

AMENDED IN SENATE MAY 6, 2015  
AMENDED IN SENATE APRIL 7, 2015  
AMENDED IN SENATE APRIL 6, 2015

**SENATE BILL**

**No. 206**

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**Introduced by Senator Gaines**

February 11, 2015

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An act to add Section 43003 to the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 206, as amended, Gaines. Vehicle information systems.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants, including standards for off-road and nonvehicle engine categories.

This bill would prohibit the state board from obtaining locational data ~~or vehicle speed data~~ from a vehicle information system, as ~~defined~~. ~~The bill would provide that these provisions do not apply to the motor vehicle inspection and maintenance program, commonly known as smog check.~~ *defined, except to assist the vehicle owner or operator to use as a defense in an enforcement action brought by the state board.*

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 43003 is added to the Health and Safety
- 2 Code, to read:
- 3 43003. (a) The state board shall not obtain locational data ~~or~~
- 4 ~~vehicle speed data~~ from a vehicle information ~~system~~. *system*
- 5 *except to assist the vehicle owner or operator to use as a defense*
- 6 *in an enforcement action brought by the state board.*
- 7 (b) “Vehicle information system” means a computer or other
- 8 device embedded or integrated into the vehicle, other than an event
- 9 recorder, that records, generates, stores, or collects data that can
- 10 by itself or with other information be used to distinguish or
- 11 individually identify the registered ~~owner~~, *owner* of the vehicle,
- 12 the driver of the vehicle, or the operation, use, or condition of the
- 13 vehicle.
- 14 ~~(e) This section does not apply to Chapter 5 (commencing with~~
- 15 ~~Section 44000).~~