

AMENDED IN SENATE JULY 16, 2003
AMENDED IN ASSEMBLY JUNE 2, 2003
AMENDED IN ASSEMBLY MAY 6, 2003
AMENDED IN ASSEMBLY APRIL 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 471

Introduced by Assembly Members Simitian, Laird, and Nakano

February 14, 2003

An act to add Chapter 3.3 (commencing with Section 39630) to Part 2 of Division 26 of the Health and Safety Code, relating to air emissions.

LEGISLATIVE COUNSEL'S DIGEST

AB 471, as amended, Simitian. Air emissions: cruise ships.

Existing law requires the State Air Resources Board to measure and record the opacity of visible emissions of a representative sample of large passenger vessels while at berth or at anchor in a port in the state. That provision is repealed as of July 1, 2003.

This bill would instead prohibit, as of January 1, 2004, a cruise ship, as defined, from conducting onboard ~~waste~~ incineration while operating within ~~90~~ 20 miles of the California coast. The bill would require, as of January 1, 2005, a cruise ship to use only specified diesel fuel while operating within 25 miles of the California coast. The bill would require the State Air Resources Board to enforce those provisions.

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. Chapter 3.3 (commencing with Section 39630)
2 is added to Part 2 of Division 26 of the Health and Safety Code,
3 to read:

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CHAPTER 3.3. CRUISE SHIPS

7 39630. The Legislature finds and declares that it is in the
8 interests of all Californians to protect the air quality from
9 increasing volumes of cruise ship engine emissions.

10 39631. (a) The state board shall enforce this chapter, and may
11 adopt standards, rules, and regulations for that purpose pursuant
12 to Section 39601.

13 (b) As used in this division, “cruise ship” means a commercial
14 vessel that has the capacity to carry 250 or more passengers for
15 hire. “Cruise ship” does not include the following:

16 (1) Vessels without berths or overnight accommodations for
17 passengers.

18 (2) Noncommercial vessels, warships, vessels operated by
19 nonprofit entities as determined by the Internal Revenue Service,
20 and vessels operated by the state, United States, or a federal
21 government.

22 39632. Commencing on January 1, 2004, a cruise ship shall
23 not conduct onboard ~~waste~~ incineration while operating within ~~90~~
24 20 miles of the California coast, *except to the extent allowed by*
25 *federal law.*

26 39633. Commencing on January 1, 2005, a cruise ship shall
27 ~~use only diesel fuel formulated as specified in Sections 2281 and~~
28 ~~2282 of Title 13 of the California Code of Regulations, while use~~
29 *only onroad diesel fuel that is approved by the United States*
30 *Environmental Protection Agency, while operating within 25*
31 *miles of the California coast.*

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