

AMENDED IN ASSEMBLY MARCH 28, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1440

Introduced by Assembly Member Wolk

February 23, 2007

~~An act to amend Section 2717 of the Public Resources Code, relating to surface mining.~~ *An act to add and repeal Section 43015.5 to the Health and Safety Code, relating to air pollution.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1440, as amended, Wolk. ~~Surface mining: mining and reclamation.~~ *Hybrid trucks: grants.*

Existing law gives to the State Air Resources Board the primary responsibility for the control of emissions from motor vehicles. The state board is required to administer the Carl Moyer Memorial Air Quality Standards Attainment Program to provide grants to offset the incremental cost of projects that reduce covered emissions from covered sources, and to provide funding for technology development efforts that are expected to result in commercially available technologies in the near-term.

This bill would require the state board to, upon appropriation by the Legislature, expend \$15,000,000 to provide grants to medium- and heavy-duty truck manufacturers and operators to demonstrate the in-use commercial performance of hydraulic assist and hybrid electric propulsion systems in those vehicles. The bill would repeal these provisions on January 1, 2011.

~~Existing law requires the State Mining and Geology Board to submit an annual report to the Legislature regarding actions taken, pursuant to~~

the Surface Mining and Reclamation Act of 1975, during the preceding fiscal year, including specified information and recommendations.

This bill would require the board to make the annual report available to the public on the Internet.

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. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *Medium- and heavy-duty trucks consume approximately 20*
4 *percent of the fuel used in the transportation sector, have relatively*
5 *poor fuel efficiency, and are responsible for a disproportionate*
6 *percentage of nitrogen oxides and particulate matter emissions.*

7 (b) *Hybrid vehicle technology has made significant progress in*
8 *the light-duty vehicle sector and enjoys strong consumer support.*

9 (c) *Hydraulic assist and hybrid electric propulsion systems in*
10 *medium- and heavy-duty trucks have the potential to significantly*
11 *reduce petroleum reliance, criteria air pollutants, and greenhouse*
12 *gas emissions.*

13 (d) *The high initial purchase costs and uncertainty about in-use*
14 *performance and maintenance costs are serious obstacles to the*
15 *rapid commercialization of hybrid technology for medium- and*
16 *heavy-duty trucks.*

17 (e) *Additional funding is urgently needed for demonstration*
18 *projects that will accelerate the commercialization of medium-*
19 *and heavy-duty hybrid trucks in various types of urban truck fleets.*

20 (f) *Successful demonstration projects will result in greater*
21 *private investments in hybrid technology for the medium- and*
22 *heavy-duty truck market.*

23 (g) *It is the goal of this act to place into service by December*
24 *31, 2009, at least 250 new preproduction hybrid trucks into various*
25 *duty cycles for the purpose of demonstrating and documenting the*
26 *performance and reliability of hybrid technologies in these*
27 *vehicles, in order to reduce fuel use, criteria air pollutants, and*
28 *greenhouse gas emissions compared with diesel engines.*

29 SEC. 2. *Section 43015.5 is added to the Health and Safety*
30 *Code, to read:*

1 43015.5. (a) *The state board shall, upon appropriation by the*
2 *Legislature, expend fifteen million dollars (\$15,000,000) to provide*
3 *grants to medium- and heavy-duty truck manufacturers and*
4 *operators to demonstrate the in-use commercial performance of*
5 *hydraulic assist and hybrid electric propulsion systems in those*
6 *vehicles that reduce reliance on petroleum-derived fuel, criteria*
7 *air pollutants, and greenhouse gas emissions compared to diesel*
8 *engines.*

9 (b) *No grant awarded pursuant to this section shall exceed*
10 *eighty thousand dollars (\$80,000) per demonstration truck.*

11 (c) *The state board, after at least one public hearing, may*
12 *develop and adopt guidelines relating to the application and award*
13 *process for grants authorized by this section.*

14 (d) *No later than July 1, 2010, the state board shall submit a*
15 *report to the appropriate policy committees of the Legislature*
16 *evaluating the performance and emission reductions of the trucks*
17 *funded pursuant to this section. The report shall identify the most*
18 *successful technologies in various applications, and recommend*
19 *actions needed to further support the commercialization of hybrid*
20 *trucks.*

21 (e) *This section shall remain in effect only until January 1, 2011,*
22 *and as of that date is repealed, unless a later enacted statute, that*
23 *is enacted before January 1, 2010, deletes or extends that date.*

24 ~~SECTION 1. Section 2717 of the Public Resources Code is~~
25 ~~amended to read:~~

26 ~~2717. (a) The board shall submit to the Legislature on~~
27 ~~December 1st of each year a report on the actions taken pursuant~~
28 ~~to this chapter during the preceding fiscal year. The report shall~~
29 ~~include a statement of the actions, including legislative~~
30 ~~recommendations, that are necessary to carry out more completely~~
31 ~~the purposes and requirements of this chapter. The board shall~~
32 ~~make the report available to the public on the Internet.~~

33 ~~(b) For purposes of ensuring compliance with Sections 10295.5~~
34 ~~and 20676 of the Public Contract Code, the department shall, at a~~
35 ~~minimum, quarterly publish in the California Regulatory Notice~~
36 ~~Register, or otherwise make available upon request to the~~
37 ~~Department of General Services or any other state or local agency,~~
38 ~~a list identifying all of the following:~~

- 1 ~~(1) Surface mining operations for which a report is required and~~
2 ~~has been submitted pursuant to Section 2207 that indicates all of~~
3 ~~the following:~~
4 ~~(A) The reclamation plan and financial assurances have been~~
5 ~~approved pursuant to this chapter.~~
6 ~~(B) Compliance with state reclamation standards developed~~
7 ~~pursuant to Section 2773.~~
8 ~~(C) Compliance with the financial assurance guidelines~~
9 ~~developed pursuant to Section 2773.1.~~
10 ~~(D) The annual reporting fee has been submitted to the~~
11 ~~Department of Conservation.~~
12 ~~(2) Surface mining operations for which an appeal is pending~~
13 ~~before the board pursuant to subdivision (c) of Section 2770,~~
14 ~~provided that the appeal has not been pending before the board for~~
15 ~~more than 180 days.~~
16 ~~(3) Surface mining operations for which an inspection is required~~
17 ~~and for which an inspection notice has been submitted by the lead~~
18 ~~agency pursuant to Section 2774 that indicates both compliance~~
19 ~~with the approved reclamation plan and that sufficient financial~~
20 ~~assurances, pursuant to Section 2773.1, have been approved and~~
21 ~~secured.~~