

AMENDED IN SENATE MAY 24, 2004

AMENDED IN SENATE APRIL 26, 2004

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1757

**Introduced by Senators Denham and Battin
(Coauthors: Senators Aanestad, Ackerman, Johnson, and
Knight)**

(Coauthors: Assembly Members Bates, Cogdill, Daucher, Dutton,
Garcia, Harman, Shirley Horton, La Malfa, Maze, and Spitzer)

February 20, 2004

An act to amend Section 13332.09 of the Government Code, relating to state contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1757, as amended, Denham. State procurement: vehicles.

Existing law provides that no purchase order or other form of documentation for acquisition or replacement of motor vehicles shall be issued against any appropriation until the Department of General Services has investigated and established the necessity for the acquisition or replacement.

~~This bill would prohibit an executive branch officer or agency, the Supreme Court, the Courts of Appeal, the University of California, and the California State University, from purchasing a motor vehicle unless and until the purchase contract is approved by the Department of General Services. The bill would require each purchase contract to be transmitted to the department with all papers, estimates, price quotes, and recommendations concerning the purchase, and if approved by the~~



~~department the purchase contract would be effective from the date of the approval.~~

This bill would require that all contracts for acquisition of motor vehicles or general use mobile equipment for an executive branch officer or agency or the California State University be made by or under the supervision of the Department of General Services, and would permit the department to collect a fee to offset the cost of the services provided. The bill would request and encourage the University of California to have the department perform these tasks with respect to the acquisition or replacement of motor vehicles by the University of California.

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

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

1 SECTION 1. Section 13332.09 of the Government Code is
2 amended to read:

3 13332.09. (a) No purchase order or other form of
4 documentation for acquisition or replacement of motor vehicles
5 shall be issued against any appropriation until the Department of
6 General Services has investigated and established the necessity
7 therefor. ~~Notwithstanding any other provision of law, a state~~
8 ~~agency may not purchase a motor vehicle unless and until the~~
9 ~~purchase contract is approved by the Department of General~~
10 ~~Services. Each purchase contract shall be transmitted to the~~
11 ~~Department of General Services with all papers, estimates, price~~
12 ~~quotes, and recommendations concerning the purchase, and if~~
13 ~~approved by the Department of General Services, shall be~~
14 ~~effective from the date of the approval. therefor.~~

15 (b) A state agency may not acquire surplus mobile equipment
16 from any source for program support until the Department of
17 General Services has investigated and established the necessity
18 therefor.

19 (c) *Notwithstanding any other provision of law, all contracts*
20 *for the acquisition of motor vehicles or general use mobile*
21 *equipment for a state agency shall be made by or under the*
22 *supervision of the Department of General Services. Pursuant to*
23 *Section 10298 the Department of General Services may collect a*
24 *fee to offset the cost of the services provided.*



1 (d) All passenger-type motor vehicles purchased for state
2 officers and employees, except constitutional officers, shall be
3 American-made vehicles of the light class, as defined by the State
4 Board of Control, unless excepted by the Director of General
5 Services on the basis of unusual requirements, including, but not
6 limited to, use by the California Highway Patrol, that would justify
7 the need for a motor vehicle of a heavier class.

8 ~~(d)~~

9 (e) No general use mobile equipment having an original
10 purchase price of twenty-five thousand dollars (\$25,000) or more
11 shall be rented or leased from a nonstate source and payment
12 therefor made from any appropriation for the use of the
13 Department of Transportation, without the prior approval of the
14 Department of General Services after a determination that
15 comparable state-owned equipment is not available, unless
16 obtaining approval would endanger life or property, in which case
17 the transaction and the justification for not having sought prior
18 approval shall be reported immediately thereafter to the
19 Department of General Services.

20 ~~(e)~~

21 (f) As used in this section:

22 (1) “General use mobile equipment” means equipment that is
23 listed in the Mobile Equipment Inventory of the State Equipment
24 Council and which is capable of being used by more than one state
25 agency, and shall not be deemed to refer to equipment having a
26 practical use limited to the controlling state agency only. Section
27 575 of the Vehicle Code shall have no application to this section.

28 (2) “State agency” means a state agency, as defined pursuant
29 to Section 11000, ~~the Supreme Court and the Courts of Appeal,~~
30 and each campus of the California State University ~~and the~~
31 ~~University of California.~~ *The University of California is*
32 *requested and encouraged to have the Department of General*
33 *Services perform the tasks identified in this section with respect to*
34 *the acquisition or replacement of motor vehicles by the University*
35 *of California.*

