

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 742

Introduced by Assembly Member Gallagher

February 25, 2015

An act to add Section 43018.3 to the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL’S DIGEST

AB 742, as amended, Gallagher. Heavy-duty diesel-fueled vehicles: ~~safety review~~; *study*: filters.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants, including standards for off-road and nonvehicle engine categories.

This bill would prohibit the state board from enforcing a certain regulation that restricts emissions from ~~in-use~~; *in-use* diesel-fueled vehicles until the state board ~~completes a review~~ *receives from an independent private firm a completed comprehensive study* of the safety of any particulate-matter filters required to be installed on affected vehicles.

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

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

SECTION 1. Section 43018.3 is added to the Health and Safety Code, to read:

43018.3. (a) (1) For a regulation for the reduction of emissions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants from in-use diesel-fueled ~~vehicles~~, *vehicles* applicable to any person, business, federal government agency, school district, or school transportation provider that owns or operates, leases, or ~~rents~~, *rents* affected vehicles that operate in California and to persons that sell affected vehicles in California, the state board shall not enforce that regulation until the state board ~~completes a review~~ *receives from an independent private firm a completed comprehensive study* of the safety of any particulate-matter filters required to be installed on those affected vehicles.

(2) The state board shall notify the Secretary of State of both of the following:

(A) The suspension of the enforcement of a regulation pursuant to paragraph (1).

(B) The resumed enforcement of a regulation following the completion of the ~~safety review~~ *comprehensive study* required pursuant to paragraph (1).

(b) As used in this section, “affected vehicles” means vehicles that operate on diesel fuel, dual fuel, or alternative diesel fuel that are registered to be driven on public highways, vehicles that were originally designed to be driven on public highways whether or not they are registered, yard trucks with on-road engines or yard trucks with off-road engines used for agricultural operations, both engines of two-engine sweepers, schoolbuses, and vehicles that have a manufacturer’s gross vehicle weight rating greater than 14,000 pounds, except as exempted by the state board.