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AB-1395 Forestry: internal combustion engines: industrial operations: fire toolbox. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1395

Introduced by Assembly Member Harabedian

February 21, 2025

An act to amend Section 4428 of the Public Resources Code, relating to forestry.

LEGISLATIVE COUNSEL'S DIGEST

AB 1395, as introduced, Harabedian. Forestry: internal combustion engines: industrial operations: fire toolbox.

Existing law prohibits any person, except as specified, from using or operating any vehicle, machine, tool, or equipment powered by an internal combustion engine operated on hydrocarbon fuels, in any industrial operation located on or near any forest, brush, or grass-covered land between April 1 and December 1 of any year, or at any other time when ground litter and vegetation will sustain combustion permitting the spread of fire, without providing and maintaining, for firefighting purposes only, suitable and serviceable tools, as prescribed. Existing law requires a sealed box of tools, containing specified items, including one backpack pump-type fire extinguisher filled with water, to be located within the operating area and accessible in the event of a fire.

This bill would instead require a dedicated set of tools, as specified, including a sufficient number of fire extinguishers, to be located within the operating area and accessible in the event of a fire, so that, when added to any other tools on the industrial operation, each employee at the operation can be equipped to fight fire. The bill would make other nonsubstantive changes to these provisions.

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

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

SECTION 1. Section 4428 of the Public Resources Code is amended to read:

4428. ~~No (a)~~ A person, except ~~any a~~ a member of an emergency crew or except the driver or owner of ~~any a~~ a service vehicle owned or operated by or for, or operated under contract with, a publicly or privately owned ~~utility, which utility that~~ utility that is used in the construction, operation, removal, or repair of the property or facilities of ~~such the~~ utility when engaged in emergency operations, shall ~~not~~ use or operate ~~any a~~ a vehicle, machine, ~~tool tool~~, or equipment powered by an internal combustion engine operated on hydrocarbon ~~fuels, fuels~~ in ~~any an~~ an industrial operation located on or near ~~any a~~ a forest, brush, or grass-covered land between April

1 and December 1 of any year, or at any other time when ground litter and vegetation will sustain combustion permitting the spread of fire, without providing and maintaining, for firefighting purposes only, suitable and serviceable tools in the amounts, ~~manner~~ *manner*, and location prescribed in this section.

~~(a) On any such operation an~~

(b) On an industrial operation, a ~~sealed box~~ dedicated set of tools shall be ~~located~~, located within the operating area, at a point accessible in the event of fire. This fire toolbox shall ~~contain: one backpack pump type~~ contain a sufficient number of fire extinguisher filled with water, two extinguishers, axes, two McLeod fire tools, and ~~a sufficient number of shovels so that~~ shovels, so that when added to any other tools on the operation, each employee at the operation can be equipped to fight fire.

~~(b)~~

(c) One or more serviceable chainsaws of three and one-half or more horsepower with a cutting bar 20 inches in length or longer shall be immediately available within the operating area, or, in the alternative, a full set of timber-felling tools shall be located in the fire ~~toolbox~~, toolbox described in subdivision (b), including one crosscut falling saw six feet in length, one double-bit ax with a 36-inch handle, one sledge hammer or maul with a head weight of ~~six, six or more~~, more pounds and handle length of 32 ~~inches~~, inches or more, and not less than two falling wedges.

~~(e)~~

(d) Each rail speeder and passenger ~~vehicle~~, vehicle used on ~~such the~~ operation shall be equipped with one shovel and one ax, and any other vehicle used on the operation shall be equipped with one shovel. Each tractor used ~~in such on the~~ operation shall be equipped with one shovel.

~~(d)~~

(e) As used in this ~~section~~: section, the following terms shall apply:

~~(1) "Vehicle" means a device by which any person or property may be propelled, moved, or drawn over any land surface, excepting a device moved by human power or used exclusively upon stationary rails or tracks.~~

~~(2)~~

(1) "Passenger vehicle" means a vehicle ~~which that~~ is ~~self-propelled and which is~~ self-propelled, designed for carrying not more than 10 persons including the driver, and ~~which is~~ used or maintained for the transportation of persons, but does not include any motortruck or truck tractor.

(2) "Vehicle" means a device by which any person or property may be propelled, moved, or drawn over any land surface, excepting a device moved by human power or used exclusively upon stationary rails or tracks.