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SB-44 Medium- and heavy-duty vehicles: comprehensive strategy. (2019-2020)

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Senate Bill No. 44

CHAPTER 297

An act to add Section 43024.2 to the Health and Safety Code, relating to vehicular air pollution.

[Approved by Governor September 20, 2019. Filed with Secretary of State September 20, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 44, Skinner. Medium- and heavy-duty vehicles: comprehensive strategy.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases.

The California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program funds zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies and related projects, including, but not limited to, technology development, demonstration, precommercial pilots, and early commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology.

This bill would require the state board, no later than January 1, 2021, and at least every 5 years thereafter, in consultation with the Department of Transportation, the State Energy Resources Conservation and Development Commission, and the Governor's Office of Business and Economic Development and in collaboration with relevant stakeholders, to update the state board's 2016 mobile source strategy to include a comprehensive strategy for the deployment of medium-duty and heavy-duty vehicles in the state for the purpose of bringing the state into compliance with federal ambient air quality standards and reducing motor vehicle greenhouse gas emissions from the medium-duty and heavy-duty vehicle sector. The bill would require the state board to recommend reasonable and achievable goals, based on specified factors, for reducing emissions from medium-duty and heavy-duty vehicles by 2030 and 2050, respectively, as part of the comprehensive strategy. The bill also would require the state board to include other specified information in the updates to the 2016 mobile source strategy. The bill would authorize the state board to establish a process to identify medium-duty and heavy-duty vehicle segments that can more quickly reduce motor vehicle emissions, consistent with the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, with a beachhead market analysis.

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

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Diesel-fueled trucks are responsible for 33 percent of statewide oxides of nitrogen emissions annually. These same trucks emit more particulate matter than all of the state's powerplants.

(b) People who live near freeways and busy roadways are at high risk for exposure to these health-threatening air pollutants emitted by these medium- and heavy-duty vehicles.

(c) In 1998, the State Air Resources Board identified diesel particulate matter as a toxic air contaminant based on published evidence of a relationship between diesel exhaust exposure and lung cancer.

(d) Diesel particulate matter also contributes to noncancer health effects, like premature death, hospitalizations, and emergency department visits for exacerbated chronic heart and lung disease, including asthma, increased respiratory symptoms, and decreased lung function in children.

(e) Children are particularly vulnerable to the negative effect of diesel because they have higher respiration rates than adults and this can increase their exposure to air pollutants relative to their body weight.

(f) Children exposed to high levels of diesel exhaust are five times more likely than other children to have underdeveloped lungs.

(g) Increased respiratory symptoms, such as cough wheeze, runny nose, and doctor-diagnosed asthma, have been linked to traffic exposure.

(h) Studies have shown that children who live in high-density traffic areas have higher rates of doctor visits for asthma and increased use of asthma medication than children who live near low-density traffic areas.

(i) Reducing emissions of these pollutants can have an immediate beneficial impact on air quality and on public health.

(j) The largest source of the state's greenhouse gas emissions comes from the transportation sector, accounting for nearly 50 percent of statewide emissions.

(k) While diesel-fueled trucks and buses make up just 3 percent of the vehicles on the state's roads, they produce 23 percent of greenhouse gas emissions from the transportation sector.

(l) Nearly all of the diesel-related air quality challenges can be attributed to old diesel-fueled trucks still operating on California's roads, which has prompted the State Air Resources Board to take actions to address these air quality challenges, making some progress in moving California toward cleaner medium- and heavy-duty vehicles, including, but not limited to, the following measures:

(1) The On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (Section 2025 of Title 13 of the California Code of Regulations), adopted on September 28, 2006, requires nearly all diesel-fueled trucks and buses that operate in California to be upgraded or replaced with 2010 model year engines or equivalent by January 1, 2023.

(2) The In-Use Off-Road Diesel-Fueled Fleets Regulation (Section 2025 of Title 13 of the California Code of Regulations), adopted on July 26, 2007, aims to reduce diesel particulate matter and oxides of nitrogen emissions from existing off-road heavy-duty diesel vehicles operating in California, such as vehicles used in construction, mining, and industrial operations.

(m) However, the state must take additional actions to immediately reduce health-threatening criteria air pollution and climate-threatening greenhouse gas emissions by outlining a clear path to convert medium- and heavy-duty vehicle segments, as well as off-road equipment, to cleaner technologies and fuels.

(n) Actions to reduce pollution and greenhouse gas emissions may include, but are not limited to, vehicle replacement, improved engine efficiency, fuels replacement, mode shifting, and operational efficiencies, including changes to vehicle deployment schedules.

(o) Providing consistent, multiyear funding is imperative to reduce emissions of criteria air pollutants and greenhouse gases associated with medium- and heavy-duty vehicles where this technology is commercially available but still costs a premium and to help support commercialization paths for new technologies that are not currently market ready.

SEC. 2. Section 43024.2 is added to the Health and Safety Code, to read:

43024.2. (a) (1) No later than January 1, 2021, and at least every five years thereafter, the state board, in consultation with the Department of Transportation, the State Energy Resources Conservation and Development Commission, and the Governor's Office of Business and Economic Development and in collaboration with relevant stakeholders, shall update the state board's 2016 mobile source strategy to include a comprehensive strategy for the deployment of medium duty and heavy-duty vehicles in the state for the purpose of bringing the state into compliance with federal ambient air quality standards and reducing motor vehicle greenhouse gas emissions from the medium duty and heavy-duty vehicle sector. The state board shall recommend reasonable and achievable goals for reducing emissions from medium duty and heavy-duty vehicles by 2030 and 2050, respectively, as part of the comprehensive strategy based on factors that include, but are not limited to, the state's overarching

emissions reduction goal established in Section 38566, the goals established in the California Sustainable Freight Action Plan completed in response to Executive Order No. B-32-15, technological feasibility, and cost-effectiveness.

(2) The state board's updates to the mobile source strategy shall include both of the following:

(A) An identification of policies that provide advantages to fleets that reduce greenhouse gas emissions earlier than required by law.

(B) The coordination of plans for the attainment of federal ambient air quality standards with relevant greenhouse gas emissions reduction goals.

(b) In developing the comprehensive strategy, the state board shall do all of the following:

(1) Seek to maximize the reduction of criteria air pollutants.

(2) Identify regulation that could improve market acceptance, spur technology advancements, reduce technology costs, and support the commercialization and deployment of medium duty and heavy-duty vehicles that reduce emissions of greenhouse gases.

(3) Identify research needs to address any data gaps.

(4) Identify areas where the state should coordinate with other state agencies, districts, utilities providers, and technology providers to implement measures identified as part of the comprehensive strategy.

(5) Identify benefits to low-income communities and communities disproportionately impacted by diesel pollution.

(6) Identify policies that provide advantages to fleets that reduce greenhouse gas emissions early.

(c) The state board, through a public process, may establish a process to identify medium duty and heavy-duty vehicle segments that can more quickly reduce motor vehicle emissions, consistent with the state board's three-year heavy-duty vehicle investment strategy required pursuant to the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, established pursuant to Section 39719.2, with a beachhead market analysis.

(d) The state board shall submit the updated mobile source strategy to the relevant policy and fiscal committees of the Legislature.