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SB-1230 Zero-emission and near-zero-emission vehicle incentive programs: requirements. (2021-2022)

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Senate Bill No. 1230

CHAPTER 371

An act to amend Section 44124.5 of, to amend the heading of Chapter 8.5 (commencing with Section 44258) of Part 5 of Division 26 of, and to add Section 44258.7 to, the Health and Safety Code, relating to air pollution.

[Approved by Governor September 16, 2022. Filed with Secretary of State September 16, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1230, Limón. Zero-emission and near-zero-emission vehicle incentive programs: requirements.

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 establishes or authorizes the establishment of various incentive programs that are administered or funded by the State Air Resources Board to provide financial assistance for the purchase of zero-emission or near-zero-emission vehicles by individuals, including, among others, the Clean Cars 4 All Program. Under existing law, the Clean Cars 4 All Program is administered by the state board to focus on achieving reductions in the emissions of greenhouse gases, improvements in air quality, and benefits to low-income state residents through the replacement of high-polluter motor vehicles with cleaner and more efficient motor vehicles or a mobility option.

This bill would, on or before July 1, 2024, require the state board, with respect to the various zero-emission and near-zero-emission vehicle incentive programs administered or funded by the state board, to adopt certain revisions to those programs if the state board finds those revisions to be feasible. The bill would require the state board, if it finds that the adoption of the revisions is infeasible, to prepare a report, as specified, describing the rationale for the finding, to post the report on its internet website, and to provide a notice of the report to the relevant policy and fiscal committees of the Legislature. The bill would require the state board, contingent upon an appropriation by the Legislature, to create a single unified education and application portal that enables an applicant for any of those programs to access information about the program and to submit one application for all of the programs.

This bill would require the regulations implementing the Clean Cars 4 All Program to ensure that by January 1, 2025, all hybrid vehicles purchased using an incentive are capable of plug-in charging.

This bill would incorporate additional changes to Section 44124.5 of the Health and Safety Code proposed by SB 1382 to be operative only if this bill and SB 1382 are enacted and this bill is enacted last.

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

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

SECTION 1. Section 44124.5 of the Health and Safety Code is amended to read:

44124.5. (a) The Clean Cars 4 All Program is hereby established and is to be administered by the state board to focus on achieving reductions in the emissions of greenhouse gases, improvements in air quality, and benefits to low-income state residents through the replacement of high-polluter motor vehicles with cleaner and more efficient motor vehicles or a mobility option.

(b) Beginning in the 2018–19 fiscal year, and every fiscal year thereafter, the state board shall set specific, measurable goals for the replacement of passenger vehicles and light- and medium-duty trucks that are high polluters.

(c) The state board shall take steps to meet the goals set forth pursuant to subdivision (b). The steps shall include, but need not be limited to, updating the guidelines for Clean Cars 4 All no later than January 1, 2019.

(d) The regulation implementing this section shall ensure all of the following:

(1) Where applicable, there is improved coordination, integration, and partnerships with other programs that target disadvantaged communities and receive moneys from the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8 of the Government Code.

(2) The replacement or a mobility option is consistent with paragraph (6) of subdivision (d) of Section 44125.

(3) Provisions enhance the prescreening of applicants to Clean Cars 4 All, if determined by the state board to be appropriate.

(4) By January 1, 2025, all hybrid vehicles purchased using an incentive are capable of plug-in charging.

(e) The state board shall ensure that incentives awarded under the Clean Cars 4 All Program are awarded in accordance with Section 44258.7.

SEC. 1.5. Section 44124.5 of the Health and Safety Code is amended to read:

44124.5. (a) The Clean Cars 4 All Program is hereby established and is to be administered by the state board to focus on achieving reductions in the emissions of greenhouse gases, improvements in air quality, and benefits to low-income state residents through the replacement of high-polluter motor vehicles with cleaner and more efficient motor vehicles or a mobility option.

(b) Beginning in the 2018–19 fiscal year, and every fiscal year thereafter, the state board shall set specific, measurable goals for the replacement of passenger vehicles and light- and medium-duty trucks that are high polluters.

(c) The state board shall take steps to meet the goals set forth pursuant to subdivision (b). The steps shall include, but need not be limited to, updating the guidelines for Clean Cars 4 All no later than January 1, 2019.

(d) The regulation implementing this section shall ensure all of the following:

(1) Where applicable, there is improved coordination, integration, and partnerships with other programs that target disadvantaged communities and receive moneys from the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8 of the Government Code.

(2) The state board shall coordinate with districts and local nonprofit and community organizations, prioritizing those organizations that have a strong and ongoing local presence in areas within the district, to identify barriers to accessing Clean Cars 4 All and to develop outreach protocols and metrics to assess the success of outreach across the districts.

(3) The replacement or a mobility option is consistent with paragraph (6) of subdivision (d) of Section 44125.

(4) Provisions enhance the prescreening of applicants to Clean Cars 4 All, if determined by the state board to be appropriate.

(5) By January 1, 2025, all hybrid vehicles purchased using an incentive are capable of plug-in charging.

(e) The state board shall ensure that incentives awarded under the Clean Cars 4 All Program are awarded in accordance with Section 44258.7.

SEC. 2. The heading of Chapter 8.5 (commencing with Section 44258) of Part 5 of Division 26 of the Health and Safety Code is amended to read:

CHAPTER 8.5. Clean Car Incentive Program Requirements

SEC. 3. Section 44258.7 is added to the Health and Safety Code, to read:

44258.7. (a) For purposes of this section, the following definitions apply:

(1) “Mobility option” has the same meaning as defined in Section 44124.

(2) "Zero-emission or near-zero-emission vehicle incentive program" means a program to provide incentives to an individual for the purchase of a light-duty zero-emission or near-zero-emission vehicle.

(b) This section applies to zero-emission and near-zero-emission vehicle incentive programs that receive funding from, or are administered by, the state board, as applicable, including, but not limited to, all of the following:

(1) The Clean Cars 4 All Program established pursuant to Section 44124.5.

(2) The Clean Vehicle Rebate Project established as a part of the Air Quality Improvement Program (Article 3 (commencing with Section 44274) of Chapter 8.9).

(3) The Clean Vehicle Assistance Program established as a part of the Air Quality Improvement Program (Article 3 (commencing with Section 44274) of Chapter 8.9).

(c) (1) The state board shall create a single unified education and application portal that enables an applicant for any of the programs subject to this section to access information about the program and to submit one application for all of the programs.

(2) The development of the education and application portal described in paragraph (1) is contingent upon an appropriation by the Legislature for that purpose, and shall be completed no more than two years following an appropriation by the Legislature for that purpose.

(3) When the education and application portal informs an applicant about the incentives that the applicant prequalifies for under programs subject to this section, the state board shall ensure that the portal also informs the applicant about other incentives that may be available to them, such as the California Clean Fuel Reward program and relevant local or regional incentives.

(d) (1) On or before July 1, 2024, the state board shall, where the state board finds it feasible, adopt revisions to the requirements of zero-emission and near-zero-emission vehicle incentive programs subject to this section to ensure an opportunity to become prequalified for an incentive is provided in order to ensure that the incentive is guaranteed to the applicant before the applicant purchases a vehicle, mobility option, or other item or service for which the incentive is provided, in line with current best practices that permit applicants to apply incentive moneys toward the purchase at the point of sale.

(2) If the state board finds it infeasible to adopt the revisions described in paragraph (1) to the requirements, the state board shall prepare, on or before July 1, 2024, a report describing the rationale for those findings. The state board shall post the report on its internet website and provide notice of the report to the relevant policy and fiscal committees of the Legislature. The report shall include, but is not limited to, all of the following:

(A) A description of why the proposed revision is infeasible.

(B) Any complementary or overlapping efforts to achieve the policy goals that are underway at the state board.

(C) Where appropriate, an identification of any necessary statutory changes that would enable the proposed revisions.

SEC. 4. Section 1.5 of this bill incorporates amendments to Section 44124.5 of the Health and Safety Code proposed by both this bill and Senate Bill 1382. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2023, (2) each bill amends Section 44124.5 of the Health and Safety Code, and (3) this bill is enacted after Senate Bill 1382, in which case Section 1 of this bill shall not become operative.