

ASSEMBLY BILL

No. 1922

Introduced by Assembly Member Lara

February 22, 2012

An act to amend Section 43701 of the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1922, as introduced, Lara. Heavy-duty vehicles: smoke emissions.

Existing law requires the State Air Resources Board to adopt regulations requiring owners or operators of heavy-duty diesel motor vehicles to perform regular inspections of their vehicles for excessive emissions of smoke.

This bill would require the state board to amend a specified regulation relating to the inspection of heavy-duty diesel motor vehicles for excessive emissions of smoke.

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 43701 of the Health and Safety Code is
- 2 amended to read:
- 3 43701. (a) (1) Not later than July 15, 1992, the state board,
- 4 in consultation with the bureau and the review committee
- 5 established pursuant to subdivision (a) of Section 44021, shall,
- 6 after a public hearing, adopt regulations that require that owners
- 7 or operators of heavy-duty diesel motor vehicles perform regular
- 8 inspections of their vehicles for excessive emissions of smoke.

1 The inspection procedure, the frequency of inspections, the
2 emission standards for smoke, and the actions the vehicle owner
3 or operator is required to take to remedy excessive smoke emissions
4 shall be specified by the state board. Those standards shall be
5 developed in consultation with interested parties. The smoke
6 standards adopted under this subdivision shall not be more stringent
7 than those adopted under Chapter 5 (commencing with Section
8 44000).

9 *(2) The state board shall amend Sections 2190 to 2194,*
10 *inclusive, of Title 13 of the California Code of Regulations to*
11 *provide for all of the following:*

12 *(A) Commercial motor vehicles with a gross vehicle weight*
13 *rating (GVWR) of 14,000 pounds or higher with 2007 and newer*
14 *model-year engines shall be exempt beginning January 1, 2013.*

15 *(B) Commercial motor vehicles with a GVWR of 14,000 pounds*
16 *or higher shall be exempt beginning January 1, 2023.*

17 (b) Not later than December 15, 1993, the state board shall, in
18 consultation with the State Energy Resources Conservation and
19 Development Commission, and after a public hearing, adopt
20 regulations that require that heavy-duty diesel motor vehicles
21 subject to subdivision (a) utilize emission control equipment and
22 alternative fuels. The state board shall consider, but not be limited
23 to, the use of cleaner burning diesel fuel, or other methods ~~which~~
24 *that* will reduce gaseous and smoke emissions to the greatest extent
25 feasible, taking into consideration the cost of compliance. The
26 regulations shall provide that any significant modification of the
27 engine necessary to meet these requirements shall be made during
28 a regularly scheduled major maintenance or overhaul of the
29 vehicle's engine. If the state board requires the use of alternative
30 fuels, it shall do so only to the extent those fuels are available.

31 (c) The state board shall adopt emissions standards and
32 procedures for the qualification of any equipment used to meet the
33 requirements of subdivision (b), and only qualified equipment
34 shall be used.

35 (d) To the extent permissible under federal law, commencing
36 January 1, 2006, the owner or operator of any commercial motor
37 truck, as defined in Section 410 of the Vehicle Code, with a ~~gross~~
38 ~~vehicle weight rating (GVWR)~~ *GVWR* greater than 10,000 pounds
39 that enters the state for the purposes of operating in the state shall
40 maintain, and provide upon demand to enforcement authorities,

1 evidence demonstrating that its engine met the federal emission
2 standards applicable to commercial heavy-duty engines for that
3 engine's model-year at the time it was manufactured, pursuant to
4 the protocol and regulations developed and implemented pursuant
5 to subdivision (e).

6 (e) The state board, not later than January 1, 2006, in
7 consultation with the California Highway Patrol, shall develop,
8 adopt, and implement regulations establishing an inspection
9 protocol for determining whether the engine of a truck subject to
10 the requirements of subdivision (d) met the federal emission
11 standard applicable to heavy-duty engines for that engine's
12 model-year at the time it was manufactured.

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