

AMENDED IN ASSEMBLY MARCH 26, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1809

Introduced by Assembly Member La Malfa

January 13, 2004

An act to amend Section ~~471~~ 9400.1 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1809, as amended, La Malfa. ~~Pickup truck: definition~~
Commercial motor vehicle: weight fee exclusion.

Existing law imposes gross vehicle weight fees, in accordance with a schedule based on gross vehicle weight ranges, upon the registration of commercial motor vehicles operated either singly or in combination with a declared gross vehicle weight of 10,001 pounds or more and to certain tow trucks. Certain towing commercial motor vehicles that are owned and operated exclusively by a farmer or an employee of a farmer in the conduct of agricultural operations are excluded when calculating the weight fees.

This bill would also exclude from that calculation the weight of a flatbed motortruck with a manufacturer's gross vehicle weight rating of less than 11,500 pounds and an unladen weight of less than 8,001 pounds that is owned and operated exclusively by a farmer or an employee of a farmer in the conduct of agricultural operations.

~~Under existing law and for purposes of the Vehicle Code, the term "pickup truck" is defined as a motor truck with a manufacturer's gross vehicle weight rating of less than 11,500 pounds, an unladen weight of~~

~~less than 8,001 pounds, and which is equipped with an open box-type bed not exceeding 9 feet in length.~~

~~This bill would delete the requirement that the motor truck is equipped with an open-type box in order to meet the definition of a pickup truck.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 471 of the Vehicle Code is amended~~
2 *SECTION 1. Section 9400.1 of the Vehicle Code is amended*
3 *to read:*

4 9400.1. (a) (1) In addition to any other required fee, there
5 shall be paid the fees set forth in this section for the registration of
6 commercial motor vehicles operated either singly or in
7 combination with a declared gross vehicle weight of 10,001
8 pounds or more. Pickup truck and electric vehicle weight fees are
9 not calculated under this section.

10 (2) The weight of a vehicle issued an identification plate
11 pursuant to an application under Section 5014, ~~and~~ the weight of
12 an implement of husbandry as defined in Section 36000, *and the*
13 *weight of a flatbed motortruck with a manufacturer's gross vehicle*
14 *weight rating of less than 11,500 pounds and an unladen weight*
15 *of less than 8,001 pounds, shall not be considered when*
16 *calculating, pursuant to this section, the declared gross vehicle*
17 *weight of a towing commercial motor vehicle that is owned and*
18 *operated exclusively by a farmer or an employee of a farmer in the*
19 *conduct of agricultural operations.*

20 (3) Tow trucks that are utilized to render assistance to the
21 motoring public or to tow or carry impounded vehicles shall pay
22 fees in accordance with this section, except that the fee calculation
23 shall be based only on the gross vehicle weight rating of the towing
24 or carrying vehicle. Upon each initial or transfer application for
25 registration of a tow truck described in this paragraph, the
26 registered owner or lessee or that owner's or lessee's designee,
27 shall certify to the department the gross vehicle weight rating of
28 the tow truck:
29



	Gross Vehicle Weight Range	Fee
2	10,001–15,000	\$ 257
3	15,001–20,000	353
4	20,001–26,000	435
5	26,001–30,000	552
6	30,001–35,000	648
7	35,001–40,000	761
8	40,001–45,000	837
9	45,001–50,000	948
10	50,001–54,999	1,039
11	55,000–60,000	1,173
12	60,001–65,000	1,282
13	65,001–70,000	1,398
14	70,001–75,000	1,650
15	75,001–80,000	1,700

16
 17 (b) The fees specified in subdivision (a) apply to (1) an initial
 18 or original registration occurring on or after December 31, 2001,
 19 to December 30, 2003, inclusive, of a commercial motor vehicle
 20 operated either singly or in combination with a declared gross
 21 vehicle weight of 10,001 pounds or more and (2) the renewal of
 22 registration of a commercial motor vehicle operated either singly
 23 or in combination, with a declared gross vehicle weight of 10,001
 24 pounds or more for which registration expires on or after
 25 December 31, 2001, to December 30, 2003, inclusive.

26 (c) (1) For (A) an initial or original registration occurring on
 27 or after December 31, 2003, of a commercial motor vehicle
 28 operated either singly or in combination with a declared gross
 29 vehicle weight of 10,001 pounds or more, and (B) the renewal of
 30 registration of a commercial motor vehicle operated either singly
 31 or in combination, with a declared gross vehicle weight of 10,001
 32 pounds or more for which registration expires on or after
 33 December 31, 2003, there shall be paid fees as follows:

	Gross Vehicle Weight Range	Weight Code	Fee
37	10,001–15,000	A	\$ 332
39	15,001–20,000	B	447



1	20,001–26,000	C	546
2			
3	26,001–30,000	D	586
4			
5	30,001–35,000	E	801
6			
7	35,001–40,000	F	937
8			
9	40,001–45,000	G	1,028
10			
11	45,001–50,000	H	1,161
12			
13	50,001–54,999	I	1,270
14			
15	55,000–60,000	J	1,431
16			
17	60,001–65,000	K	1,562
18			
19	65,001–70,000	L	1,701
20			
21	70,001–75,000	M	2,004
22			
23	75,001–80,000	N	2,064
24			
25			

26 (2) For the purpose of obtaining “revenue neutrality” as
27 described in Sections 1 and 59 of Senate Bill 2084 of the
28 1999–2000 Regular Session (Chapter 861 of the Statutes of 2000),
29 the Director of Finance shall review the final 2003–04 Statement
30 of Transactions of the State Highway Account. If that review
31 indicates that the actual truck weight fee revenues deposited in the
32 State Highway Account do not total at least seven hundred
33 eighty-nine million dollars (\$789,000,000), the Director of
34 Finance shall instruct the department to adjust the schedule set
35 forth in paragraph (1), but not to exceed the following fee amounts:
36



1	Gross Vehicle Weight Range	Weight Code	Fee
2			
3	10,001–15,000	A	\$ 354
4			
5	15,001–20,000	B	482
6			
7	20,001–26,000	C	591
8			
9	26,001–30,000	D	746
10			
11	30,001–35,000	E	874
12			
13	35,001–40,000	F	1,024
14			
15	40,001–45,000	G	1,125
16			
17	45,001–50,000	H	1,272
18			
19	50,001–54,999	I	1,393
20			
21	55,000–60,000	J	1,571
22			
23	60,001–65,000	K	1,716
24			
25	65,001–70,000	L	1,870
26			
27	70,001–75,000	M	2,204
28			
29	75,001–80,000	N	2,271

30

31

32 (d) (1) In addition to the fees set forth in subdivision (a), a
33 Cargo Theft Interdiction Program Fee of three dollars (\$3) shall be
34 paid at the time of initial or original registration or renewal of
35 registration of each motor vehicle subject to weight fees under this
36 section.

37 (2) This subdivision does not apply to vehicles used or
38 maintained for the transportation of persons for hire,
39 compensation or profit, and tow trucks.



1 (3) For vehicles registered under Article 4 (commencing with
2 Section 8050) of Chapter 4, the fee imposed under this subdivision
3 shall be apportioned as required for registration fees under that
4 article.

5 (4) Funds collected pursuant to the Cargo Theft Interdiction
6 Program shall not be proportionately reduced for each month and
7 shall be transferred to the Motor Carriers Safety Improvement
8 Fund.

9 (e) Notwithstanding Section 42270 or any other provision of
10 law, of the moneys collected by the department under this section,
11 one hundred twenty- two dollars (\$122) for each initial, original,
12 and renewal registration shall be reported monthly to the
13 Controller, and at the same time, deposited in the State Treasury
14 to the credit of the Motor Vehicle Account in the State
15 Transportation Fund. All other moneys collected by the
16 department under this section shall be deposited to the credit of the
17 State Highway Account in the State Transportation Fund. One
18 hundred twenty-two dollars (\$122) of the fee imposed under this
19 section shall not be proportionately reduced for each month. For
20 vehicles registered under Article 4 (commencing with Section
21 8050) of Chapter 4, the fee shall be apportioned as required for
22 registration under that article.

23 (f) (1) The department, in consultation with the Department of
24 the California Highway Patrol, shall design and make available a
25 set of distinctive weight decals that reflect the declared gross
26 combined weight or gross operating weight reported to the
27 department at the time of initial registration, registration renewal,
28 or when a weight change is reported to the department pursuant to
29 9406.1. A new decal shall be issued on each renewal or when the
30 weight is changed pursuant to Section 9406.1. The decal for a tow
31 truck that is subject to this section shall reflect the gross vehicle
32 weight rating or weight code.

33 (2) The department may charge a fee, not to exceed ten dollars
34 (\$10), for the department's actual cost of producing and issuing
35 each set of decals issued under paragraph (1).

36 (3) The weight decal shall be in sharp contrast to the
37 background and shall be of a size, shape, and color that is readily
38 legible during daylight hours from a distance of 50 feet.

39 (4) Each vehicle subject to this section shall display the weight
40 decal on both the right and left sides of the vehicle.



1 (5) A person may not display upon a vehicle a decal issued
2 pursuant to this subdivision that does not reflect the declared
3 weight reported to the department.

4 (6) Notwithstanding subdivision (e) or any other provision of
5 law, the moneys collected by the department under this
6 subdivision shall be deposited in the State Treasury to the credit of
7 the Motor Vehicle Account in the State Transportation Fund.

8 (7) This subdivision shall apply to vehicles subject to this
9 section at the time of an initial registration, registration renewal,
10 or reported weight change that occur on or after July 1, 2004.

11 ~~to read:~~

12 ~~471.—A “pickup truck” is a motor truck with a manufacturer’s~~
13 ~~gross vehicle weight rating of less than 11,500 pounds, an unladen~~
14 ~~weight of less than 8,001 pounds, and which is equipped with a bed~~
15 ~~not exceeding nine feet in length. “Pickup truck” does not include~~
16 ~~a motor vehicle otherwise meeting the above definition, that is~~
17 ~~equipped with a bed-mounted storage compartment unit~~
18 ~~commonly called a “utility body.”~~

