

AMENDED IN ASSEMBLY APRIL 19, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1601

Introduced by Assembly Member Huffman

February 6, 2012

An act to amend Section 8670.41 of the Government Code, relating to oil spill prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 1601, as amended, Huffman. Oil spill prevention: nontank vessel: certification of financial responsibility.

Existing law requires the administrator for oil spill response to charge a nontank vessel owner or operator a reasonable fee, to be collected with each application to obtain a certificate of financial responsibility. Existing law authorizes the use of revenue derived from the fee for specified purposes relating to oil spills.

This bill would limit the fee to an amount not to exceed \$3,250 per nontank vessel, *but would allow the administrator to annually adjust the maximum fee based on the percentage increase in the California Consumer Price Index*. The bill would require the revenue derived from the fees to be spent for those specified purposes related to oil spills.

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 8670.41 of the Government Code is
2 amended to read:

1 8670.41. (a) The administrator shall charge a nontank vessel
2 owner or operator a reasonable fee, to be collected with each
3 application to obtain a certificate of financial responsibility, in an
4 amount not to exceed three thousand two hundred fifty dollars
5 (\$3,250) per nontank vessel for the administrator’s costs in
6 implementing this chapter relating to nontank vessels. *The*
7 *administrator may annually adjust the maximum fee based on the*
8 *percentage increase in the California Consumer Price Index as*
9 *determined pursuant to Section 2212 of the Revenue and Taxation*
10 *Code.*

11 (b) Notwithstanding subdivision (a), the administrator may
12 charge a reduced fee under this section for nontank vessels
13 determined by the administrator to pose a reduced risk of pollution,
14 including, but not limited to, vessels used for research or training
15 and vessels that are moored permanently or rarely move.

16 (c) The administrator shall deposit all revenue derived from the
17 fees imposed under this section in the Oil Spill Prevention and
18 Administration Fund established in the State Treasury under
19 Section 8670.38.

20 (d) Revenue derived from the fees imposed under this section
21 shall be spent for the purposes listed in subdivision (e) of Section
22 8670.40, and shall not be used for responding to an oil spill.