



SB-34 Air pollution: South Coast Air Quality Management District: mobile sources: Ports of Long Beach and Los Angeles. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 34

Introduced by Senator Richardson

December 02, 2024

An act to add and repeal Section 40453 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 34, Richardson. Air pollution: South Coast Air Quality Management District: mobile sources: Ports of Long Beach and Los Angeles.

Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law authorizes air districts to adopt and implement regulations to reduce or mitigate emissions from indirect sources of air pollution.

Existing law provides for the creation of the South Coast Air Quality Management District in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the area of the South Coast Air Basin, as specified. Existing law requires the district to adopt rules and regulations to carry out the south coast district air quality management plan that are not in

conflict with state and federal laws and requires those rules and regulations to provide for indirect source controls under certain circumstances.

In the event the board of the district takes an action to amend or adopt a rule or regulation that imposes new or additional emissions reduction requirements on sources of air pollution associated with an operation at the Ports of Long Beach and Los Angeles, this bill would require the action to, among other things, require those ports to prepare assessments of energy demand and supply, cost estimates, and funding source, workforce, and environmental impacts associated with the action and create a process by which those ports can request extensions to the timelines developed to achieve the action's targets. The bill would also prohibit the action from, among other things, imposing a cap on cargo throughput or cruise ship passengers at the ports. The bill would repeal its provisions on January 1, 2031.

By imposing additional duties on the district and the ports, the bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the South Coast Air Quality Management District.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. The Legislature finds and declares all of the following:

(a) It is in the best interest of the State of California to develop strategies that maintain and grow industries, such as goods movement, concurrent with pursuing environmental objectives.

(b) Goods movement is the movement of physical products and raw materials to businesses, consumers, and industries by oceangoing vessels, harbor craft, such as tug boats, trucks, locomotives, and cargo-handling equipment.

(c) In California, there are 11 port authorities. The San Pedro Bay port complex, which historically has encompassed both the Port of Los Angeles and the Port of Long Beach, is the largest port complex in the State of California, the United States, North America, and the Western Hemisphere and is the ninth largest port complex in the world, supporting over 3 million jobs nationwide and economic activity that generated \$2.78 billion in state and local taxes, plus an additional \$4.73 billion in federal taxes, in 2022.

(d) For more than two decades, the San Pedro Bay port complex has conducted extensive testing of the emissions of air pollutants. The Ports of Los Angeles and Long Beach are two of the cleanest, if not the cleanest, seaport operations in the world, exceeding all of their ambitious voluntary emissions targets by wide margins in 2023, according to the "Inventory of Air Emissions 2023," that showed the total San Pedro Bay emissions of diesel particulate matter down 91 percent, nitrogen oxides down 72 percent, sulfur oxides down 98 percent, and greenhouse gases down by 20 percent when compared to 2005 levels.

(e) Furthermore, the Ports of Los Angeles and Long Beach have adopted a joint Clean Air Action Plan whose updated goals include transitioning cargo-handling equipment to zero emissions by 2030 and all drayage trucks calling at marine terminals to zero emissions by 2035.

(f) The State Air Resources Board has adopted regulations on sources of intermodal emissions in operation at the Ports of Los Angeles and Long Beach, most of which are the strictest regulations anywhere in the world, limiting the emissions of every component of the intermodal supply chain, including drayage trucks, transportation refrigeration units, forklifts and warehouse equipment, cargo-handling equipment at marine terminals, cargo-handling equipment at rail terminals, oceangoing vessels at berth, oceangoing vessel fuels while in California waters, and commercial harbor craft and pilot vessels. Furthermore, oceangoing vessels in transit are operating under, and subject to, the regulatory authority of federal and international agencies, including the International Maritime Organization, which has a goal of net zero greenhouse gas emissions from international shipping by or around 2050.

(g) The South Coast Air Quality Management District has expressed its intention to adopt a regulation to control mobile sources of emissions from the Ports of Los Angeles and Long Beach through the implementation of an indirect source rule.

(h) The Ports and the Cities of Los Angeles and Long Beach assert that instead of the adoption of an indirect source rule, a process for a collaborative agreement would be a better alternative, as it would include the impacted stakeholders who are best positioned to achieve both economic and environmental goals concurrently while minimizing delays and barriers.

SEC. 2. Section 40453 is added to the Health and Safety Code, to read:

40453. (a) In the event the south coast district board takes an action on or after July 1, 2025, the south coast district board shall ensure the action fulfills both of the following conditions:

(1) The action shall do all of the following:

(A) Recognize the contributions of sources of air pollution outside of the control of the ports.

(B) Require the ports to prepare assessments of energy demand and supply, cost estimates, and funding source, workforce, and environmental impacts associated with the action.

(C) Use the assessments developed by the ports prepared pursuant to subparagraph (B) to determine the timelines for achieving the action's targets.

(D) Create a process by which the ports can request extensions to the timelines developed to achieve the action's targets.

(2) The action shall not do any of the following:

(A) Impose a cap on cargo throughput or cruise ship passengers at the ports.

(B) Use public funds or grants, whether municipal, county, state, or federal funds or grants, to require, incentivize, encourage, or otherwise promote the use of automated, remotely controlled, or remotely operated equipment, or infrastructure to support automated, remotely controlled, or remotely operated equipment.

(b) The action may result in the procurement and operation of human-operated, zero-emission equipment and infrastructure to support human-operated, zero-emission equipment at the ports.

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

(1) "Action" means the adoption or amendment of a rule or regulation that imposes new or additional emissions reduction requirements on sources of air pollution associated with an operation at the ports.

(2) "Ports" means the Port of Long Beach and the Port of Los Angeles.

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

SEC. 3. 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 circumstances described in Section 1.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.