

AMENDED IN SENATE AUGUST 4, 2010

AMENDED IN SENATE JUNE 16, 2010

AMENDED IN SENATE APRIL 5, 2010

SENATE BILL

No. 1156

Introduced by Senator Cedillo

February 18, 2010

An act to add and repeal Section ~~44274.9~~ 44127 of the Health and Safety Code, relating to air pollution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1156, as amended, Cedillo. Heavy-duty trucks: grants: compliance.

~~(1) Existing law creates the Air Quality Improvement Fund, which is administered by the State Air Resources Board. The moneys in the fund are available to the state board, upon appropriation by the Legislature, to implement the Air Quality Improvement Program.~~

(1) Existing law creates an enhanced fleet modernization program for the retirement of certain high polluting vehicles to be administered by the Bureau of Automotive Repair pursuant to guidelines adopted by the State Air Resources Board. Existing law creates the Enhanced Fleet Modernization Subaccount in the High Polluter Removal and Repair Account to establish and implement this enhanced program, upon appropriation by the Legislature.

This bill would appropriate \$20,000,000 from the ~~Air Quality Improvement Fund~~ *Enhanced Fleet Modernization Subaccount* to the state board for the purpose of providing grants to owners of on-road heavy-duty diesel-fueled motor vehicles that service the state's ports

and railyards in order to purchase equipment for compliance with specified drayage truck regulations adopted by the state board. The bill would prescribe requirements for the administration of those moneys by the state board. The provisions of the bill would be repealed on January 1, 2013.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. ~~Section 44274.9 is added to the Health and Safety~~
2 ~~Code, to read:~~

3 ~~44274.9. (a) Notwithstanding any other provision of this~~
4 ~~chapter~~

5 SECTION 1. *Section 44127 is added to the Health and Safety*
6 *Code, to read:*

7 44127. (a) *Notwithstanding any other provision of this article,*
8 *the sum of twenty million dollars (\$20,000,000) is appropriated*
9 *from the ~~Air Quality Improvement Fund~~ ~~Enhanced Fleet~~*
10 *Modernization Subaccount, created by Section 44126, to the state*
11 *board for the purpose of providing grants to owners of on-road*
12 *heavy-duty diesel-fueled motor vehicles that service the state’s*
13 *ports and railyards to purchase equipment for compliance with*
14 *Section 2027 of Title 13 of the California Code of Regulations.*

15 (b) The moneys appropriated pursuant to subdivision (a) shall
16 be administered consistent with subdivision (c) and with guidelines
17 that are adopted by the state board pursuant to Chapter 3.2
18 (commencing with Section 39625) of Part 2, except that the moneys
19 may be used for emission reductions that are currently required
20 by regulations adopted by the state board.

21 (c) The state board shall provide grants pursuant to subdivision
22 (a) consistent with all of the following requirements:

23 (1) Funding shall be awarded only to owners of three or fewer
24 on-road heavy-duty diesel-fueled motor vehicles.

25 (2) Funding shall be used for equipment to meet 2007 model
26 year engine emissions standards pursuant to Section 2027 of Title
27 13 of the California Code of Regulations, or emissions standards
28 for a newer model year engine.

1 (3) Funding shall not be awarded for purposes of purchasing
2 equipment for any vehicle that has already met the requirements
3 to comply with Phase 1 of the state's drayage truck regulation
4 pursuant to Section 2027 of Title 13 of the California Code of
5 Regulations.

6 (4) *Funding shall be distributed among the state's trade*
7 *corridors, as defined in Section 39625.1, with allocations of 55*
8 *percent to the Los Angeles/Inland Empire region, 25 percent to*
9 *the Central Valley region, 14 percent to the Bay Area region, and*
10 *6 percent to the San Diego/border region.*

11 (d) Any moneys not expended before January 1, 2013, shall
12 revert to the ~~Air Quality Improvement Fund~~ *Enhanced Fleet*
13 *Modernization Subaccount.*

14 (e) This section shall remain in effect only until January 1, 2013,
15 and as of that date is repealed, unless a later enacted statute, that
16 is enacted before January 1, 2013, deletes or extends that date.

17 SEC. 2. This act is an urgency statute necessary for the
18 immediate preservation of the public peace, health, or safety within
19 the meaning of Article IV of the Constitution and shall go into
20 immediate effect. The facts constituting the necessity are:

21 In order to provide help to financially struggling on-road
22 heavy-duty diesel-fueled motor vehicle owners as soon as possible,
23 it is necessary that this act take effect immediately.