

**Introduced by Senator Soto**

February 12, 2004

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An act relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 1247, as introduced, Soto. Air pollution: reduction of impacts from mobile sources.

Existing law designates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards. Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources, and, subject to the powers and duties of the State Air Resources Board, requires that districts adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards in all areas affected by emission sources under their jurisdiction.

This bill would make legislative findings and declarations regarding the effects of emissions from gasoline and diesel-powered motor vehicles and nonroad engines on public health and the environment in the state. The bill would declare the intent of the Legislature to consider specified principles and criteria when establishing programs to reduce and mitigate the impacts of emissions from gasoline and diesel-powered motor vehicles and nonroad engines.

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. The Legislature finds and declares all of the  
2 following:

3 (a) Emissions from gasoline and diesel-powered motor  
4 vehicles and nonroad engines continue to represent the largest  
5 sources of air pollution threatening the public health and  
6 environment of all Californians, despite an aggressive array of  
7 regulatory and financial incentive programs.

8 (b) Recent studies support a direct correlation between air  
9 quality and respiratory health, particularly asthma. There are 2.5  
10 million people in California with asthma, 500,000 of them  
11 children, and the population of asthma victims is increasing.  
12 Asthma is the most common chronic childhood disease, which  
13 affects more than one in 20 children, and is the leading cause of  
14 school absences and hospital admissions for children in California.

15 (c) Toxic air contaminants emitted by gasoline and  
16 diesel-powered motor vehicles and nonroad engines are also  
17 known to cause cancer in humans. Studies have linked diesel  
18 particulate pollution to lung cancer and at least one investigation  
19 found a possible link between brain cancer and air pollution.

20 (d) To reduce emissions from gasoline and diesel-powered  
21 motor vehicles and nonroad engines, and to protect public health,  
22 it is necessary to establish a stable funding source dedicated  
23 specifically to the purposes of air pollution cleanup and  
24 prevention, and the treatment and education of sensitive  
25 populations suffering from exposure to emissions from those  
26 sources.

27 (e) Air pollution control districts and air quality management  
28 districts are primarily responsible for reducing the local health  
29 effects associated with air pollution in their respective air basins.  
30 Districts have experience in identifying and prioritizing  
31 cost-effective programs aimed at reducing public health risks  
32 associated with air pollution, and have demonstrated proficiency  
33 in developing, negotiating, implementing, and monitoring public  
34 health solutions that take into consideration the localized sources  
35 of air pollution, the interests and unique vulnerability of sensitive  
36 populations, the availability of emission-reduction technologies,  
37 and the specialized resources of health professionals, health care  
38 facilities, and health risk-reduction programs.



1 (f) A number of regulatory and financial incentive programs  
2 have been established to combat the threats to public health and the  
3 environment posed by emissions from gasoline and  
4 diesel-powered motor vehicles and non-road engines. While  
5 regulatory authority is sustainable, state and local regulatory  
6 authority over some types of sources is restricted by federal law,  
7 and existing financial incentive programs are limited by lack of a  
8 dedicated funding mechanism.

9 (h) It is necessary that legislation establish a program to reduce  
10 and mitigate the impacts of emissions from gasoline and  
11 diesel-powered motor vehicles and nonroad engines.

12 SEC. 2. It is the intent of the Legislature to consider all of the  
13 following principles and criteria when establishing programs to  
14 reduce and mitigate the impacts of emissions from gasoline and  
15 diesel-powered motor vehicles and nonroad engines:

16 (a) Stable funding sources and financial incentives dedicated to  
17 the purposes of reducing and mitigating the impacts of emissions  
18 from gasoline and diesel-powered motor vehicles and nonroad  
19 engines.

20 (b) Maximum feasible emission reductions at the earliest  
21 possible date, through application of existing control technologies  
22 and by providing incentives for advancement of control  
23 technologies.

24 (c) Cost-effective emission reductions that leverage third-party  
25 financial assistance to the maximum extent feasible.

26 (d) Preventing any single source category from bearing an  
27 unfair burden in working to achieve clean air in the state.

28 (e) Air pollution control districts and air quality management  
29 districts, which are primarily responsible for reducing local health  
30 effects associated with air pollution in their respective air basins,  
31 should play a key role in determining priorities for reducing and  
32 mitigating impacts of emissions from gasoline and diesel-powered  
33 motor vehicles and nonroad engines, with input from all affected  
34 parties.

