

Initial Statement of Reasons
Title 13, Division 1, Chapter 1
Article 3.3 Environmental and Special Interest License Plates

The Department of Motor Vehicles (department) proposes to amend sections 206.00, 206.02, 206.04, 206.06, 206.08, 206.10, and 206.12 and adopt sections 206.14 and 206.16 in Article 3.3, Chapter 1, Division 1, Title 13 of the California Code of Regulations, relating to the Environmental and Special Interest License Plate program.

Environmental and Special Interest license plates:

Californians enjoy expressing themselves through their vehicles and one way to do that is by having personalized or special interest license plates. The department offers a number of options for vehicle owners of which the most widely known is the personalized plate. Also known as the Environmental license plate, named after the fund that benefits from the additional fees paid, applicants can request the alphanumeric sequence they wish to be assigned to their license plate. A special interest license plate is another option of expression for those California vehicle owners who want to support a cause and show they are giving their support through their license plate. Currently the department offers many types of environmental and special interest license plates.

Special Recognition license plates:

Many Californians have been of service to their country or community and many others are vintage car enthusiasts. The department is authorized to offer a variety of license plate styles for those Californians who are interested in applying for them. Special recognition license plates are available to vehicle owners who meet certain criteria, as specified in the related Vehicle Code section.

Vehicle Code section 5060 prescribes the rules for Special Interest License plates which are sponsored by other departments and whose additional fees fund various charitable causes. Vehicle Code sections 5100, 5101, 5102, 5103, 5104, and 5105 prescribe the rules for Environmental License plates which are also known as personalized plates and whose additional fees fund environmental projects. Various Vehicle Code Sections prescribe the rules Special Recognition License plates which require additional documentation from applicants before the department will approve their application and issue the requested plate.

Additionally, the Vehicle Code authorizes the department to establish and prescribe forms necessary to process registration transactions. The information requested on the department's application forms allows the department to verify the appropriate records are being updated and ensure the correct plates, cards, documents, or other departmental indicia are being issued. The department's regulations identify forms by name, form number, and revision date to ensure interested parties are aware of the current version of that form that is to be submitted to the department at the time of application. Because so many departmental forms are available online, it is necessary for clarity that the regulations identify the correct revision date.

The July 2000 version of the special license plate application form was used for both special interest and special recognition license plates and included a fee schedule on the second page. Since then the REG 17 was amended to remove the special recognition license plates making it easier to complete and the fee schedule was moved to a Fast Facts informational brochure, which is provided to applicants by the department in hardcopy or online. The REG 17A was developed as the application for special recognition license plates.

These proposed regulations intend to amend the application for Special Interest License plates and adopt the application for Special Recognition License plates such that it is clear to applicants what is required to be approved by the department for any type of special license plate offered. Also, the proposed regulations intend to amend some sections for additional clarity.

CONSIDERATION OF ALTERNATIVES

The department must determine that no reasonable alternative considered, or that has otherwise been identified and brought to the attention of the department, would be more effective in carrying out the purpose for which this action is proposed, would be as effective and less burdensome to affected private persons than the action proposed, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

§ 206.00. Information Required on a Special Interest or Environmental License Plate Application

The purpose of Section 206.00 is to inform applicants how to apply to the department for Special Interest or Environmental License plates and identifies various requirements and restrictions.

Subsection (a) is amended by changing “special interest/environmental license plates” to “special interest or environmental license plates”. Additionally, the revision date for the Special Interest License Plate Application Form REG 17 is updated from “7/2000” to “7/2018”.

Necessity: The amendment makes the rules more accurate because not all special interest license plates are environmental license plates and vice versa. The update to the form revision date is to incorporate the most current version of the application.

The Special Interest License Plate Application, form REG 17 was adopted in 2001 under OAL File number 01-1220-01S (Register 2002, No. 6). Because the form REG 17 has not been revised in many years, the revisions made to the form are too numerous to identify changes made from the old version to the new version. Therefore, the department is adopting the form in its entirety.

Special Interest License Plate Application, form REG 17 (Rev. 7/2018)

The form REG 17 is the department-designated form used when a vehicle owner is applying for special interest license plates. The form consists of two pages, the first containing a heading and six fillable sections, the second page provides instructions on how to configure the personalization on the first page.

The heading of the first page requires the applicant to provide an indication of whether the application is an original application, a replacement for existing plates, to reassign, retain or release interest in existing plates, or to exchange plates.

Necessity: The heading portion is necessary not only to allow the department to facilitate the appropriate transaction, but also provides information to the applicant on which sections of the form must be completed for the requested transaction.

Section 1 – Plate Selection

Section 1 requires the applicant to indicate the special interest license plate for which they are applying. The department currently offers the following special interest license plates:

- Breast Cancer Awareness
- California Arts Council
- California Agricultural
- California Memorial
- California Museum, commonly referred to as the Snoopy plate
- Collegiate (UCLA only)
- Kids – Child Health and Safety Funds
- Pet Lovers
- Veterans Organization
- Environmental License Plate, commonly referred to as Personalized plates
- California Coastal Commission, commonly referred to as the Whale Tail plates
- Lake Tahoe Conservancy
- Yosemite Foundation
- California 1960s Legacy

Necessity: Requires the applicant to check the box next to the type of special interest license plate they are applying for helps ensure that the department processes the application correctly.

Section 2 – Select Configuration

Section 2 requires the applicant to provide an indication of the type of vehicle the plates will be affixed to. The applicant is required to indicate whether the plates are being requested for an automobile, a commercial vehicle, a trailer, or a motorcycle. The applicant is also required to indicate their vehicle's current license plate number and its vehicle identification number. This

information will allow the department to retrieve the appropriate vehicle registration record so that the department can update the record to reflect the new plate configuration. The applicant is required to indicate whether a sequential plate or personalized plates are being requested. If personalized plates are being requested, the applicant is required to provide their first, second, and third choice of personalized configuration and the meaning of each. There are also checkboxes for the applicant to indicate if they prefer to pick up the plates at a department office or their auto club office.

Necessity: This section is necessary to allow the applicant to provide a clear description to the department of how the final plate letters, numbers, and/or symbols should appear on the license plate if they have opted for a personalized configuration to help ensure the departmental records are updated accurately. It is also necessary to help ensure the department send the license plates to the appropriate location for pick up.

Section 3 – For Replacement Only

Section 3 is only to be completed by applicants who are requesting a replacement license plate for their special interest license plate that was lost, mutilated, or stolen. There is space for the applicant to provide the license plate number and check boxes to indicate if the applicant needs one or two plates and what happened to their special interest license plate(s).

Necessity: The information required in this section is necessary for the department to be able to process the request correctly and to update departmental records accurately.

Section 4 – Reassign, Retain Interest, or Release Interest

Section 4 is to be completed by an applicant who wants to assign the license plate to another vehicle, wants to retain the license plate for future use, or wants to release interest in their special interest license plate either by surrendering the plate to the department or by releasing the plate to the new vehicle owner.

Necessity: This information is necessary to ensure the department has the information to update its records and allow for tracking of the license plate.

Section 5 – Plate Purchaser/Plate Owner

Section 5 requires the applicant to provide the name and address of the person purchasing the special interest license plate and the name and address of who the plate owner will be if different than the purchaser (such as when the plate is a gift or a released one.)

Necessity: This information is necessary to ensure the department is able to create a registration record for the license plate and ensure the annual license plate fee is attached to the plate owner's annual registration fee.

Section 6 – Signature

Section 6 requires the applicant to sign under penalty of perjury, provide the date signed and their daytime phone number, that the information contained in the application is true and correct. This perjury statement is consistent with all departmental forms and is authorized by Vehicle Code section 1652.

Necessity: The department requires this on all of its application forms and is doing so here to maintain consistency in its business practices.

Section 7 – Instructions

Section 7 contains instructions, and examples, to assist the applicant in completing Section 2 when requesting personalized license plates.

Necessity: For the convenience of the applicant, the department has included the instructions as part of the application form.

Subsection (a)(2) is amended to add “Special Processing Unit” to the mailing address and to move the mail station number “MS D238” to the proper place within the address.

Necessity: To update the mailing address so that applications arrive at the correct unit within the department. Since the department has numerous units that process many types of applications, having a detailed address helps ensure that applications are delivered to the correct departmental unit more quickly. When the address is less detailed, it takes more time for mail to reach the right place within the department.

Subsection (b) is amended add subsections (1) through (10) to include the specific Special Interest license plates which require an additional fee and note which Vehicle Code section, by plate, necessitates the additional fee(s).

Necessity: To clarify which plates fall under this application process and make the distinction from the Special Recognition license plates which fall under the application process specified in section 226.14 of these rules.

Subsection (c) is amended to remove all of the existing language in subsections (1) through (7).

Necessity: They are duplicative to the application form (REG 17) and therefore unnecessary.

New subsection (c) is added to read “An application for an environmental license plate shall include the following:” and the remaining prior subsections (A) through (D) and (D) 1. through (D) 7. are renumbered. Subsections (D) 8. through (D) 13 are removed.

Necessity: The amendments are made to provide clarity.

§ 206.02. Assignment of Special Interest or Environmental License Plates to Leased or Company Vehicle

The title, subsection (a), and subsection (b) are amended to add “special interest” as a type of license plate that is also subject to the requirements in this section.

Necessity: To update the regulations so they are accurate and anyone looking for regulations pertaining to special interest license plates will be able to find them more easily.

§ 206.04. Receipt of Special Interest or Environmental License Plates as a Gift

The title is amended to add “special interest” as a type of license plate that is also subject to the requirements in this section.

Necessity: To update the regulations so they are accurate and anyone looking for regulations pertaining to special interest license plates will be able to find them more easily.

§ 206.06. Surrender of Current Plates

Subsection (a) is amended so that the rule accurately reflects the requirements for the surrendering of current license plates when they are being replaced with environmental license plates.

Subsection (b) is amended so that the rule accurately reflects the requirement for the surrendering of current license plates when they are being replaced with sequential special interest license plates.

Necessity: The surrendering of current license plates when they are being replaced by another type of license plate is necessary to prevent extra plates in circulation that are not assigned to a particular vehicle. Unassigned plates can be used on other vehicles to avoid paying bridge tolls or during the commission of crimes. By requiring the surrender of plates, the department is attempting to reduce occurrence of illegal uses of license plates.

§ 206.08. Delivery of Special Interest or Environmental License Plates

The title is amended to add “special interest or” as a type of license plate that is also subject to the requirements in this section.

Necessity: To clarify that special interest license plates are included in the requirements of this section and so that anyone looking for regulations pertaining to special interest license plates will be able to find them more easily.

Subsection (a) is amended to change “shall” to “may” with regards to the department mailing special interest or environmental license plates to the plate owner.

Necessity: To clarify that the department has the discretion to choose to mail the plates or to have them picked up by the applicant/plate owner at a designated departmental office.

Subsection (b) is amended to add “plates are not mailed to the owner, the” to the existing language.

Necessity: To conform the language in the rule to what the department’s process actually is.

§ 206.10. Retention of Environmental License Plates

Subsection (a) is amended to remove the specific fee amount (\$25) and the specific Vehicle Code section and to add “the corresponding section of the” in between “...as specified in” and “...Vehicle Code.”

Necessity: Since the fee for retaining an environmental license plate depends on if it is also a special interest license plate and which type of special interest plate, it is necessary to remove the specific fee amount and the reference to Vehicle Code section 5106(c).

§ 206.12. Cancellation of Environmental License Plates

Subsection (a)(1) is amended from “...Section 206.00(7)(D)” to “...Section 206.00(c)(4)”.

Necessity: So that the correct subsection is being referenced.

§ 206.14. Special Recognition License Plate Application

Subsection (a) is added to require vehicle owners who are requesting Special Recognition license plates to complete and submit the departmental form REG 17A Special Recognition License Plate application.

Necessity: It is necessary for the department to specify the application form to be used by applicants when requesting a Special Recognition license plate so that the department obtains all of the necessary information from applicants and can therefore accurately process the request.

Subsection (a)(1) is added to require a copy of the vehicle registration card or documents necessary to register the vehicle in the applicant’s name from the applicant as part of the application process.

Necessity: The department can only assign Special Recognition license plates to vehicles that are currently registered in California and registered in the applicant’s name, therefore the applicant must submit a copy of the vehicle’s registration card or the documents to register the vehicle in the applicant’s name along with their application.

Subsection (a)(2) is added to require the applicant to submit the fee(s) required for the type of Special Recognition license plate they are requesting.

Necessity: Statute, based on the type of special recognition license plate being requested, requires the payment of an additional fee.

Subsection (a)(3) is added to require the applicant submit whatever documentation is required for the type of Special Recognition license plate they are requesting.

Necessity: Statute, based on the type of Special Recognition License Plate being requested, requires the additional documentation.

Special Recognition License Plate Application form, REG 17A

The form REG 17A is a new departmental form consisting of two parts with the first part containing five sections and the second part containing the additional specific requirements for 13 different plate types.

Part I

Under the form title there are check boxes for the applicant to indicate whether they are applying for an original special recognition license plate, a replacement special recognition license plate, or to reassign, retain, release their special recognition license plate with direction of which sections to fill out under the check box selected. There are also the notifications that special license plates have to be assigned to a currently registered in California vehicle and that the department will not honor changes or request for a refund after the *reservation is made*.

Section 1 – Plate Owner

Section 1 provides space for the applicant’s name (last, first, middle) and their mailing address.

Necessity: This information is necessary to ensure the department is able to create a registration record for the license plate and ensure the annual license plate fee is attached to the plate owner’s annual registration fee.

Section 2 – Plate Selection

Section 2 provides check boxes for the applicant to indicate whether the license plate will be assigned to an auto, truck, trailer or motorcycle and spaces to identify the current license plate number and vehicle identification number of that auto, truck, trailer, or motorcycle. Additionally, check boxes are provided for the applicant to indicate which special recognition license plate they are applying for and spaces for personalized requests (CA Firefighter Only).

Necessity: Requiring the applicant to check the box next to the type of special recognition license plate they are applying for helps ensure that the department processes the application correctly.

Also, section 2 contains subsections A through F that specify what the applicant has to certify to for the particular special plate.

A. Congressional Medal of Honor Recipient Certification

Subsection A provides space for the applicant's signature and the date certifying that they are a Congressional medal of recipient, that the vehicle indicated is the only one they have applied for the exemption for, and that the vehicle will not be used for transportation for hire, compensation, or profit.

Necessity: In order for the department to approve an application for a Congressional Medal of Honor Recipient special recognition license plate, the department must determine that the applicant meets the statutory requirements. By obtaining the information requested the department can more easily make that determination.

B. Pearl Harbor Survivor Certification

Subsection B provides space for the California Veteran Service Office employee's signature, their title, the date, and their daytime phone number who is certifying that the applicant meets the statutory requirements as a Pearl Harbor survivor.

Necessity: In order for the department to approve an application for a Pearl Harbor Survivor special recognition license plate, the department must determine that the applicant meets the statutory requirements. By obtaining the information requested, the department can more easily make that determination.

C. Press Photographer Certification

Subsection C provides check boxes for the applicant's employer to indicate what type of company the applicant is employed at as a press photographer or camera person. There is also a space for the employer's signature, title, the date, their daytime phone number, name of the company, and street address certifying that the applicant is regularly employed or engaged as a press photographer or camera person for them.

Necessity: In order for the department to approve an application for a Press Photographer special recognition license plate, the department must determine that the applicant meets the statutory requirements. By obtaining the information requested, including the employer's signature, the department can more easily make that determination.

D. Honorary Consul Certification

Subsection D provides space for the applicant's signature, name of foreign country represented, and the date certifying that they are a citizen and/or permanent resident of the United States appointed as an honorary consul.

Necessity: In order for the department to approve an application for an Honorary Consul special recognition license plate, the department must collect the certification from the applicant to meet the statutory requirement. Obtaining the certification on the application is a convenient method for the applicant and the department.

E. Historical Vehicle and Horseless Carriage Certification

Subsection E provides space for the applicant's signature and the date certifying that the applicant understands that the special recognition license plates may only be placed on a motor vehicle manufactured within the stated time period and that the vehicle is driven primarily in historical exhibitions, parades, or historic club activities.

Necessity: In order for the department to approve an application for a Historical Vehicle and Horseless Carriage special recognition license plate, the department must determine that the applicant meets the statutory requirements. By obtaining the information requested, the department can more easily make that determination.

F. California Firefighter (Surviving Family Member)

Subsection F provides space for the applicant's signature, relationship to the firefighter, and the date certifying that they are a surviving family member of a deceased firefighter, retired fighter, or volunteer firefighter.

Necessity: In order for the department to approve an application for a California Firefighter (Surviving Family Member) special recognition license plate, the department must determine that the applicant meets the statutory requirements. By obtaining the information requested, the department can more easily make that determination.

Section 3 – Reassignment

Section 3 provides spaces for an applicant to inform the department the plate number of their special plate/disabled persons plate that they are moving to another vehicle, the vehicle identification number of the vehicle that it is currently on, the license plate number of the plate currently on the vehicle they are moving their special plate/disabled persons plate to, and the vehicle identification number of the vehicle they are moving their special plate/disabled persons plate to.

Additionally, there are check boxes for the applicant to indicate that they are choosing to retain their special license plate and if they have enclosed any necessary fee. Or if they are choosing to release interest in their special license plate.

Necessity: In order for the department to process the applicant's request properly, the department needs the information being requested.

Section 4 – Replacement Only

Section 4 provides check boxes for an applicant to inform the department that they need one or two replacement plates and what happened (lost/stolen, mutilated, or surrendered) to their plate(s).

Necessity: In order for the department to process the applicant's request properly, the department needs the information being requested.

Section 5 – Signature Required for all Applicants

Section 5 contains the certification statement that the applicant has provided true and correct information on the form and provides space for the applicant's signature, the date, and their daytime phone number. This certification is consistent with the provisions of Code of Civil Procedure section 2015.5(b) and is consistent with all other departmental forms containing certifications.

Necessity: The department requires this on all of its application forms and is doing so here to maintain consistency in its business practices.

Part 2 Special License Plate Requirements

This part contains the additional requirements that an applicant must provide to the department in order to be approved by the department for one of 13 distinct license plates including Amateur Radio Station, Antique Motorcycle, California Firefighter (and surviving family member), Congressional Medal of Honor, Ex-Prisoner of War, Gold Star Family, Historical Vehicle, Honorary Consul, Horseless Carriage, Legion of Valor, Pearl Harbor Survivor, Press Photographer, and Purple Heart.

Necessity: This part will conveniently make clear to anyone who is applying for a Special Recognition License Plate what the additional requirements are rather than having applicants have to research the Vehicle Code to find them.

§ 206.16. Surrender of Current Plates

Subsections (a) et al and (b) are added to inform the applicant for a Special Recognition license plate what they are required to do with their current license plates and distinguishes the requirements based on situations that normally occur.

Necessity: To make consistent the rules for these type of plates to the rules found in Section 206.06 for Special Interest and Environmental license plates.

DEPARTMENTAL DETERMINATIONS

- *Technical, Theoretical and/or Empirical Studies, Reports or Documents:* None.
- *Reasonable Alternatives That Would Lessen Any Adverse Impact on Small Business:* No alternatives were considered or presented that would lessen any adverse impact on small businesses.
- *Evidence Supporting Determination of No Significant Adverse Economic Impact on Business, Including the Ability to Compete:* The department does not anticipate any of these changes will create a significant adverse economic impact on businesses including California's ability to compete.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

- *Cost or Savings To Any State Agency:* None.
- *Other Non-Discretionary Cost or Savings to Local Agencies:* None.
- *Costs or Savings in Federal Funding to the State:* None.
- *Cost Impact on Representative Private Persons or Businesses:* The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Purchase of any of the special license plates are optional, therefore, the department does not anticipate any cost impact on representative private persons or businesses.
- *Effect on Housing Costs:* None.
- *Local Agency/School District Mandates:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- *Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630:* None.
- *Small Business Impact:* This proposed action may affect small business.
- *Potential Significant Statewide Adverse Economic Impact on Business:* This action is unlikely to have any significant statewide adverse economic impact on businesses. This action mostly makes amendments or adopts departmental forms used when applying for environmental or special license plates. While the forms have been updated, the procedures followed by applicants and the overall application process is unchanged.

ECONOMIC IMPACT ASSESSMENT

(Government Code section 11346.3)

The department has made the following determinations related to this proposed regulatory action:

- *Creation or Elimination of Jobs Within the State of California*

The purpose of this proposed action is to update the department's Special Interest license plate application form and to adopt its Special Recognition license plate form and make other amendments that help make clear the related regulations. Because none of the proposed amendments impact jobs, the department does not anticipate the provisions being adopted in this regulation will create or eliminate jobs.

- *Creation or Elimination of Existing Businesses Within the State of California*

The purpose of this proposed action is to update the department's Special Interest license plate application form and to adopt its Special Recognition license plate form and make other amendments that help make clear the related regulations. Because none of the proposed amendments impact businesses, the department does not anticipate this action will create or eliminate existing businesses in California.

- *Expansion of Business Currently Doing Business Within the State of California*

The department does not anticipate this action expanding businesses currently doing business within California. This action only amends forms and makes clarifying amendments, neither of which are anticipated to expand any businesses.

- *Benefits of Regulation to the Health and Welfare of California Residents, Worker Safety and the State's Environment*

This action will benefit the health and welfare of California residents by ensuring applicants have convenient ways to provide the department their information when applying for environmental or special license plates and to help ensure the integrity of their registration records that are maintained in the department's databases. This action is not likely to have a significant impact on the California residents' health, worker safety or the state's environment.