

AMENDED IN SENATE AUGUST 14, 2012

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 *and repeal* 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~~

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~~ *are* 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~~

Existing law requires, required, 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 *make an interim report to the Governor and the Legislature January 1, 2014, and a final report on January 1, 2015,* 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.

This bill would repeal these provisions on July 1, 2015.

~~(3) This~~

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

Vote: $\frac{2}{3}$. 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~~—A purchase order or other form of
- 5 documentation for acquisition or replacement of motor vehicles
- 6 shall *not* be issued against any appropriation until the Department
- 7 of General Services has investigated and established the necessity
- 8 therefor.
- 9 (b) A state agency ~~may~~ *shall* not acquire surplus mobile
- 10 equipment from any source for program support until the
- 11 Department of General Services has investigated and established
- 12 the necessity therefor.
- 13 (c) Notwithstanding any other ~~provision of law, all contracts~~
- 14 *any contract* for the acquisition of ~~a motor vehicles vehicle~~ or
- 15 general use mobile equipment for a state agency shall be made by
- 16 or under the supervision of the Department of General Services.
- 17 Pursuant to Section 10298 of the Public Contract Code, the
- 18 Department of General Services may collect a fee to offset the cost
- 19 of the services provided.
- 20 (d) ~~All~~—Any passenger-type motor ~~vehicles vehicle~~ purchased
- 21 for ~~a state officers and employees, except a constitutional officers,~~

1 *officer, or a state employee shall be an American-made vehicles*
2 *vehicle of the light class, as defined by the California Victim*
3 *Compensation and Government Claims Board, unless excepted*
4 *by the Director of General Services on the basis of unusual*
5 *requirements, including, but not limited to, use by the California*
6 *Highway Patrol, that would justify the need for a motor vehicle*
7 *of a heavier class.*

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

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

22 (2) The trustees shall *make an interim* report to the *Governor*
23 *and the Legislature on or before June 30 of each year up to and*
24 ~~including June 30, 2017~~ *January 1, 2014, and a final report on*
25 *January 1, 2015, on their motor vehicle procurement, including*
26 ~~both~~ *all of the following:*

27 (A) An inventory, by campus, of motor vehicles that includes
28 the type of vehicle, *vehicle usage and fuel data* consistent with the
29 *Department of General Services* fleet asset management system
30 ~~reports and reported to the Department of General Services.~~

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

35 (C) *Any change to a policy or procedure made during the prior*
36 *fiscal year related to motor vehicle procurement and contracts for*
37 *procurement and identifying any vehicle procured pursuant to the*
38 *new policy or procedure.*

39 (D) *The average time to complete procurements, average*
40 *administrative costs, reduced charges paid to the Department of*

1 *General Services, and competitive or reduced market prices*
2 *obtained for the vehicles.*

3 (3) *A report submitted pursuant to this subdivision shall be*
4 *submitted in compliance with Section 9795.*

5 (g) As used in this section:

6 (1) “General use mobile equipment” means equipment that is
7 listed in the Mobile Equipment Inventory of the State Equipment
8 Council and ~~that is~~ capable of being used by more than one state
9 agency, and shall not be deemed to refer to equipment having a
10 practical use limited *only* to the controlling state agency ~~only~~.
11 Section 575 of the Vehicle Code shall *not* have ~~no~~ application to
12 this section.

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

18 (h) This section shall ~~become operative on July 1, 2012~~ *remain*
19 *in effect only until July 1, 2015, and as of that date is repealed.*

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

24 In order to ensure the continuation of the use of statewide
25 commodity contracts in the purchase of vehicles by the Trustees
26 of the California State University, it is necessary for this act to
27 take effect immediately.

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