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SB-374 Vehicles: specialized license plates. (2023-2024)

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Date Published: 10/10/2023 02:00 PM

Senate Bill No. 374

CHAPTER 602

An act to amend Section 5101.2 of the Vehicle Code, relating to vehicles.

[Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 374, Ashby. Vehicles: specialized license plates.

Existing law authorizes a person who is a firefighter, retired firefighter, or a surviving family member of a firefighter or retired firefighter to apply for special license plates for their vehicle. The special license plates, which contain the words "California Firefighter" and run in a regular numerical series, are issued upon application to the Department of Motor Vehicles, presentation of proof of certain facts, and payment of certain fees, including \$35 for a renewal of registration that includes the continued display of the special license plate.

This bill would increase the fee to \$40 for a renewal of registration that includes the continued display of the special license plate.

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

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

SECTION 1. The Legislature finds and declares the following:

(a) The California Firefighters' Memorial Voluntary Tax Contribution Fund provides critically needed assistance to the California Fire Foundation (Foundation), a nonprofit organization exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code, charged with conducting annual ceremonies and maintaining the California Firefighters Memorial located in Capitol Park, which was unveiled in 2002 to honor our state's firefighters who have made the ultimate sacrifice in the call to duty.

(b) Etched in the memorial's limestone walls are the names of over 1,500 men and women who lost their lives while relentlessly putting themselves in the face of danger protecting the people and property of the great State of California.

(c) The Foundation is further charged with providing emergency assistance and support to the families of fallen firefighters, and is involved in an array of survivor assistance and public education projects, including Firefighters on Your Side, a statewide program to provide multilingual and culturally relevant education on fire safety and disaster preparedness.

(d) When disaster strikes, firefighters are the first responders. Because of their close contact with the communities in which they serve, the Foundation works with local firefighters throughout the state to identify unmet needs in their communities and help them carry out programs to enhance services in their jurisdictions before, during, and after the alarm bell rings.

(e) The California firefighter license plate program was designed and created by California Professional Firefighters. Using an image from the box office movie hit, "Backdraft," the California firefighter license plate has become a key trademark within the fire service, enabling only active and retired firefighters to buy these plates for display on their automobiles, trucks, trailers, and motorcycles, where a portion of the proceeds become a source of support for the families they may one day tragically leave behind.

(f) It has been over two decades since the California firefighter license plate program was first launched. Since 2010, the fee specifically associated with the renewal of the personalized firefighter plates has not increased, while the need for services rendered by the California Fire Foundation has increased dramatically.

SEC. 2. Section 5101.2 of the Vehicle Code is amended to read:

5101.2. (a) A person otherwise eligible under this article who is a firefighter, retired firefighter, or a surviving family member of a firefighter or retired firefighter may apply for special license plates for a vehicle under this article. License plates issued pursuant to this section shall be issued in accordance with Section 5060.

(b) The applicant, by proof satisfactory to the department, shall show that the applicant is a firefighter, retired firefighter, or a surviving family member of a firefighter or retired firefighter, who meets all of the following:

(1) Is presently, was at the time of their death, or has or had retired in good standing as, an officer, an employee, or a member of a fire department or a fire service of the state, a county, a city, a district, or any other political subdivision of the state, whether in a volunteer, partly paid, or fully paid status.

(2) Is or was until retirement or death, regularly employed as a firefighter or regularly enrolled as a volunteer firefighter.

(3) Has, or had before retirement or death, principal duties which fall within the scope of active firefighting and any of the following activities:

(A) Fire prevention service.

(B) Fire training.

(C) Hazardous materials abatement.

(D) Arson investigation.

(E) Emergency medical services.

(c) The special license plates issued under this section shall contain the words "California Firefighter" and shall run in a regular numerical series.

(d) In addition to the regular fees for an original registration, a renewal of registration, or a transfer of registration, the following special license plate fees shall be paid:

(1) A fee of fifty dollars (\$50) for the initial issuance of the special license plates. These special license plates shall be permanent and shall not be required to be replaced.

(2) A fee of forty dollars (\$40) for each renewal of registration that includes the continued display of the special license plates.

(3) If the special license plates become damaged or unserviceable, a fee of thirty-five dollars (\$35) for the replacement of the special license plates, obtained from the department upon proper application therefor.

(4) A fee of fifteen dollars (\$15) for the transfer of the special license plates to another vehicle qualifying as a vehicle owned by a firefighter who has met the requirements set forth in subdivision (b).

(5) In addition, for the issuance of environmental license plates, as defined in Section 5103, with the special firefighter personal vehicle license plates and distinctive design or decal, the additional fees prescribed in Sections 5106 and 5108. The additional fees collected pursuant to this paragraph shall be deposited in the California Environmental License Plate Fund.

(e) (1) Upon the death of a person issued special license plates pursuant to this section, their surviving spouse may retain the special license plates. Except as provided in paragraph (2), upon the death of the surviving spouse, the plates shall be returned to the department or destroyed within 60 days after the death of the surviving spouse or upon the expiration of the vehicle registration, whichever occurs first.

(2) (A) In the absence of a surviving spouse or where the surviving spouse dies while in possession of the special license plates, a member of the deceased firefighter's family may retain one of the special license plates as a family heirloom, subject

to the conditions set forth in subdivision (f).

(B) As used in this paragraph, "family" means grandparents, stepgrandparents, parents, stepparents, siblings, stepsiblings, stepchildren, natural-born children, or adopted children of the person issued the special license plates under subdivision (a).

(f) The special license plates issued under this section are not valid for use for vehicle registration purposes by a person other than the person issued the special license plates under subdivision (a) and the surviving spouse of that person.

(g) For purposes of this section, the following definitions shall apply:

(1) "Surviving family member" means the spouse and any child, including an adopted child, stepchild, or recognized natural child of a deceased firefighter or deceased retired firefighter. "Surviving family member" does not include a former spouse.

(2) "Spouse" includes a domestic partner in a domestic partnership as described in Section 297 of the Family Code.

(h) Except as provided in paragraph (5) of subdivision (d), the revenues derived from the additional special fees provided in this section, less costs incurred by the department pursuant to this section, shall be deposited in the California Firefighters' Memorial Voluntary Tax Contribution Fund established by Section 18802 of the Revenue and Taxation Code.