

**ASSEMBLY BILL**

**No. 2824**

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**Introduced by Assembly Member Cogdill**

February 25, 2002

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An act to amend Section 44003 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2824, as introduced, Cogdill. Air pollution: enhanced motor vehicle inspection and maintenance program.

Existing law establishes an enhanced motor vehicle inspection and maintenance program (smog check II) in each urbanized area of the state, any part of which is classified by the United States Environmental Protection Agency as a serious, severe, or extreme nonattainment area for carbon monoxide. Existing law authorizes the Department of Consumer Affairs to prescribe different test procedures and equipment requirements for those areas in the enhanced program. Existing law also requires the department and the State Air Resources Board to periodically determine whether changes in the program are warranted.

This bill would make technical, nonsubstantive changes.

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

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

- 1 SECTION 1. Section 44003 of the Health and Safety Code is
- 2 amended to read:
- 3 44003. (a) (1) An enhanced motor vehicle inspection and
- 4 maintenance program is established in each urbanized area of the

1 state, any part of which is classified by the *United States*  
2 Environmental Protection Agency as a serious, severe, or extreme  
3 nonattainment area for ozone, or a moderate or serious  
4 nonattainment area for carbon monoxide with a design value  
5 greater than 12.7 ppm, and in other areas of the state as provided  
6 in this chapter.

7 (2) The enhanced motor vehicle inspection and maintenance  
8 program established pursuant to paragraph (1) shall be assessed  
9 jointly by the department and the state board periodically to  
10 determine whether changes in the program may be warranted. On  
11 or before January 1, 2003, the department and the state board shall  
12 jointly issue a report to the Legislature based on those periodic  
13 assessments, recommending any modifications to the enhanced  
14 program to improve its operations and lessen its impact on  
15 consumers while still achieving the necessary emission reductions  
16 to attain air quality standards. The report shall include a review of  
17 any program proposed pursuant to Section 15 of Chapter 803 of  
18 the Statutes of 1997.

19 (3) A basic vehicle inspection and maintenance program shall  
20 be continued in all other areas of the state where a program was in  
21 existence under this chapter as of ~~the effective date of this~~  
22 ~~paragraph~~ *March 30, 1994*.

23 (b) The department may prescribe different test procedures and  
24 equipment requirements for those areas described in subdivision  
25 (a). Program components shall be operated in all program areas  
26 unless otherwise indicated, as determined by the department. In  
27 those areas where the biennial program is not implemented and  
28 smog check inspections are required to complete the requirements  
29 set forth in Sections 4000.1 and 4000.2 of the Vehicle Code,  
30 program elements that apply in basic areas, including test  
31 equipment requirements for smog check stations, shall apply.

32 (c) (1) Districts classified as attainment areas may request the  
33 department to implement all or part of the program elements  
34 defined in this chapter. However, the department shall not  
35 implement the program established by Section 44010.5 in any area  
36 other than an urbanized area, any part of which is classified by the  
37 *United States* Environmental Protection Agency as a serious,  
38 severe, or extreme nonattainment area for ozone or a moderate or  
39 serious nonattainment area for carbon monoxide with a design  
40 value greater than 12.7 ppm.



1 (2) Districts that include areas classified as basic program  
2 nonattainment areas pursuant to subdivision (a) may, except as  
3 provided in paragraph (1), request the implementation in those  
4 areas of test procedures and equipment required for enhanced  
5 program areas and any other program requirement specified for  
6 enhanced program areas.

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