

AMENDED IN ASSEMBLY APRIL 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 471

**Introduced by Assembly ~~Member Simitian~~ Members *Simitian,
Laird and Nakano***

February 14, 2003

~~An act to amend Section 72303 of the Public Resources Code, An act to add Chapter 3.3 (commencing with Section 39630) to Part 2 of Division 26 of the Health and Safety Code, relating to air emissions.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 471, as amended, Simitian. Air emissions: cruise ships.

Existing law requires the State Air Resources Board to measure and record the opacity of visible emissions of a representative sample of large passenger vessels while at berth or at anchor in a port in the state. That provision is repealed as of July 1, 2003.

~~This bill would make a technical, nonsubstantive change to that provision.~~

This bill would instead prohibit, as of January 1, 2004, a cruise ship, as defined, from conducting on-board waste incineration while operating within 90 miles of the California coast. The bill would require, as of January 1, 2005, a cruise ship to use only specified diesel fuel while operating within 25 miles of the California coast.

The bill also would prohibit, as of January 1, 2006, a cruise ship from operating its main propulsion or auxiliary engines while docked, beginning 30 minutes after docking until one hour prior to the scheduled departure time. The bill would require the State Air Resources Board to enforce those provisions.

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

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

1 ~~SECTION 1. Section 72303 of the Public Resources Code is~~
2 ~~amended to read:~~
3 ~~72303. The State Air Resources Board shall measure and~~
4 ~~record the opacity of visible emissions, excluding condensed~~
5 ~~water vapor, of a representative sample of large passenger vessels~~
6 ~~while at berth or at anchor in a port in California.~~
7 SECTION 1. Chapter 3.3 (commencing with Section 39630)
8 is added to Part 2 of Division 26 of the Health and Safety Code,
9 to read:

CHAPTER 3.3. CRUISE SHIPS

13 39630. The Legislature finds and declares that it is in the
14 interests of all Californians to protect the air quality from
15 increasing volumes of cruise ship engine emissions.

16 39631. (a) The state board shall enforce this chapter, and
17 may adopt standards, rules, and regulations for that purpose
18 pursuant to Section 39601.

19 (b) As used in this division, “cruise ship” means a commercial
20 vessel that has the capacity to carry 250 or more passengers for
21 hire. “Cruise ship” does not include the following:

22 (a) Vessels without berths or overnight accommodations for
23 passengers.

24 (b) Noncommercial vessels, warships, vessels operated by
25 nonprofit entities as determined by the Internal Revenue Service,
26 and vessels operated by the state, United States, or a federal
27 government.

28 39632. Commencing on January 1, 2004, a cruise ship shall
29 not conduct on-board waste incineration while operating within
30 90 miles of the California coast.

31 39633. Commencing on January 1, 2005, a cruise ship shall
32 use only diesel fuel formulated as specified in Sections 2281 and
33 2282 of Title 13 of the California Code of Regulations, while
34 operating within 25 miles of the California coast.



1 39634. Commencing on January 1, 2006, a cruise ship shall
2 not operate its main propulsion or auxiliary engines while docked,
3 and instead shall connect to a shoreside power source. This
4 prohibition applies beginning 30 minutes after docking until one
5 hour prior to the scheduled departure time, unless superseded by
6 the United States Coast Guard.

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