

AMENDED IN ASSEMBLY APRIL 6, 2011  
AMENDED IN ASSEMBLY MARCH 21, 2011  
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1099**

---

---

**Introduced by Assembly Member Bonnie Lowenthal**

February 18, 2011

---

---

An act to amend Section 4755 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1099, as amended, Bonnie Lowenthal. Commercial motor vehicles: emissions standards.

Existing law requires the Department of Motor Vehicles to refuse registration, or renewal or transfer of registration, for any commercial motor vehicle with a declared gross or combined gross vehicle weight that exceeds 10,000 pounds if the owner or operator of the motor vehicle at the time of the application has been cited for a violation of specified air quality standards pertaining to that vehicle or regulations adopted by the State Air Resources Board, until the violation has been cleared, as determined by that board.

This bill would require the department, effective January 1, 2012, to refuse registration for commercial motor vehicle that is subject to the above provisions that is of a 1996 or older model year and requires a class A or B commercial driver's license to operate, ~~unless the owner or operator of the commercial motor vehicle can demonstrate that its engine complies with heavy-duty diesel engine emissions standards applicable on or after 1996 as adopted by the State Air Resources Board.~~

The bill would exempt from this requirement a commercial motor vehicle registered in California prior to January 1, 2012, if commercial motor vehicle is continuously registered, as specified, or is certified nonoperational after January 1, 2012.

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 4755 of the Vehicle Code is amended to  
2 read:

3 4755. (a) The department shall refuse registration, or renewal  
4 or transfer of registration, for any commercial motor vehicle subject  
5 to Section 4000.6, if the owner or operator of the motor vehicle at  
6 the time of the application has been cited for a violation, pertaining  
7 to that vehicle, of Division 26 (commencing with Section 39000)  
8 of the Health and Safety Code or regulations of the State Air  
9 Resources Board adopted pursuant to that division, until the  
10 violation has been cleared, as determined by the State Air  
11 Resources Board.

12 (b) (1) Effective January 1, 2012, the department shall refuse  
13 registration for commercial motor vehicle subject to Section 4000.6  
14 that is of a 1996 or older model year and requires a class A or B  
15 commercial driver’s license to operate, ~~unless the owner or operator~~  
16 ~~of the commercial motor vehicle can demonstrate that its engine~~  
17 ~~complies with heavy-duty diesel engine emissions standards~~  
18 ~~applicable on or after 1996 as adopted by the State Air Resources~~  
19 ~~Board.~~

20 (2) Paragraph (1) does not apply to a commercial motor vehicle  
21 registered in California prior to January 1, 2012, if the commercial  
22 motor vehicle is continuously registered pursuant to Section 9400.1  
23 or 9407 on and after January 1, 2012, or is certified nonoperational  
24 pursuant to Section 4604 after January 1, 2012.

O