

AMENDED IN SENATE APRIL 20, 2015

AMENDED IN SENATE APRIL 6, 2015

**SENATE BILL**

**No. 778**

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**Introduced by Senator Allen**

February 27, 2015

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An act to add Section 48610.2 to, and to add Article 4.5 (commencing with Section 48635) to Chapter 4 of Part 7 of Division 30 of, the Public Resources Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 778, as amended, Allen. Automotive oil source reduction.

Existing law, the California Oil Recycling Enhancement Act, establishes a program, to encourage the recycling of oil, administered by the Department of Resources Recycling and Recovery. A violation of the act is a crime.

This bill, on and after January 1, 2018, would require all automotive oil sold in this state to be certified by the oil manufacturer to achieve a minimum useful life of 10,000 miles when used in accordance with the automobile manufacturer's recommendations, and to meet current automotive industry standards. ~~The bill would require the Secretary for Environmental Protection, by January 1, 2017, to establish a minimum standard for automotive oil, as specified, for California environmentally preferable lubricants. The bill, on and after January 1, 2020, would require at least 25% of the cumulative annual volume of ingredients used to manufacture automotive oil sold in the state by oil manufacturers to meet the California environmentally preferable lubricant definition, increasing to not less than 50% on and after January 1, 2030, unless the secretary makes a finding that compliance is not feasible due to~~

~~insufficient supply.~~ A violation of these provisions would be a crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

*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) Used automotive oil is one of the largest sources of  
4 hazardous waste generated in California. While California has a  
5 robust recycling program in place, about 40% of automotive oil  
6 can never be collected for recycling because it is lost in use, either  
7 burned in the combustion chamber or dripped onto streets and  
8 parking lots. Of the oil that is collected, only a small percentage  
9 is actually rerefined into new automotive oil.

10 (b) Some brands and types of automotive oil currently sold in  
11 California fail to meet minimum quality standards for modern  
12 automobiles and their use may result in vehicle damage and voiding  
13 of vehicle manufacturer warranties.

14 (c) It is the intent of the Legislature to ensure that all automotive  
15 oil marketed to consumers in this state meets minimum quality  
16 standards.

17 (d) It is the intent of the Legislature to source-reduce the amount  
18 of used automotive oil that is generated in California in order to  
19 reduce our dependence on petroleum products, avoid damage to  
20 the environment and threats to public health, and to be consistent  
21 with the state’s hierarchy for waste management practices pursuant  
22 to Section 40051 of the Public Resources Code.

23 SEC. 2. Section 48610.2 is added to the Public Resources Code,  
24 to read:

25 48610.2. “Automotive oil” means oil intended for use in an  
26 internal combustion gasoline or diesel engine used in passenger  
27 cars, light-duty trucks, or vans.

1 SEC. 3. Article 4.5 (commencing with Section 48635) is added  
2 to Chapter 4 of Part 7 of Division 30 of the Public Resources Code,  
3 to read:

4  
5 Article 4.5. Automotive Oil  
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7 48635. On and after January 1, 2018, all automotive oil sold  
8 in this state shall be certified by the oil manufacturer to achieve a  
9 minimum useful life of 10,000 miles when used in accordance  
10 with the automobile manufacturers' recommendations and shall  
11 meet current automotive industry standards.

12 ~~48636. (a) On or before January 1, 2017, the Secretary for~~  
13 ~~Environmental Protection, in consultation with other appropriate~~  
14 ~~agencies and interested parties, shall establish a minimum standard~~  
15 ~~for automotive oil for California environmentally preferable~~  
16 ~~lubricants. The standard shall meet or exceed the requirements of~~  
17 ~~the Environmentally Acceptable Lubricant Standards established~~  
18 ~~by the United States Environmental Protection Agency pursuant~~  
19 ~~to document 800-R-11-002.~~

20 ~~(b) On and after January 1, 2020, oil manufacturers whose~~  
21 ~~automotive oil is sold in this state shall ensure that at least 25~~  
22 ~~percent of the cumulative annual volume of ingredients used to~~  
23 ~~manufacture the automotive oil sold in the state meets the standard~~  
24 ~~established pursuant to subdivision (a). On or after January 1,~~  
25 ~~2030, that percentage shall be at least 50 percent. These~~  
26 ~~requirements shall not apply if the secretary makes a finding that~~  
27 ~~compliance is not feasible due to insufficient availability of~~  
28 ~~automotive oil certified to meet those standards.~~

29 SEC. 4. No reimbursement is required by this act pursuant to  
30 Section 6 of Article XIII B of the California Constitution because  
31 the only costs that may be incurred by a local agency or school  
32 district will be incurred because this act creates a new crime or  
33 infraction, eliminates a crime or infraction, or changes the penalty  
34 for a crime or infraction, within the meaning of Section 17556 of  
35 the Government Code, or changes the definition of a crime within  
36 the meaning of Section 6 of Article XIII B of the California  
37 Constitution.

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