

**ASSEMBLY BILL**

**No. 1065**

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**Introduced by Committee on Agriculture (Matthews (Chair),  
Maze (Vice Chair), Berg, Blakeslee, Cogdill, Parra, Salinas, and  
Vargas)**

February 22, 2005

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An act to add Sections 19217, 19218, and 19316.5 to the Food and Agricultural Code, relating to kitchen grease.

LEGISLATIVE COUNSEL'S DIGEST

AB 1065, as introduced, Committee on Agriculture. Kitchen grease: transporters.

Existing law requires any person who engages in the transportation of inedible kitchen grease, as defined, to be registered with the Department of Food and Agriculture. Existing law requires licensed renderers to record and keep certain records relating to receipt of inedible kitchen grease. Registered transporters and licensed renderers are required to exhibit those records on demand to any peace officer, among others. Any violation of these provisions is a misdemeanor or a felony, as specified.

This bill would impose additional record keeping requirements on those registered transporters of material removed from a grease trap or grease interceptor, as specified.

By expanding an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 19217 is added to the Food and  
2 Agricultural Code, to read:

3 19217. "Interceptor material" means material that is removed  
4 from a grease trap or grease interceptor at a food preparation,  
5 processing, or handling establishment or facility, and that must  
6 be properly transported, disposed of, or recycled. Interceptor  
7 material does not include inedible kitchen grease that is not  
8 removed from a grease trap or grease interceptor.

9 SEC. 2. Section 19218 is added to the Food and Agricultural  
10 Code, to read:

11 19218. "Generator" includes, but is not limited to, any food  
12 preparation, processing, or handling establishment or facility.

13 SEC. 3. Section 19316.5 is added to the Food and  
14 Agricultural Code, to read:

15 19316.5. Any transporter hauling interceptor material shall  
16 comply with the following documentation procedures:

17 (a) The transporter's driver, with respect to each transport  
18 vehicle operated by that driver for each date, shall complete a  
19 separate daily transporter report.

20 (b) The transporter's driver shall complete a daily transporter  
21 report containing the transporter's name, California Department  
22 of Agriculture Registration Number, terminal address, and  
23 telephone number. The driver shall sign and date the daily  
24 transporter report. The daily transporter report may take the form  
25 of a completed route sheet if the required information is on the  
26 form.

27 (c) The transporter's driver shall attach to the front of the daily  
28 transporter report legible copies of the receipts for each quantity  
29 of interceptor material that is received that day on that transport  
30 vehicle.

31 (d) The transporter shall mail to the generator or leave with the  
32 generator or in a location specified by the generator a copy of the  
33 receipt for the interceptor material.

1 (e) The transporter shall submit copies of the daily transporter  
2 report to the designated receiving facility upon request of the  
3 facility.

4 (f) All interceptor material receipts shall contain all of the  
5 following information:

6 (1) The name, address, and telephone number of the generator,  
7 and the signature of the generator or the generator's  
8 representative. The signature of the generator may be omitted if  
9 the transporter certifies that the business or location was closed at  
10 the time of the service or that the generator's representative could  
11 not be found or if the generator refused to sign the receipt, which  
12 shall be so noted on the receipt.

13 (2) The date of the service.

14 (3) The estimated total volume or quantity of interceptor  
15 material received.

16 (4) The name and address of the licensed rendering plant or  
17 collection center to which the interceptor material will be  
18 transported.

19 (5) The transporter's name, address, and California  
20 Department of Agriculture Registration Number.

21 (6) The driver's signature.

22 (g) The transporter shall enter the total volume or quantity of  
23 interceptor material transported on the daily transporter report.  
24 The total volume or quantity shall be the cumulative estimated  
25 amounts collected from the generators as listed on the individual  
26 receipts or the amount determined by the gross and tare weights  
27 of the transport vehicle.

28 (h) The transporter shall submit a copy of the daily transporter  
29 report to the department within 10 days following a request by  
30 the department.

31 (i) The transporter shall retain a copy of the daily transporter  
32 report and all receipts for each daily transporter report at a  
33 location within the state for one year. The transporter may retain  
34 digital images of the daily transporter report or receipts in lieu of  
35 the original documents. In the event of an enforcement action  
36 against the transporter or a generator, this period of retention  
37 shall be extended as requested in writing by the department.

38 (j) Nothing in this section shall limit the requirements of  
39 Article 5 (commencing with Section 2460) of Chapter 2 of  
40 Division 2 of the Vehicle Code, if applicable.

1 SEC. 4. No reimbursement is required by this act pursuant to  
2 Section 6 of Article XIII B of the California Constitution because  
3 the only costs that may be incurred by a local agency or school  
4 district will be incurred because this act creates a new crime or  
5 infraction, eliminates a crime or infraction, or changes the  
6 penalty for a crime or infraction, within the meaning of Section  
7 17556 of the Government Code, or changes the definition of a  
8 crime within the meaning of Section 6 of Article XIII B of the  
9 California Constitution.

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