



## ACCC Legislative Status Report Report Date: 9/9/2010

### **AB 787 (Hill) Smog check: vehicle repair assistance and retirement program.** (E-09/08/2010 [html](#) [pdf](#))

**Status:**08/27/2010-Senate amendments concurred in. To enrollment. (Ayes 60. Noes 12.)

**Current Location:**08/27/2010-A ENROLLMENT

**Calendar Events:**

**Summary:** Existing law establishes a motor vehicle inspection and maintenance (smog check) program, developed, implemented, and administered by the Department of Consumer Affairs (the department). The duty of enforcing and administering the program is vested in the Chief of the Bureau of Automotive Repair within the department. The owner of a motor vehicle that has failed its most recent smog check inspection has the right to retire the vehicle from operation at a dismantler under contract with the Bureau of Automotive Repair, and the department is required to pay this person up to \$1,500, or more if cost effective. This bill would instead require the department to pay a person who retires his or her vehicle \$1,500 for a low-income motor vehicle owner, as defined, and \$1,000 for all other motor vehicle owners, and would authorize additional payments above these amounts based on consideration of specified criteria. The bill would require the department to permit vehicle retirement for any motor vehicle that has been continuously registered in the state for at least 2 years prior to vehicle retirement, and that fails any type of smog check inspection lawfully performed in the state. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
ACCC	JCaldwell				

### **AB 1672 (Jeffries) State Air Resources Board: election of board members.** (I-01/20/2010 [html](#) [pdf](#))

**Status:**04/23/2010-Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 3/22/2010)

**Current Location:**04/23/2010-A DEAD

**Calendar Events:**

**Summary:** Existing law establishes in the California Environmental Protection Agency the State Air Resources Board, which is responsible for control of emissions from motor vehicles and is designated the air pollution control agency for all purposes set forth in federal law. Existing law requires the state board to consist of 11 members appointed by the Governor, with the consent of the Senate, and specifies the qualifications of those members. This bill, commencing with the 2012 statewide general election, would require the members of the state board to be elected by district voters. The bill would require the state board, by January 1, 2012, to draw district boundaries in accordance with prescribed criteria, for the purpose of the election of state board members. The bill would prescribe requirements for the election of the members of the state board and would make other conforming changes.

Organization	Assigned	Position	Priority	Subject	Groups
ACCC	JCaldwell				

### **AB 1740 (Jeffries) Vehicles: specially constructed vehicles.** (A-04/22/2010 [html](#) [pdf](#))

**Status:**08/13/2010-Failed Deadline pursuant to Rule 61(b)(14). (Last location was T. & H. on 5/13/2010)

**Current Location:**08/13/2010-S DEAD

**Calendar Events:**

**Summary:** Existing law establishes a registration amnesty program for specially constructed vehicles, as defined, that have been previously registered or classified incorrectly and also requires that a specially constructed vehicle, upon registration with the Department of Motor Vehicles, be inspected by stations authorized to perform referee functions, for the purposes of determining the engine model-year used in the vehicle or the vehicle model-year, and the emission control system application. This bill would increase this limitation to the first 750 vehicles that meet the specified criteria. The bill would provide that the registered owner of a specially constructed vehicle that is currently registered or incorrectly registered may change the vehicle's registration by complying with those specified criteria. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
ACCC	JCaldwell	Sponsor			

**AB 2289 (Eng) Smog check program: testing: penalties.** (E-09/08/2010 [html](#) [pdf](#))

**Status:**09/08/2010-Enrolled and to the Governor at 4 p.m.

**Current Location:**09/08/2010-A ENROLLED

**Calendar Events:**

**Summary:** Existing law establishes a motor vehicle inspection and maintenance (smog check) program, developed, implemented, and administered by the Department of Consumer Affairs. The smog check program provides for the inspection of a motor vehicle, among other circumstances, upon its initial registration, upon transfer of ownership, and for vehicles registered in certain areas of the state, biennially upon renewal of registration. Existing law requires the smog tests to include, at minimum, loaded mode dynamometer testing in enhanced areas, and 2-speed testing in all other program areas, and a visual or functional check of emission control devices specified by the department. This bill would require the department to implement testing using onboard diagnostic systems, in lieu of loaded mode dynamometer or 2-speed idle testing, only on model year 2000 and newer vehicles, beginning no earlier than January 1, 2013, and otherwise authorize the department, in consultation with the State Air Resources Board, to determine the appropriate test procedures, as specified. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
ACCC	JCaldwell				

**AB 2461 (Emmerson) Vehicles: vehicle registration amnesty program.** (E-09/02/2010 [html](#) [pdf](#))

**Status:**09/02/2010-Enrolled and to the Governor at 12:15 p.m.

**Current Location:**09/02/2010-A ENROLLED

**Calendar Events:**

**Summary:** Existing law requires the Department of Motor Vehicles to administer a vehicle registration amnesty program from January 1, 2010, to December 31, 2010, for vehicles that have been registered previously or classified incorrectly and that are correctly registered in accordance with the amnesty program's requirements. Existing law requires the department, pursuant to the program, to grant amnesty to a vehicle owner, if among other things, the vehicle owner filed an amnesty application with the department attesting, under the penalty of perjury, to the owner's eligibility to participate in the program. Existing law provides that a specially constructed vehicle applying for amnesty does not qualify for a specified exemption from the requirement to obtain a certificate of compliance issued by a licensed smog check station. Existing law considers a vehicle to be "correctly registered" if, among other things, the vehicle has been issued a certificate of compliance by a licensed smog check station. This bill would require the department to establish the above amnesty program from July 1, 2011, to June 30, 2012, and would make related changes. For the purposes of that program, the bill would require a specially constructed vehicle to be considered "correctly registered" if it has been issued a certificate of compliance on the basis that the specially constructed vehicle has met the inspection and maintenance tailpipe emissions requirements, as determined by the Bureau of Automotive Repair, for the model year assigned in the amnesty application. Because the bill would expand the scope of the crime of perjury, this bill would impose a state-mandated local program. This bill contains other related provisions and

other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
ACCC	JCaldwell				

**AB 2644 (Fuller) Vehicles: pickup trucks.** (A-04/08/2010 [html](#) [pdf](#))

**Status:**04/23/2010-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 4/12/2010)

**Current Location:**04/23/2010-A DEAD

**Calendar Events:**

**Summary:** Existing law defines "commercial vehicle" for purposes of the Vehicle Code, as a motor vehicle of a type required to be registered under that code that is used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property. Existing law subjects pickup trucks to commercial vehicle weight fees. This bill would exclude from that definition a pickup truck that is not used for the transportation of property for hire, compensation, or profit. The bill would exempt those excluded pickup trucks from commercial vehicle weight fees.

Organization	Assigned	Position	Priority	Subject	Groups
ACCC	JCaldwell				

**ACA 8 (Jeffries) Meetings of the Legislature.** (A-04/20/2009 [html](#) [pdf](#))

**Status:**08/31/2010-Failed Deadline pursuant to Rule 61(b)(17). (Last location was RLS. on 1/12/2009)

**Current Location:**08/31/2010-A DEAD

**Calendar Events:**

**Summary:** Existing provisions of the California Constitution require meetings of each house and committee of the Legislature to be open to the public, except that closed meetings may be held to consider specified matters, including employment and personnel, security, advice from counsel, and caucus meetings. Existing provisions of the California Constitution provide that no bill may be passed unless it is read by title on 3 days in each house except that the house may dispense with this requirement by rollcall vote entered in the journal, 2/3 of the membership concurring. Existing provisions of the California Constitution prohibit a bill from being passed until the bill with amendments has been printed and distributed to the members. This measure would further require a house or committee of the Legislature, at least 72 hours before a regularly scheduled meeting, to post an agenda containing a brief general description of each item to be considered, including items to be considered in closed session. The measure would generally prohibit consideration of any matter not included in the agenda. The measure would require public disclosure of a writing provided to members of a house or a committee in connection with the consideration of agenda items unless the writing is exempt from the mandatory disclosure requirements imposed by statute. The measure would require each agenda for a regular committee meeting to provide an opportunity for members of the public to directly address the committee on an item of interest to the public, before or during the committee's consideration of the item, that is within the subject matter jurisdiction of the committee. The measure would provide for the calling of a special or emergency meeting of the house or a committee upon specified notice to its members and the media. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
ACCC	JCaldwell	Support			

**ACR 152 (Hernandez) Vehicles: automotive aftermarket: National Car Care Month.** (E-08/30/2010 [html](#) [pdf](#))

**Status:**08/30/2010-In Assembly. To enrollment.

**Current Location:**08/30/2010-A ENROLLMENT

**Calendar Events:**

**Summary:** This measure would recognize the contributions of the automotive aftermarket to the state and

consumers and its efforts to educate the motoring public about the benefits of proper vehicle maintenance. The measure also would recognize and support the designation of April as National Car Care Month and encourage all citizens to participate in activities that promote proper vehicle maintenance.

Organization	Assigned	Position	Priority	Subject	Groups
ACCC	JCaldwell				

**SB 165 (Lowenthal) Vehicles: specially constructed vehicles.** (A-08/20/2010 [html](#) [pdf](#))

**Status:**08/31/2010-Failed Deadline pursuant to Rule 61(b)(17). (Last location was INACTIVE FILE on 8/31/2010)

**Current Location:**08/31/2010-A DEAD

**Calendar Events:**

**Summary:** Existing law defines a specially constructed vehicle as a vehicle that is built for private use, not for resale, and is not constructed by a licensed manufacturer or remanufacturer. Existing law requires all specially constructed vehicles to be subject to the emission control system testing and certification requirements established by the Department of Consumer Affairs. Existing law requires a passenger vehicle or pickup truck that is a specially constructed vehicle to be inspected by stations authorized to perform referee functions, and requires the Department of Motor Vehicles, with regard to no more than the first 500 specially constructed vehicles that are presented to the department each year for registration, to provide a registration under which the owner may elect to have an inspection based on the engine model year used in the vehicle or the vehicle model year. This bill would recast these provisions, and in addition would provide that the registered owner of a specially constructed vehicle that is currently registered may apply to register the vehicle using a different model year in accordance with these provisions. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
ACCC	JCaldwell				