

AMENDED IN ASSEMBLY JANUARY 4, 2016

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 550

Introduced by Assembly Member Waldron

February 23, 2015

An act to add Section 44011.7 to the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 550, as amended, Waldron. Smog check: exemption: fee.

Existing law establishes a motor vehicle inspection and maintenance program, commonly known as smog check, that is administered by the Department of Consumer Affairs. The smog check program requires inspection of motor vehicles upon initial registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Existing law exempts specified vehicles from being inspected biennially upon renewal of registration, including, among others, all motor vehicles manufactured prior to the 1976 model-year. Existing law establishes an annual smog abatement fee for specified motor vehicles exempt from being inspected biennially upon renewal of registration.

Existing law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purposes of funding projects related to, among other things, *the* reduction of criteria air pollutants and *the* improvement of air quality. Existing law requires, until January 1, 2024, that a portion of the registration fees for motor vehicles and vessels be deposited into the Air Quality Improvement

Fund and, upon appropriation, be expended for the implementation of the program. Existing law specifies the types of projects that are eligible to receive funding under the program.

This bill would allow ~~an owner of a motor vehicle that is~~ *owners of certain motor vehicles that are* subject to the smog check program to pay a \$200 smog abatement fee in lieu of passing a smog test if the motor vehicle meets specified criteria. The bill would require the fee to be deposited in the Air Quality Improvement Fund.

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 Legislature finds and declares all of the*
 2 *following:*

3 *(a) Prior to 2005, California law contained a rolling exemption*
 4 *from the smog check requirements for motor vehicles that are more*
 5 *than 30 years old.*

6 *(b) In 2004, the Legislature enacted Chapter 704 of the Statutes*
 7 *of 2004, which replaced the rolling exemption with a fixed*
 8 *exemption for motor vehicles manufactured prior to 1976.*

9 *(c) As a result, motor vehicles manufactured after 1976 remain*
 10 *subject to the smog check requirements for the entire life of the*
 11 *vehicle.*

12 ~~SECTION 1.~~

13 *SEC. 2.* Section 44011.7 is added to the Health and Safety
 14 Code, to read:

15 44011.7. (a) The owner of a motor vehicle that is required to
 16 obtain a certificate of compliance pursuant to Section 44011 may
 17 elect to pay a smog abatement fee of two hundred dollars (\$200)
 18 if the motor vehicle meets all of the following criteria:

- 19 (1) Is 30 or more model-years old.
- 20 (2) Was manufactured during or after the 1976 model-year.
- 21 (3) Fails a smog test required pursuant to this chapter.
- 22 (4) Fails a subsequent smog test after necessary repairs were
 23 made.

24 (b) Payment of the smog abatement fee established pursuant to
 25 this section shall be made to the Department of Motor Vehicles at
 26 the time of the registration of the motor vehicle.

- 1 (c) Fees collected pursuant to this section shall be deposited in
- 2 the Air Quality Improvement Fund created by Section 44274.5.
- 3 (d) *This section does not apply to diesel-powered motor vehicles*
- 4 *or motorcycles.*

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