

45702

02/22/17 10:53 AM
RN 17 09545 PAGE 1

Senate Constitutional Amendment No. _____

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of, and by adding Section 11 to, Article XIX thereof, relating to transportation.



1709545457028CA

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 2017–18 Regular Session commencing on the fifth day of December 2016, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

First—That Section 3 of Article XIX thereof is amended to read:

SEC. 3. ~~Revenues~~ Except as otherwise provided in Section 11, revenues from fees and taxes imposed by the State upon vehicles or their use or operation, over and above the costs of collection and any refunds authorized by law, shall be used for the following purposes:

(a) The state administration and enforcement of laws regulating the use, operation, or registration of vehicles used upon the public streets and highways of this State, including the enforcement of traffic and vehicle laws by state agencies and the mitigation of the environmental effects of motor vehicle operation due to air and sound emissions.

(b) The purposes specified in Section 2 of this article.

Second—That Section 11 is added to Article XIX thereof, to read:

SEC. 11. (a) Revenues from fees and taxes imposed by the State upon vehicles or their use or operation, over and above the costs of collection and any refunds authorized by law, and transferred to the Road Maintenance and Rehabilitation Account, or its successor, pursuant to the Road Repair and Accountability Act of 2017, shall be used solely for the purposes of Section 2.



(b) Notwithstanding subdivision (a), the revenues described in subdivision (a) shall not be used for the payment of principal and interest on state general obligation bonds that were authorized by the voters on or before November 4, 2014.

(c) The Road Repair and Accountability Act of 2017 as enacted by the Legislature in 2017 or as subsequently amended shall not be directly or indirectly amended, and no other law shall be enacted, to appropriate revenues required to be transferred pursuant to that act to the Road Maintenance and Rehabilitation Account, or its successor, for purposes other than the purposes described in Section 2, or to authorize expenditures or transfers from the account, or its successor, for purposes other than the purposes described in Section 2.



1709545457025CA

LEGISLATIVE COUNSEL'S DIGEST

SCA No.

as introduced, _____.

General Subject: Motor vehicle fees and taxes; restriction on expenditures.

Article XIX of the California Constitution restricts the expenditure of revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes, and restricts the expenditure of revenues from fees and taxes imposed by the state upon vehicles or their use or operation to state administration and enforcement of laws regulating the use, operation, or registration of vehicles used upon the public streets and highways, as well as to street and highway and certain mass transit purposes. These restrictions do not apply to revenues from taxes or fees imposed under the Sales and Use Tax Law or the Vehicle License Fee Law.

Article XIX prohibits the Legislature from borrowing revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways, and from using those revenues other than as specifically permitted by Article XIX.



Article XIX, in that regard, authorizes the limited use of fuel tax revenues for bond debt service related to transportation expenditures consistent with Article XIX. Article XIX does not, however, similarly restrict revenues from fees and taxes imposed by the state upon vehicles or their use or operation.

This measure would restrict the expenditure of revenues from fees and taxes imposed by the state upon vehicles or their use or operation and transferred to the Road Maintenance and Rehabilitation Account pursuant to the Road Repair and Accountability Act of 2017 to street and highway and mass transit purposes consistent with Article XIX. The measure would also prohibit the use of these vehicle revenues for the payment of principal and interest on general obligation bonds issued by the state that were authorized by the voters on or before November 4, 2014.

This measure would prohibit the Legislature from directly or indirectly amending the Road Repair and Accountability Act of 2017, or from enacting any other law, to appropriate revenues required to be transferred to the Road Maintenance and Rehabilitation Account pursuant to that act, for purposes other than street and highway and mass transit purposes consistent with Article XIX, or to authorize expenditures or transfers from the account for other than those purposes.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

