended to read:

9105. (a) Except for fees for duplicate license plates, duplicate certificates, or duplicate cards, the fees specified in this code need not be paid for a vehicle that is of a type subject to registration under this code, and that is not used for transportation for hire, compensation, or profit, when owned by any of the following:

- (1) A disabled veteran.
- (2) A former American prisoner of war.
- (3) The surviving spouse of a former American prisoner of war who has elected to retain the special license plates issued under Section 5101.5.
- (4) A Congressional Medal of Honor recipient.
- (5) The surviving spouse of a Congressional Medal of Honor recipient who has elected to retain the special license plates issued under Section 5101.6.

(b) The exemption granted by subdivision (a) shall not extend to more than one vehicle owned by a former American prisoner of war, a disabled veteran, or a Congressional Medal of Honor recipient, or a surviving spouse, and is applicable to the same vehicle as described in subdivision (b) of Section 10783, or subdivision (b) of Section 10783.2, of the Revenue and Taxation Code.

(c) (1) The department may require a disabled veteran applying for an exemption under this section to submit a certificate signed by a physician and surgeon, or to the extent that it does not cause a reduction in the receipt of federal aid highway funds, by a nurse practitioner, certified nurse midwife, physician assistant, chiropractor, or optometrist, substantiating the disability.

(2) The department may require a person applying for an exemption under this section for either of the following reasons to do any of the following:

(A) By reason of the person's status as a former prisoner of war, to show, by satisfactory proof, the person's former prisoner-of-war status.

(B) By reason of the person's status of receiving the Congressional Medal of Honor, to show, by satisfactory proof, that the person is a Congressional Medal of Honor recipient.

(d) For the purposes of this section, the term "vehicle" means any of the following:

(1) A passenger motor vehicle.

(2) A motorcycle.

(3) A commercial motor vehicle of less than 8,001 pounds unladen weight.

(e) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

SEC. 2. Section 9105 is added to the Vehicle Code, to read:

9105. (a) Except for fees for duplicate license plates, duplicate certificates, or duplicate cards, the fees specified in this code need not be paid for a vehicle that is of a type subject to registration under this code, and that is not used for transportation for hire, compensation, or profit, when owned by any of the following:

(1) A disabled veteran.

(2) A former American prisoner of war.

(3) The surviving spouse of a former American prisoner of war who has elected to retain the special license plates issued under Section 5101.5.

(4) A Congressional Medal of Honor recipient.

(5) The surviving spouse of a Congressional Medal of Honor recipient who has elected to retain the special license plates issued under Section 5101.6.

(6) A Purple Heart recipient.

(7) The surviving spouse of a Purple Heart recipient who has elected to retain the special license plates issued under Section 5101.8.

(b) The exemption granted by subdivision (a) does not extend to more than one vehicle owned by a former American prisoner of war, a disabled veteran, a Purple Heart recipient, or a Congressional Medal of Honor recipient, or a surviving spouse, and applies to the same vehicle as described in subdivision (b) of Section 10783, or subdivision (b) of Section 10783.2, of the Revenue and Taxation Code.

(c) (1) The department may require a disabled veteran applying for an exemption under this section to submit a certificate signed by a physician and surgeon, or to the extent that it does not cause a reduction in the receipt of federal aid highway funds, by a nurse practitioner, certified nurse midwife, physician assistant, chiropractor, or optometrist, substantiating the disability.

(2) The department may require a person applying for an exemption under this section for either of the following reasons to do any of the following:

(A) By reason of the person's status as a former prisoner of war, to show, by satisfactory proof, the person's former prisoner-of-war status.

(B) By reason of the person's status of receiving the Congressional Medal of Honor, to show, by satisfactory proof, that the person is a Congressional Medal of Honor recipient.

(C) By reason of the person's status of receiving the Purple Heart, to show, by satisfactory proof, that the person is a Purple Heart recipient.

(d) For the purposes of this section, the term "vehicle" means any of the following:

- (1) A passenger motor vehicle.
- (2) A motorcycle.
- (3) A commercial motor vehicle of less than 8,001 pounds unladen weight.

(e) This section shall become operative on January 1, 2027.

SEC. 3. Section 10783 of the Revenue and Taxation Code is amended to read:

10783. (a) The license fee imposed by this part does not apply to a passenger vehicle, a motorcycle, or a commercial vehicle of less than 8,001 pounds unladen weight, unless the vehicle is used for transportation for hire, compensation, or profit, if the vehicle is owned by any disabled veteran, as defined in Section 295.7 of the Vehicle Code, any former American prisoner of war, or any veteran who is a Congressional Medal of Honor recipient.

(b) The exemption granted by subdivision (a) does not extend more than one vehicle owned by the veteran, or former American prisoner of war, and is applicable to the same vehicle as described in subdivision (b) of Section 9105 of the Vehicle Code.

(c) (1) The Department of Motor Vehicles may require any disabled veteran applying for an exemption under this section to submit a certificate signed by a physician or surgeon substantiating the disability.

(2) The Department of Motor Vehicles may require any person applying for an exemption under this section for either of the following reasons to do any of the following:

(A) By reason of the person's status as a former American prisoner of war, to show, by satisfactory proof, the person's former prisoner-of-war status.

(B) By reason of the person's status of receiving the Congressional Medal of Honor, to show, by satisfactory proof, that the person is a Congressional Medal of Honor recipient.

(d) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

SEC. 4. Section 10783 is added to the Revenue and Taxation Code, to read:

10783. (a) The license fee imposed by this part does not apply to a passenger vehicle, a motorcycle, or a commercial vehicle of less than 8,001 pounds unladen weight, unless the vehicle is used for transportation for hire, compensation, or profit, if the vehicle is owned by any disabled veteran, as defined in Section 295.7 of the Vehicle Code, any former American prisoner of war, a Purple Heart recipient, or any veteran who is a Congressional Medal of Honor recipient.

(b) The exemption granted by subdivision (a) does not extend to more than one vehicle owned by the veteran, a Purple Heart recipient, or former American prisoner of war, and is applicable to the same vehicle as described in subdivision (b) of Section 9105 of the Vehicle Code.

(c) (1) The Department of Motor Vehicles may require any disabled veteran applying for an exemption under this section to submit a certificate signed by a physician or surgeon substantiating the disability.

(2) The Department of Motor Vehicles may require any person applying for an exemption under this section for either of the following reasons to do any of the following:

(A) By reason of the person's status as a former American prisoner of war, to show, by satisfactory proof, the person's former prisoner-of-war status.

(B) By reason of the person's status of receiving the Congressional Medal of Honor, to show, by satisfactory proof, that the person is a Congressional Medal of Honor recipient.

(C) By reason of the person's status of receiving the Purple Heart, to show, by satisfactory proof, that the person is a Purple Heart recipient.

(d) This section shall become operative on January 1, 2027.

SEC. 5. Section 10783.2 of the Revenue and Taxation Code is amended to read:

10783.2. (a) The license fee imposed by this part does not apply to a passenger vehicle, a motorcycle, or a commercial vehicle of less than 8,001 pounds unladen weight, unless the vehicle is used for transportation for hire, compensation, or profit, if the vehicle is owned by either of the following:

(1) The surviving spouse of a former American prisoner of war who has elected under subdivision (c) of Section 5101.5 of the Vehicle Code to retain the special license plates.

(2) The surviving spouse of a Congressional Medal of Honor recipient who has elected under subdivision (d) of Section 5101.6 of the Vehicle Code to retain the special license plates.

(b) The exemption granted by subdivision (a) does not extend to more than one vehicle owned by the surviving spouse, and is applicable to the same vehicle as described in subdivision (b) of Section 9105 of the Vehicle Code.

(c) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

SEC. 6. Section 10783.2 is added to the Revenue and Taxation Code, to read:

10783.2. (a) The license fee imposed by this part does not apply to a passenger vehicle, a motorcycle, or a commercial vehicle of less than 8,001 pounds unladen weight, unless the vehicle is used for transportation for hire, compensation, or profit, if the vehicle is owned by either of the following:

(1) The surviving spouse of a former American prisoner of war who has elected under subdivision (c) of Section 5101.5 of the Vehicle Code to retain the special license plates.

(2) The surviving spouse of a Congressional Medal of Honor recipient who has elected under subdivision (d) of Section 5101.6 of the Vehicle Code to retain the special license plates.

(3) The surviving spouse of a Purple Heart recipient who has elected to retain the special license plates issued under Section 5101.8 of the Vehicle Code.

(b) The exemption granted by subdivision (a) does not extend to more than one vehicle owned by the surviving spouse, and is applicable to the same vehicle as described in subdivision (b) of Section 9105 of the Vehicle Code.

(c) This section shall become operative on January 1, 2027.