



## SB-983 Energy: gasoline stations and alternative fuel infrastructure. (2023-2024)

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CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

### SENATE BILL

NO. 983

Introduced by Senator Wahab  
(Coauthors: Senators Archuleta, Rubio, and Wilk)

January 29, 2024

An act to add and repeal Section 25239 of the Public Resources Code, relating to energy.

### LEGISLATIVE COUNSEL'S DIGEST

SB 983, Wahab. Energy: gasoline stations and alternative fuel infrastructure.

Existing law vests the State Energy Resources Conservation and Development Commission with jurisdiction over various energy-related matters.

This bill would require the commission, upon appropriation by the Legislature, to form the Alternative Fuels Infrastructure Taskforce to conduct a study on retail gasoline fueling stations and alternative fuels infrastructure, as provided. The bill would require the taskforce, on or before January 1, 2027, to submit to the Legislature a report on the study with information and recommendations. The bill would repeal its provisions on January 1, 2031.

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) There are over 10,000 retail gasoline fueling stations in California with over 95 percent of stations being operated by small business owners of both branded and independent stations.
- (b) Almost 9,000 stations in California are connected to convenience stores that provide communities with access to a wide variety of food and beverage options.
- (c) Over 60 percent of the owners are first generation, foreign-born immigrants, which is the highest of any industry in the United States.
- (d) These stations provide nearly \$6 billion in wages annually and paid nearly \$10 billion in taxes to state and local governments in California.
- (e) Gasoline fueling stations are a critical part of California's transportation fueling infrastructure for consumers.
- (f) A recent study from the Energy Institute at Haas titled "Competitive Effects of Entry in Gasoline Markets" (December 2023) examined the entry of over 1,000 new gas stations in Mexico from 2017 to 2022, inclusive, and found that each additional nearby competitor leads to lower prices for regular gasoline, premium gasoline, and diesel. The study also found suggestive evidence that increased competition has improved station quality.
- (g) California should facilitate and accelerate alternative fuel infrastructure as the state estimates about 1,200,000 electric vehicle chargers will be needed by the year 2030, and currently only about 80,000 public chargers have been installed statewide.
- (h) According to the State Energy Resources Conservation and Development Commission, only 66 retail hydrogen refueling stations for light-duty vehicles are open in the state with an additional 34 hydrogen refueling stations in permitting, construction, or commissioning phases.
- (i) Continuing to reduce emissions of greenhouse gases is critical for the protection of all areas of the state, but especially for the state's most disadvantaged communities, as those communities are affected first, and, most frequently, by the adverse impacts of climate change, including an increased frequency of extreme weather events, such as drought, heat, and flooding. The state's most disadvantaged communities also are disproportionately impacted by the deleterious effects of climate change on public health.
- (j) As the state pursues achieving its climate goals set in the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code), including Sections 38562.2 and 38566 of the Health and Safety Code, it is important to increase competition and to examine the existing infrastructure and how it can be used in conjunction with alternative fuel infrastructure.

**SEC. 2.** Section 25239 is added to the Public Resources Code, to read:

**25239.** (a) For purposes of this section, the following definitions apply:

- (1) "Alternative fuel" means electricity, hydrogen, or other zero-emission alternative fuel, as determined appropriated by the Alternative Fuels Infrastructure Taskforce, that is not a fossil fuel.
- (2) "Alternative fuel infrastructure" means infrastructure for the fueling of alternative fuels.
- (3) "Retail gasoline fueling station" means an establishment that offers for sale or sells gasoline or gasoline and diesel fuel to the public.
- (4) "Taskforce" means the Alternative Fuels Infrastructure Taskforce established pursuant to subdivision (b).
- (5) "Tribal community" means a community within a federally recognized California Native American tribe or nonfederally recognized Native American tribe.

(b) Upon appropriation by the Legislature, the commission shall form the Alternative Fuels Infrastructure Taskforce consisting of all of the following members:

- (1) A representative of environmental justice communities.
- (2) A representative from a national environmental organization with expertise in energy transition and economic sustainability policy.
- (3) A representative with expertise in the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.).

- (4) A retail gasoline fueling station owner from a rural county.
- (5) A retail gasoline fueling station owner from southern California.
- (6) A retail gasoline fueling station owner from northern California.
- (7) A representative of consumers.
- (8) A representative of construction labor.
- (9) An expert in electric vehicle charging infrastructure.
- (10) An expert in hydrogen fueling infrastructure.
- (11) A local government representative from a rural city or county.
- (12) A local government representative from a northern California city or county.
- (13) A local government representative from a southern California city or county.
- (14) A lawyer with expertise in land use policy.
- (15) A representative from a local publicly owned electric utility.
- (16) A representative from an investor-owned utility.
- (17) A representative from the commission.
- (18) A representative from the Public Utilities Commission.
- (19) A representative from the Governor's Office of Business and Economic Development.
- (20) A representative from the State Air Resources Board.
- (21) A representative of tribal communities.

(c) (1) On or before January 1, 2027, the taskforce shall conduct a study, and submit to the Legislature a report on the study with information and recommendations, on all of the following:

- (A) Existing fueling infrastructure and how it might be used in conjunction with alternative fuels infrastructure at retail gasoline fueling stations.
- (B) Barriers to the development and construction of alternative fuels infrastructure at retail gasoline fueling stations.
- (C) Best practices for compliance with the federal Americans with Disabilities Act of 1990 when developing and constructing alternative fuel infrastructure.
- (D) Other infrastructure challenges to the development and construction of alternative fuels infrastructure at retail gasoline fueling stations.

(2) The submission of the report to the Legislature pursuant to paragraph (1) shall be in accordance with Section 9795 of the Government Code.

(d) This section shall remain in effect only until January 1, 2031, and as of that date is repealed.