

Assembly Concurrent Resolution No. 64

RESOLUTION CHAPTER 149

Assembly Concurrent Resolution No. 64—Relative to clean fuel fleet vehicles.

[Filed with Secretary of State September 1, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

ACR 64, Knox. Clean fuel fleet vehicles.

This measure would request the Department of Transportation, the Department of the California Highway Patrol, and the Department of Motor Vehicles to immediately recognize and enforce the high occupancy vehicle lane access exemption created in federal regulation for fleet inherently low emission vehicles by the United States Environmental Protection Agency.

WHEREAS, The United States Environmental Protection Agency (EPA) seeks to accelerate the deployment of clean fuel fleet vehicles, as defined in the Clean Air Act Amendments of 1990 (P.L. 101-549), through the use of nonmonetary incentives instead of mandatory standards; and

WHEREAS, Federal regulations adopted by the EPA in 1993, and codified in Part 88 (commencing with Section 88.101-94) of Title 40 of the Code of Federal Regulations, exempt inherently low emission vehicles (ILEVs) in fleets from high occupancy vehicle (HOV) lane access restrictions on federal highways; and

WHEREAS, Four years later, this state has not yet conformed to those federal regulations; and

WHEREAS, This state's urban air quality is the most persistently polluted and unhealthful in the United States; and

WHEREAS, In most instances, existing HOV lanes in this state are underused by comparison with adjoining mixed use traffic lanes, resulting in less than optimal traffic flow; and

WHEREAS, EPA regulations affirm a state's authority to establish fleet ILEV identification requirements, in addition to EPA requirements, that are necessary and appropriate to facilitate enforcement; and

WHEREAS, The incremental cost to the state of implementing the federal fleet ILEV exemption from HOV lane access restrictions is minimal; and

WHEREAS, The people of this state want and need healthful air quality, and are well served by incentive-based approaches to encourage early deployment of cleaner fleet vehicles at little or no cost to the state; and

WHEREAS, The people of this state support the intent of the federal Clean Fuel Fleet Vehicle program and the role of fleet ILEVs in establishing broad acceptance of cleaner vehicle choices by businesses and the motoring public in this state; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That the Department of Transportation, the Department of the California Highway Patrol, and the Department of Motor Vehicles are requested to immediately recognize and enforce the HOV lane access exemption created in federal regulation for fleet ILEVs by the EPA; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Transportation, the Commissioner of the Department of the California Highway Patrol, and the Director of Motor Vehicles.

