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**SB-1305 State vehicle fleet: alternative fuel vehicles.** (2021-2022)

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**Senate Bill No. 1305**

**CHAPTER 152**

An act to amend Sections 25722.5, 25722.6, and 25722.7 of the Public Resources Code, relating to the state vehicle fleet.

[ Approved by Governor August 15, 2022. Filed with Secretary of State August 15, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1305, Laird. State vehicle fleet: alternative fuel vehicles.

Existing law requires the Department of General Services, in consultation with the State Energy Resources Conservation and Development Commission and the State Air Resources Board, to develop and adopt specification and standards for passenger cars and light-duty trucks for the state vehicle fleet, as specified. Existing law requires the department, in conjunction with the commission and the state board, to amend the "Enhanced Efficiency Costing Methodology for Passenger Cars and Light-Duty Vehicles" to rank the environmental and energy benefits and costs of motor vehicles for potential procurement by state and local governments.

This bill would repeal the requirement on the department to develop and adopt specifications and standards for passenger cars and light-duty trucks for the state vehicle fleet. The bill would repeal the requirement for the department to amend the "Enhanced Efficiency Costing Methodology for Passenger Cars and Light-Duty Vehicles." The bill would require the department, on or before January 1, 2023, to maximize the purchase and availability of alternative fuel vehicles in the state vehicle fleet by adopting a procurement method to evaluate those vehicles, and would require the department, for the purchase of passenger vehicles and light-duty trucks powered solely by an internal combustion engine, to evaluate the cost and environmental and energy benefits of that purchase, as specified.

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

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

**SECTION 1.** Section 25722.5 of the Public Resources Code is amended to read:

**25722.5.** (a) Each state office, agency, and department shall review its vehicle fleet and, upon finding that it is fiscally prudent, cost effective, or otherwise in the public interest to do so, shall dispose of nonessential sport utility vehicles and four-wheel drive trucks in its fleet and replace these vehicles with more fuel-efficient passenger cars and trucks.

(b) To the maximum extent practicable, each state office, agency, and department that has bifuel natural gas, bifuel propane, and flex fuel vehicles in its vehicle fleet shall use the respective alternative fuel in those vehicles.

(c) The Director of General Services shall compile annually and maintain information on the nature of vehicles that are owned or leased by the state, including, but not limited to, all of the following:

(1) The number of passenger-type motor vehicles purchased or leased during the year, and the number owned or leased as of December 31 of each year.

(2) The number of sport utility vehicles and four-wheel drive trucks purchased or leased by the state during the year, and the number owned or leased as of December 31 of each year.

(3) The number of alternatively fueled vehicles and hybrid vehicles purchased or leased by the state during the year, and the total number owned or leased as of December 31 of each year and their location.

(4) The locations of the alternative fuel pumps available for those vehicles.

(5) The justification provided for all sport utility vehicles and four-wheel drive trucks purchased or leased by the state and the specific office, department, or agency responsible for the purchase or lease.

(6) The number of sport utility vehicles and four-wheel drive trucks purchased or leased by the state during the year, and the number owned or leased as of December 31 of each year that are alternative fuel or hybrid vehicles.

(7) The number of light-duty trucks disposed of under subdivision (a).

(8) The total dollars spent by the state on passenger-type vehicle purchases and leases, categorized by sport utility vehicle and nonsport utility vehicle, and within each of those categories, by alternative fuel, hybrid, and other.

(9) The total annual consumption of gasoline and diesel fuel used by the state fleet.

(10) The total annual consumption of alternative fuels.

(11) On December 31, 2009, and annually thereafter, the Director of General Services shall also compile the total annual vehicle miles traveled by vehicles in the state fleet.

(d) Each state office, agency, and department shall cooperate with the Department of General Services' data requests in order that the department may compile and maintain the information required in subdivision (c).

(e) As soon as practicable, but no later than 12 months after receiving the data, the information compiled and maintained under subdivision (c) and a list of those state offices, agencies, and departments that are not in compliance with subdivision (d) shall be made available to the public on the Department of General Services' internet website.

(f) Beginning July 1, 2009, and every three years thereafter, the Director of General Services shall prepare a report on the information compiled and maintained pursuant to subdivision (c). The Director of General Services shall post that report on its internet website.

(g) Pursuant to Article IX of the California Constitution, this section does not apply to the University of California except to the extent that the Regents of the University of California, by appropriate resolution, make this section applicable.

**SEC. 2.** Section 25722.6 of the Public Resources Code is amended to read:

**25722.6.** (a) (1) On or before January 1, 2023, the Department of General Services shall maximize the purchase and availability of alternative fuel vehicles, such as battery electric vehicles, hydrogen fuel cell vehicles, and plug-in hybrid electric vehicles, in the state fleet by adopting a procurement method to evaluate those vehicles. The procurement method may evaluate those vehicles based only on cost or also on any environmental or energy benefits of those vehicles.

(2) For the purchase of passenger vehicles and light-duty trucks powered solely by an internal combustion engine, the Department of General Services shall evaluate the cost and the environmental and energy benefits for potential procurement by state and local governments. The evaluations shall consider both of the following criteria:

(A) The reduction in emissions of greenhouse gases, air pollutant emissions, and petroleum use on a full fuel-cycle basis, to the extent possible, based on existing data available to the State Air Resources Board, the commission, or other reliable sources, including the California Strategy to Reduce Petroleum Dependence developed pursuant to subdivision (f) of Section 25720 and the state plan to increase the use of alternative transportation fuels developed pursuant to Section 43866 of the Health and Safety Code.

(B) The total costs of ownership of the vehicle and life-cycle impacts.

(b) The Department of General Services shall revise its procedures for the procurement of state and local government vehicles based on the necessary performance specifications of the vehicles to perform the required work or tasks of the vehicles in the fleet. The Department of General Services shall establish vehicle "classes" depending on the required work or tasks and the necessary performance specifications.

(c) For the purpose of state fleet procurement, both of the following shall apply:

(1) Available vehicles powered solely by an internal combustion engine in individual classes shall be evaluated for purchase or lease using the method and criteria developed pursuant to subdivision (a).

(2) Vehicles shall be procured for use in the state fleet that meet all requirements established by the federal government, including, but not limited to, the federal Energy Policy Act of 1992, Public Law 102-486, if applicable.

(d) The Department of General Services shall evaluate vehicles for potential addition to the state and local fleets, as described in this section, on an annual basis, reflecting annual new vehicle availability.

(e) A vehicle capable of using alternative fuels shall be operated on those fuels to the maximum extent practicable unless alternative fuels are not readily available or other factors exist that may prevent the use of those fuels in the area in which the vehicle is used.

(f) The Department of General Services shall do both of the following:

(1) During the normal course of coordination and contracting with nearby fueling stations, provide information related to the alternative fuel vehicles in the state fleet and request the stations to provide a fuel supply to meet that demand.

(2) When replacing, retrofitting, or installing a fueling tank or infrastructure at a facility that fuels state vehicles, the Department of General Services shall consider requesting competitive bids for alternative fuel infrastructure that would meet the needs of vehicles used, or planned to be used, in that facility.

(g) Authorized emergency vehicles, as defined in Section 165 of the Vehicle Code, that are equipped with emergency lamps or lights, as described in Section 25252 of the Vehicle Code, are exempt from the requirements of this section.

(h) Each state office, agency, or department seeking to purchase or lease a sport utility vehicle or four-wheel drive vehicle shall demonstrate to the satisfaction of the Director of General Services or the entity that purchases or leases vehicles that the vehicle is required to perform an essential function of the office, agency, or department. If it is so demonstrated, priority consideration shall be given to the purchase or lease of an alternative fuel or hybrid sports utility vehicle or four-wheel drive vehicle.

(i) Pursuant to Article IX of the California Constitution, this section does not apply to the University of California except to the extent that the Regents of the University of California, by appropriate resolution, make this section applicable.

**SEC. 3.** Section 25722.7 of the Public Resources Code is amended to read:

**25722.7.** (a) In order to further achieve the policy objectives set forth in Sections 25000.5, 25722, and 25722.5, the Department of General Services, in consultation with the commission, shall establish a minimum fuel economy standard that is above the standard, as it existed on January 1, 2007, established pursuant to Section 3620.1 of the State Administrative Manual, for the purchase of passenger vehicles and light duty trucks for the state fleet that are powered solely by internal combustion engines using fossil fuels or that are powered by more than one source, such as nonplug-in hybrid electric vehicles. The minimum fuel economy standard required by this subdivision does not apply to plug-in hybrid electric vehicles or battery electric vehicles.

(b) All new state fleet purchases by the Department of General Services and any other state entities of passenger vehicles and light duty trucks that are powered solely by internal combustion engines using fossil fuels, or that are powered by more than one source, such as nonplug-in hybrid electric vehicles, shall meet the fuel economy standard established under subdivision (a). This subdivision does not apply to plug-in hybrid electric vehicles or battery electric vehicles.

(c) Authorized emergency vehicles, as defined in Section 165 of the Vehicle Code, and vehicles described in subdivision (h) of Section 25722.6, are exempt from this section.

(d) Vehicles that are purchased and modified for the following purposes are exempt from this section:

(1) To provide services by a state entity to an individual with a disability or a developmental disability, as defined under the statutes or regulations governing that state entity.

(2) As a reasonable accommodation for the known physical or mental disability, as defined in Section 12926 of the Government Code, of an employee.

(e) For purposes of this section, "state entities" includes all state departments, boards, commissions, programs, and other organizational units of the executive, legislative, and judicial branches of state government, the California Community Colleges, the California State University, and the University of California.

(f) This section shall not apply to the University of California except to the extent that the Regents of the University of California, by appropriate resolution, make that provision applicable.