

Introduced by Senator SteinbergFebruary 18, 2011

An act to amend Section 44125 of, and to amend the heading of Article 11 (commencing with Section 44125) of Chapter 5 of Part 5 of Division 26 of, the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 901, as introduced, Steinberg. Air pollution: vehicle retirement program.

Existing law creates the High Polluter Repair or Removal Account in the Vehicle Inspection and Repair Fund, and makes moneys deposited in the account available, upon appropriation by the Legislature, to the Department of Consumer Affairs and the State Air Resources Board to establish and implement a program for the repair or replacement of high polluters. Existing law also creates a program for the voluntary retirement of motor vehicles that are high polluting vehicles, administered by the Bureau of Automotive Repair pursuant to guidelines adopted by the state board, to be funded from the Enhanced Fleet Modernization Subaccount in the High Polluter Removal and Repair Account.

This bill would make this program available only to the highest polluting vehicles, with priority given to those highest polluting vehicles registered in air basins that are out of attainment with federal air quality standards. The bill would make other technical changes.

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. The heading of Article 11 (commencing with
2 Section 44125) of Chapter 5 of Part 5 of Division 26 of the Health
3 and Safety Code is amended to read:

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5 Article 11. ~~Enhanced Fleet Modernization~~ *Vehicle Retirement*
6 Program

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8 SEC. 2. Section 44125 of the Health and Safety Code is
9 amended to read:

10 44125. (a) No later than July 1, 2009, the state board, in
11 consultation with the Bureau of Automotive Repair (BAR), shall
12 adopt a program to commence on January 1, 2010, that ~~allows~~
13 *provides* for the voluntary retirement of passenger vehicles and
14 light-duty and medium-duty trucks that are ~~high~~ *the highest*
15 polluters. The program shall be administered by the BAR pursuant
16 to guidelines adopted by the state board.

17 (b) The guidelines shall ensure all of the following:

18 (1) Vehicles retired pursuant to the program are permanently
19 removed from operation and retired at a dismantler under contract
20 with the BAR.

21 (2) Districts retain their authority to administer vehicle
22 retirement programs otherwise authorized under law.

23 (3) The program is available for ~~high~~ *the highest* polluting
24 passenger vehicles and light-duty and medium-duty trucks that
25 have been continuously registered in California for *at least* two
26 years prior to acceptance into the program or otherwise proven to
27 have been driven primarily in California for *at least* the last two
28 years and have not been registered in another state or country in
29 *at least* the last two years.

30 ~~(4) The program is focused where the greatest air quality impact~~
31 ~~can be identified.~~

32 *(4) Moneys appropriated for the purposes of the program are*
33 *expended to retire the highest polluting vehicles in the state, with*
34 *priority given to those highest polluting vehicles registered in air*
35 *basins that are out of attainment with federal air quality standards.*

36 (5) Compensation for retired vehicles shall be one thousand five
37 hundred dollars (\$1,500) for a low-income motor vehicle owner,
38 as defined in Section 44062.1, and one thousand dollars (\$1,000)

1 for all other motor vehicle owners. The department may pay a
2 motor vehicle owner more than these amounts based on factors
3 including, but not limited to, the age of the vehicle, the emission
4 benefits of the vehicle's retirement, the emission impact of any
5 replacement vehicle, and the location of the vehicle in an area of
6 the state with the poorest air quality.

7 (6) ~~Cost-effectiveness and.~~

8 (7) *Consideration of* impacts on disadvantaged and low-income
9 ~~populations are considered.~~

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