

AMENDED IN SENATE AUGUST 6, 2012  
AMENDED IN ASSEMBLY JANUARY 12, 2012  
AMENDED IN ASSEMBLY JANUARY 4, 2012  
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 812**

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**Introduced by Assembly Member Ma  
(Coauthor: Assembly Member Skinner)**

February 17, 2011

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An act to add Section 42704 to the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 812, as amended, Ma. Solid waste: recycled asphalt.

Under existing law, it is the policy of the state to conserve and protect resources by encouraging the recycling of solid waste and the purchase of those recycled materials, including recycled concrete and rubberized asphalt concrete.

Under existing law, in purchasing any materials to be used in paving or paving subbase for use by the Department of Transportation or any other state agency that provides road construction and repair services, the State Procurement Officer is required to make contracts available for those items that use recycled materials.

Existing law also requires the State Procurement Officer to make contracts available that use crumb rubber, *as defined*, unless the Director of Transportation determines that the use of the materials is not cost effective based on specified factors.

This bill would authorize the Department of Transportation, by January 1, 2014, to establish specifications for the use of reclaimed

asphalt pavement (RAP) of up to 40% for hot mix asphalt mixes. *The bill would specify that this authorization does not limit the authority of the department to establish specifications for this use of reclaimed asphalt pavement in amounts greater than 40%.* The bill would require the department to submit a report to the Legislature, by March 1, 2016, on its progress, since the year 2011, toward the development and implementation of these specifications.

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. Section 42704 is added to the Public Resources  
2 Code, to read:  
3 42704. (a) On or before January 1, 2014, the Department of  
4 Transportation may, with input from the Caltrans/Industry Rock  
5 Products Committee, establish specifications for the use of  
6 reclaimed asphalt pavement (RAP) of up to 40 percent for hot mix  
7 asphalt mixes.  
8 *(b) Subdivision (a) does not limit the authority of the Department*  
9 *of Transportation to establish specifications for the use of*  
10 *reclaimed asphalt pavement in amounts greater than 40 percent*  
11 *for hot mix asphalt mixes.*  
12 ~~(b)~~  
13 (c) (1) On or before March 1, 2016, the Department of  
14 Transportation shall submit a report to the Legislature in  
15 compliance with Section 9795 of the Government Code on its  
16 progress, since the year 2011, toward the development and  
17 implementation of the specifications for reclaimed asphalt  
18 pavement, as specified in subdivision (a).  
19 (2) This subdivision shall become inoperative on March 1, 2020,  
20 pursuant to Section 10231.5 of the Government Code.

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