

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY APRIL 30, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1488

Introduced by Assembly Member Mendoza

February 23, 2007

An act to add Section 44012.5 to the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1488, as amended, Mendoza. Air pollution: smog check program: lightweight diesel vehicles.

Existing law establishes a motor vehicle inspection and maintenance program (smog check), administered by the Department of Consumer Affairs and the State Air Resources Board, that provides for the inspection of all motor vehicles, except those specifically exempted from the program, upon registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Existing law also 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 specified air contaminants. Existing law also requires the smog tests to include, at minimum, loaded mode dynamometer testing in enhanced areas, and 2-speed testing in all other program areas, and a visual or functional check of emission control devices specified by the department. Existing law exempts diesel-powered vehicles from these requirements, unless the department

determines that the inclusion of those vehicles is technologically and economically feasible, and, if the department makes that determination, requires a visual inspection of emission control devices and the diesel-powered vehicle’s exhaust emissions, and authorizes the testing of emissions of specified pollutants and the measurement of emissions of smoke or particulates, or both.

This bill would require the Bureau of Automotive Repair, on or before January 1, 2009, in consultation with the state board, to develop and adopt, by regulation, a 2-year pilot program to integrate lightweight diesel vehicles into the smog check program. Under the bill, diesel vehicles less than 14,000 pounds would be eligible for the pilot program, although vehicle owners would not be subject to disciplinary action based on the test results. The bill would require the bureau, in consultation with the state board, to prepare and submit to the Governor and the Legislature a report on the pilot program *on or before January 1, 2011, and, on or before July 1, 2012, a recommendation for the permanent deployment of a lightweight diesel vehicle smog program.*

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) It is the intent of the Legislature to implement a pilot program
- 4 that would require a segment of diesel vehicles under 14,000
- 5 pounds to undergo smog checks.
- 6 (b) During the pilot program, the main focus would be data
- 7 collection by the state.
- 8 (c) The pilot program will give the state empirical data to assess
- 9 if pollution from diesel vehicles is a contributing factor to poor air
- 10 quality, if a full-scale smog program is needed for diesel vehicles,
- 11 and, if so, the realistic expectations for the control of emissions
- 12 from diesel vehicles.
- 13 SEC. 2. Section 44012.5 is added to the Health and Safety
- 14 Code, to read:
- 15 44012.5. (a) On or before January 1, 2009, the Bureau of
- 16 Automotive Repair, in consultation with the state board, shall
- 17 develop and adopt, by regulation, a two-year pilot program to

1 integrate lightweight diesel vehicles into the smog check program.

2 The pilot program shall contain both of the following elements:

3 (1) Diesel vehicles less than 14,000 pounds shall be eligible for
4 inclusion in the pilot program.

5 (2) Vehicle owners shall not be subject to disciplinary action
6 based on the test results during the pilot program. Vehicle owners
7 shall be provided with the results of the test and information on
8 possible ways to reduce emissions.

9 (b) ~~The~~ *On or before July 1, 2011, the* Bureau of Automotive
10 Repair, in consultation with the state board, shall prepare and
11 submit to the Governor and the Legislature a report on the pilot
12 program, including the number of vehicles tested each year, a
13 comparison of the emissions of diesel vehicles with nondiesel
14 vehicles, the overall effects of these lightweight diesel vehicles on
15 air quality in the state, and a recommendation for the permanent
16 deployment of a lightweight diesel vehicle smog program on or
17 before July 1, ~~2010~~ 2012.