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**AB-592 Vehicles: commercial nonfranchise solid waste haulers: pilot program.** (2023-2024)

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**Assembly Bill No. 592**

**CHAPTER 202**

An act to add and repeal Section 21100.6 of the Vehicle Code, relating to vehicles.

[ Approved by Governor September 22, 2023. Filed with Secretary of State September 22, 2023. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 592, Wilson. Vehicles: commercial nonfranchise solid waste haulers: pilot program.

Existing law authorizes local authorities to adopt rules and regulations by ordinance or resolution regarding specified matters, including, among other things, the methods of deposit of garbage and refuse in streets and highways for collection by the local authority or by any person authorized by the local authority.

This bill, until January 1, 2028, would authorize the Counties of Alameda, Contra Costa, and Solano to create a 3-year pilot program to regulate the transport of solid waste by commercial nonfranchise solid waste haulers, as defined, on public roads in unincorporated areas of the county, as provided.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Counties of Alameda, Contra Costa, and Solano.

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

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

**SECTION 1.** Section 21100.6 is added to the Vehicle Code, to read:

**21100.6.** (a) The Counties of Alameda, Contra Costa, and Solano may create a three-year pilot program to regulate the transport of solid waste by commercial nonfranchise solid waste haulers on public roads in unincorporated areas of the county and may adopt an ordinance, as described in subdivision (b), as part of the pilot program.

(b) An ordinance adopted pursuant to this section may include, but is not limited to, provisions requiring commercial nonfranchise solid waste haulers to do any or all of the following:

- (1) Obtain a permit to transport solid waste on public roads in unincorporated areas.
- (2) Display evidence of the permit described in paragraph (1) when transporting solid waste.
- (3) Notwithstanding Section 9400.8, pay a fee to cover the county's reasonable regulatory cost of enforcing the ordinance.

(c) This section does not grant a county any new authority over solid waste hauling operations pursuant to a franchise agreement and does not affect, limit, or abrogate in any manner any franchise granted to a solid waste enterprise for the handling of solid waste.

(d) For purposes of this section, the following definitions apply:"

(1) "Commercial nonfranchise solid waste hauler" means an entity that charges a fee to haul and dispose of solid waste that is not part of any exclusive or nonexclusive franchise contract or agreement.

(2) "Solid waste" has the same meaning as defined in Section 40191 of the Public Resources Code.

(e) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.

**SEC. 2.** The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique needs of the Counties of Alameda, Contra Costa, and Solano to address issues related to the unlawful disposal of solid waste.