

AMENDED IN SENATE MAY 22, 2012

AMENDED IN SENATE JUNE 23, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 633

Introduced by Assembly Member Olsen
(Coauthors: Assembly Members Block, Jeffries, and Mansoor)
(Coauthor: Senator Runner)

February 16, 2011

An act to amend Section 13332.09 of the Government Code, relating to state government, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 633, as amended, Olsen. California State University: acquisition or replacement of motor vehicles.

(1) Under existing law, the Department of General Services exercises oversight of the acquisition and replacement of motor vehicles by state agencies. As of July 1, 2012, "state agencies" will be defined for these purposes to include each campus of the California State University.

This bill would delete the reference to each campus of the California State University from the definition of state agencies under these provisions.

(2) Existing law requires, until July 1, 2012, the Trustees of the California State University to report to the Legislature on their motor vehicle procurement, to include specified information, on or before June 30 of each year.

This bill would, commencing July 1, 2012, require the trustees to report to the Legislature on their motor vehicle procurement, to include

specified information, including some information required under existing law, on or before June 30 of each year, up to and including June 30, 2017. The bill would also require the trustees, to the greatest extent feasible, to purchase vehicles using statewide commodity contracts.

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

Vote: ~~majority~~^{2/3}. 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, as
 2 added by Section 4 of Chapter 679 of the Statutes of 2007, is
 3 amended to read:
 4 13332.09. (a) No purchase order or other form of
 5 documentation for acquisition or replacement of motor vehicles
 6 shall be issued against any appropriation until the Department of
 7 General Services has investigated and established the necessity
 8 therefor.
 9 (b) A state agency may not acquire surplus mobile equipment
 10 from any source for program support until the Department of
 11 General Services has investigated and established the necessity
 12 therefor.
 13 (c) Notwithstanding any other provision of law, all contracts
 14 for the acquisition of motor vehicles or general use mobile
 15 equipment for a state agency shall be made by or under the
 16 supervision of the Department of General Services. Pursuant to
 17 Section 10298 of the Public Contract Code, the Department of
 18 General Services may collect a fee to offset the cost of the services
 19 provided.
 20 (d) All passenger-type motor vehicles purchased for state
 21 officers and employees, except constitutional officers, shall be
 22 American-made vehicles of the light class, as defined by the
 23 California Victim Compensation and Government Claims Board,
 24 unless excepted by the Director of General Services on the basis
 25 of unusual requirements, including, but not limited to, use by the
 26 California Highway Patrol, that would justify the need for a motor
 27 vehicle of a heavier class.

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

12 (f) (1) The Trustees of the California State University shall, to
13 the greatest extent feasible, purchase vehicles using statewide
14 commodity contracts.

15 (2) The trustees shall report to the Legislature on or before June
16 30 of each year up to and including June 30, 2017, on their motor
17 vehicle procurement, including both of the following:

18 (A) An inventory, by campus, of motor vehicles that includes
19 the type of vehicle, consistent with the fleet asset management
20 system reports.

21 (B) The number of motor vehicles purchased during the prior
22 fiscal year, disaggregated by campus and type of vehicle if the
23 passenger vehicle or truck was purchased through statewide
24 commodity contracts, and the purchase price.

25 (g) As used in this section:

26 (1) “General use mobile equipment” means equipment that is
27 listed in the Mobile Equipment Inventory of the State Equipment
28 Council and that is capable of being used by more than one state
29 agency, and shall not be deemed to refer to equipment having a
30 practical use limited to the controlling state agency only. Section
31 575 of the Vehicle Code shall have no application to this section.

32 (2) “State agency” means a state agency, as defined pursuant
33 to Section 11000. The University of California is requested and
34 encouraged to have the Department of General Services perform
35 the tasks identified in this section with respect to the acquisition
36 or replacement of motor vehicles by the University of California.

37 (h) This section shall become operative on July 1, 2012.

38 *SEC. 2. This act is an urgency statute necessary for the*
39 *immediate preservation of the public peace, health, or safety within*

1 *the meaning of Article IV of the Constitution and shall go into*
2 *immediate effect. The facts constituting the necessity are:*
3 *In order to ensure the continuation of the use of statewide*
4 *commodity contracts in the purchase of vehicles by the Trustees*
5 *of the California State University, it is necessary for this act to*
6 *take effect immediately.*

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