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**AB-2564 Civil penalties: glider vehicles.** (2017-2018)

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**Assembly Bill No. 2564**

**CHAPTER 372**

An act to add Section 43024.1 to the Health and Safety Code, relating to vehicular air pollution.

[ Approved by Governor September 13, 2018. Filed with Secretary of State September 13, 2018. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2564, Rodriguez. Civil penalties: glider vehicles.

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 and sources of air pollution. Existing law requires the State Air Resources Board to publish a penalty policy for specified civil or administrative penalties relating to vehicular air pollution, as specified.

Existing federal regulations regulate the manufacture of glider vehicles, defined as new motor vehicles produced from a glider kit, as defined, or otherwise produced as a new motor vehicle with a used or remanufactured engine.

This bill would make a person who operates a glider vehicle, as defined, in violation of specified emission standards or other requirements for glider vehicles to be subject to a minimum civil penalty of \$25,000 per violation. The bill would prohibit the above-described requirement for the publication of a penalty policy from being construed as providing discretion to the state board to reduce that minimum civil penalty. The bill would require all moneys collected by the state board to be deposited in the Air Pollution Control Fund and be available upon appropriation.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 43024.1 is added to the Health and Safety Code, to read:

**43024.1.** (a) For purposes of this section, the following definitions apply:

(1) "Glider kit" means either of the following:

(A) A new vehicle that is incomplete because it lacks an engine, transmission, or axle.

(B) Any other new equipment that is substantially similar to a complete motor vehicle and is intended to become a complete motor vehicle with a previously used engine, including, but not limited to, a rebuilt or remanufactured engine.

(2) "Glider vehicle" means a new motor vehicle produced from a glider kit or otherwise produced as a new motor vehicle with a used or remanufactured engine.

(b) A person who operates a glider vehicle in violation of any provision of this part or order, rule, or regulation of the state board adopted pursuant to this part that establishes emission standards or other requirements for glider vehicles is subject to a minimum civil penalty of twenty-five thousand dollars (\$25,000) per violation.

(c) Nothing in Section 43024 shall be construed as providing discretion to the state board to reduce the minimum civil penalty described in subdivision (b).

(d) All moneys collected by the state board pursuant to this section shall be deposited in the Air Pollution Control Fund and shall be available upon appropriation by the Legislature.