# 2010 Legislative Review

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# 2010
# Legislative Overview

- 8 Special Sessions
- About 280 air quality bills
- 13 Special hearings

# 13 Special Hearings

- AB 32 Implementation/Climate Change
- Carpool lanes
- Energy
- Electric Vehicles

# Legislative Concerns

- Economy
- Business climate and job creation
- Regulatory cost

# Legislative Challenges

- Numerous bills were introduced to roll back programs or add additional procedural steps
- Challenging bills included:
  - Suspension of AB 32
  - Delay of on- and off-road diesel regulations
  - Additional economic analysis and peer review of air quality regulations
  - Revising Board membership and administration

# AB 2289 (Eng)
## Smog Check

- Faster, lower cost smog checks
- Significant reduction of harmful emissions
- Improved smog check station performance

# Sierra Research Study

Pre-1996 vehicles:

- 25% of the California fleet
- 75% of passenger vehicle emissions

# Sierra Research Study

- 19% of those vehicles that initially passed tailpipe inspection failed a roadside test shortly thereafter

- 49% of vehicles failed a roadside test after initially failing a smog test, being repaired, and passing a smog re-test

# AB 2289 (Eng)
## Smog Check

1. Identify high performing stations
2. Direct vehicles most likely to need repairs to the highest performing stations
3. Utilize on-board diagnostics (OBD II)
    - Improves consumer convenience
    - Reduces time and cost
    - Used in 22 other states

# AB 2289 (Eng)
## Summary

- Faster, lower cost smog checks
- 70 tons per day emission reductions
- Equivalent to removing 800,000 vehicles from the road

# AB 787 (Hill)

## Vehicle Repair or Retirement Assistance

1. Increases low-income threshold for vehicle owners to qualify for state repair assistance (family of four earning almost $50,000)
2. Sets retirement assistance at $1,500 for low-income owners, $1,000 for all others
3. Removes higher income individuals from repair assistance eligibility

# Carpool Lane Access

Current law allows access to HOV lanes regardless of number of occupants for:

- WHITE LABEL: Zero emissions vehicle or qualifying federal inherently low emissions vehicle
- YELLOW STICKER: Gasoline-hybrid vehicles like the Prius

Both labels expire January 1, 2011

# AB 1500 (Lieu) & SB 535 (Yee)

## AB 1500

- Extends white label HOV lane access to January 1, 2015

## SB 535

- Extends white label access to January 1, 2015
- Extends yellow label access to July 1, 2011
- Authorizes new class of enhanced technology vehicles, up to 40,000, for access between January 1, 2012 and January 1, 2015

# SB 535 HOV Lane Eligible

**Plug-in Hybrids**
**(using zero-emissions fuel)**

**Battery Electric**

**Fuel Cell**

# SB 1402 (Dutton)

Requires ARB to:

- Provide written information on how penalties are determined
- Adopt written penalty policy by March 2011
- Prepare annual report to Governor and Legislature

# Budget Trailer Bill
# (SB 855)

- Fixes inconsistency with AB 1085 (Mendoza, 2009)
- Removes ambiguous language
- Clarifies information to be made available to the public
- Reduces potential for litigation

# Budget Trailer Bill (SB 855)

- AB 32 zero-based budget fiscal year 2011-12
- Applies to all AB 32 implementing agencies
- Due to Legislature by April 1, 2011

# AB 1405 (De Leon)
## Vetoed

- Creates California Climate Change Community Benefits Fund
- Funded by 10% of cap and trade proceeds
- Cal/EPA charged with administering
- Supports EJ Community projects
- Basis of veto:
  - ARB still designing program

# AB 1507 (Lieu)

- Carl Moyer projects can receive State and federal funds for GHG benefits
- Criteria pollutant benefits of project must not be reduced as a result of GHG co-benefits

# AB 1507

## Examples of Qualifying Projects:

- Electric trucks
- Plug-in hybrid trucks
- Alternative fuel hybrid trucks or cars
- Fuel cell hybrid trucks or buses
- Next generation bio-based diesel hybrids
- Hybrid tugboats

# 2010 Annual Legislative Report

*www.arb.ca.gov/legis/legis.htm*

# Thank you!

California Environmental Protection Agency
AIR RESOURCES BOARD

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