

ASSEMBLY BILL

No. 857

Introduced by Assembly Member Perea

February 26, 2015

An act to amend Section 39719.2 of the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 857, as introduced, Perea. California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

The California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, upon appropriation from the Greenhouse Gas Reduction Fund, funds zero- and near-zero emission truck, bus, and off-road vehicle and equipment technologies and related projects, as specified, with priority given to certain projects, including projects that benefit disadvantaged communities.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 39719.2 of the Health and Safety Code
2 is amended to read:

3 39719.2. (a) The California Clean Truck, Bus, and Off-Road
4 Vehicle and Equipment Technology Program is hereby created,
5 to be administered by the state board in conjunction with the State
6 Energy Resources Conservation and Development Commission.
7 The program, from moneys appropriated from the fund for *the*
8 purposes of the program, shall fund development, demonstration,
9 precommercial pilot, and early commercial deployment of zero-
10 and near-zero emission truck, bus, and off-road vehicle and
11 equipment technologies. Priority shall be given to projects
12 benefiting disadvantaged communities pursuant to the requirements
13 of Sections 39711 and 39713.

14 (b) Projects eligible for funding pursuant to this section include,
15 but are not limited to, the following:

16 (1) Technology development, demonstration, precommercial
17 pilots, and early commercial deployments of zero- and near-zero
18 emission medium- and heavy-duty truck technology, including
19 projects that help to facilitate clean goods-movement corridors.
20 Until January 1, 2018, no less than 20 percent of funding made
21 available for purposes of this paragraph shall support early
22 commercial deployment of existing zero- and near-zero emission
23 heavy-duty truck technology.

24 (2) Zero- and near-zero emission bus technology development,
25 demonstration, precommercial pilots, and early commercial
26 deployments, including pilots of multiple vehicles at one site or
27 region.

28 (3) Zero- and near-zero emission off-road vehicle and equipment
29 technology development, demonstration, precommercial pilots,
30 and early commercial deployments, including vehicles and
31 equipment in the port, ~~agriculture~~ *agricultural*, marine,
32 construction, and rail sectors.

33 (4) Purchase incentives, which may include point-of-sale, for
34 commercially available zero- and near-zero emission truck, bus,
35 and off-road vehicle and equipment technologies and fueling
36 infrastructure to support early market deployments of alternative
37 technologies and to increase manufacturer volumes and accelerate
38 market acceptance.

1 (5) Projects that support greater commercial motor vehicle and
2 equipment freight efficiency and greenhouse gas emissions
3 reductions, including, but not limited to, advanced intelligent
4 transportation systems, autonomous vehicles, and other freight
5 information and operations technologies.

6 (c) The state board, in consultation with the State Energy
7 Resources Conservation and Development Commission, shall
8 develop guidance through the existing Air Quality Improvement
9 Program funding plan process for the implementation of this
10 section that is consistent with the California Global Warming
11 Solutions Act of 2006 (Division 25.5 (commencing with Section
12 38500)) and this chapter.

13 (d) The guidance developed pursuant to subdivision (c) shall
14 do all of the following:

15 (1) Outline performance criteria and metrics for deployment
16 incentives. The goal shall be to design a simple and predictable
17 structure that provides incentives for truck, bus, and off-road
18 vehicle and equipment technologies that provide significant
19 greenhouse gas reduction and air quality benefits.

20 (2) Ensure that program investments are coordinated with
21 funding programs developed pursuant to the California Alternative
22 and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon
23 Reduction Act of 2007 (Chapter 8.9 (commencing with Section
24 44270) of Part 5).

25 (3) Promote projects that assist the state in reaching its climate
26 goals beyond 2020, consistent with Sections 38550 and 38551.

27 (4) Promote investments in medium- and heavy-duty trucking,
28 including, but not limited to, vocational trucks, short-haul and
29 long-haul trucks, buses, and off-road vehicles and equipment,
30 including, but not limited to, port equipment, agricultural
31 equipment, marine equipment, and rail equipment.

32 (5) Implement purchase incentives for eligible technologies to
33 increase *the* use of the cleanest vehicles in disadvantaged
34 communities.

35 (6) Allow for remanufactured and retrofitted vehicles to qualify
36 for purchase incentives if those vehicles meet warranty and
37 emissions requirements, as determined by the state board.

38 (7) Establish a competitive process for the allocation of moneys
39 for projects funded pursuant to this section.

1 (8) Leverage, to the maximum extent feasible, federal or private
2 funding.

3 (9) Ensure that the results of emissions reductions or benefits
4 can be measured or quantified.

5 (10) Ensure that activities undertaken pursuant to this section
6 complement, and do not interfere with, efforts to achieve and
7 maintain federal and state ambient air quality standards and to
8 reduce toxic air contaminants.

9 (e) In evaluating potential projects to be funded pursuant to this
10 section, the state board shall give priority to projects that
11 demonstrate one or more of the following characteristics:

12 (1) Benefit to disadvantaged communities pursuant to Sections
13 39711 and 39713.

14 (2) The ability to leverage additional public and private funding.

15 (3) The potential for cobenefits or multiple-benefit attributes.

16 (4) The potential for the project to be replicated.

17 (5) Regional benefit, with focus on collaboration between
18 multiple entities.

19 (6) Support for technologies with broad market and emissions
20 reduction potential.

21 (7) Support for projects addressing technology and market
22 barriers not addressed by other programs.

23 (8) Support for enabling technologies that benefit multiple
24 technology pathways.

25 (f) To assist in the implementation of this section, the state
26 board, in consultation with the State Energy Resources
27 Conservation and Development Commission, shall create an annual
28 framework and plan. The framework and plan shall be developed
29 with public input and may utilize existing investment plan
30 processes and workshops as well as existing state and third-party
31 research and technology roadmaps. The framework and plan shall
32 do all of the following:

33 (1) Articulate an overarching vision for technology development,
34 demonstration, precommercial pilot, and early commercial
35 deployments, with a focus on moving technologies through the
36 commercialization process.

37 (2) Outline technology categories and performance criteria for
38 technologies and applications that may be considered for funding
39 pursuant to this section. This shall include technologies for
40 medium- and heavy-duty trucking, including, but not limited to,

1 vocational trucks, short-haul and long-haul trucks, buses, and
2 off-road vehicles and equipment, including, but not limited to, port
3 equipment, agricultural equipment, construction equipment, marine
4 equipment, and rail equipment.

5 (3) Describe the roles of the relevant agencies and the process
6 for coordination.

7 (g) For purposes of this section, “zero- and near-zero emission”
8 means vehicles, fuels, and related technologies that reduce
9 greenhouse gas emissions and improve air quality when compared
10 with conventional or fully commercialized alternatives, as defined
11 by the state board in consultation with the State Energy Resources
12 Conservation and Development Commission. “Zero- and near-zero
13 emission” may include, but is not limited to, zero-emission
14 technology, enabling technologies that provide a pathway to
15 emissions reductions, advanced or alternative fuel engines for
16 long-haul trucks, and hybrid or alternative fuel technologies for
17 trucks and off-road equipment.