

AMENDED IN SENATE MARCH 29, 2017

SENATE BILL

No. 174

Introduced by Senators Lara and Leyva
(Coauthor: Senator Beall)

January 23, 2017

An act to amend Section 4156 of, and to add Section 4000.15 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 174, as amended, Lara. Diesel-fueled vehicles: registration.

Existing law prohibits a person from driving, moving, or leaving standing upon a highway any motor vehicle, as defined, that has been registered in violation of provisions regulating vehicle emissions.

This bill, effective January 1, 2020, would require the Department of Motor Vehicles to confirm, prior to the initial registration or the transfer of ownership and registration of a diesel-fueled vehicle with a gross vehicle weight rating of more than 14,000 pounds, that the vehicle is compliant with, or exempt from, applicable air pollution control technology requirements, pursuant to specified provisions. The bill would require the department to refuse registration, or renewal or transfer of registration, for certain diesel-fueled vehicles, based on weight and model year, that are subject to specified provisions relating to the reduction of emissions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants from in-use diesel-fueled vehicles. The bill would authorize the department to allow registration, or renewal or transfer of registration, for any diesel-fueled vehicle that has been reported to the State Air Resources Board, and is using an approved exemption, or is compliant with applicable air pollution control technology requirements, pursuant to specified provisions.

Existing law authorizes the department, in its discretion, to issue a temporary permit to operate a vehicle when a payment of fees has been accepted in an amount to be determined by the department and paid to the department by the owner or other person in lawful possession of the vehicle.

This bill would additionally authorize the department to issue a temporary permit to operate a vehicle for which registration is otherwise required to be refused under the provisions of the bill, as prescribed. *The bill would specify that only one temporary permit may be issued for a vehicle pursuant to these provisions unless the State Air Resources Board approves otherwise.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4000.15 is added to the Vehicle Code,
2 to read:

3 4000.15. (a) Effective January 1, 2020, the department shall
4 confirm, prior to the initial registration or the transfer of ownership
5 and registration of a diesel-fueled vehicle with a gross vehicle
6 weight rating of more than 14,000 pounds, that the vehicle is
7 compliant with, or exempt from, applicable air pollution control
8 technology requirements pursuant to Division 26 (commencing
9 with Section 39000) of the Health and Safety Code and regulations
10 of the State Air Resources Board adopted pursuant to that division.

11 (b) Except as otherwise provided in subdivision (c), for
12 diesel-fueled vehicles subject to Section 43018 of the Health and
13 Safety Code, as applied to the reduction of emissions of diesel
14 particulate matter, oxides of nitrogen, and other criteria pollutants
15 from in-use diesel-fueled vehicles, and Section 2025 of Title 13
16 of the California Code of Regulations as ~~if~~ of January 1, 2017, or
17 as subsequently amended:

18 (1) The department shall refuse registration, or renewal or
19 transfer of registration, for a diesel-fueled vehicle with a gross
20 vehicle weight rating of 14,001 pounds to 26,000 pounds for the
21 following vehicle model years:

22 (A) Effective January 1, 2020, vehicle model years 2004 and
23 older.

1 (B) Effective January 1, 2021, vehicle model years 2007 and
2 older.

3 (C) Effective January 1, 2023, vehicle model years 2010 and
4 older.

5 (2) The department shall refuse registration, or renewal or
6 transfer of registration, for a diesel-fueled vehicle with a gross
7 vehicle weight rating of more than 26,000 pounds for the following
8 vehicle model years:

9 (A) Effective January 1, 2020, vehicle model years 2000 and
10 older.

11 (B) Effective January 1, 2021, vehicle model years 2005 and
12 older.

13 (C) Effective January 1, 2022, vehicle model years 2007 and
14 older.

15 (D) Effective January 1, 2023, vehicle model years 2010 and
16 older.

17 (c) (1) As determined by the State Air Resources Board,
18 notwithstanding effective dates and vehicle model years identified
19 in subdivision (b), the department may allow registration, or
20 renewal or transfer of registration, for a diesel-fueled vehicle that
21 has been reported to the State Air Resources Board, and is using
22 an approved exemption, or is compliant with applicable air
23 pollution control technology requirements pursuant to Division
24 26 (commencing with Section 39000) of the Health and Safety
25 Code and regulations of the State Air Resources Board adopted
26 pursuant to that division, using an approved compliance ~~option~~
27 *option, such as being equipped with the required model year*
28 *emissions equivalent engine.*

29 (2) The State Air Resources Board shall notify the department
30 of the vehicles allowed to be registered pursuant to this subdivision.

31 SEC. 2. Section 4156 of the Vehicle Code is amended to read:

32 4156. (a) Notwithstanding any other provision of this code,
33 and except as provided in subdivision (b), the department in its
34 discretion may issue a temporary permit to operate a vehicle when
35 a payment of fees has been accepted in an amount to be determined
36 by, and paid to the department, by the owner or other person in
37 lawful possession of the vehicle. The permit shall be subject to the
38 terms and conditions, and shall be valid for the period of time, that
39 the department shall deem appropriate under the circumstances.

1 (b) (1) The department shall not issue a temporary permit
2 pursuant to subdivision (a) to operate a vehicle for which a
3 certificate of compliance is required pursuant to Section 4000.3,
4 and for which that certificate of compliance has not been issued,
5 unless the department is presented with sufficient evidence, as
6 determined by the department, that the vehicle has failed its most
7 recent smog check inspection.

8 (2) Only one temporary permit may be issued pursuant to this
9 subdivision to a vehicle owner in a two-year period.

10 (3) A temporary permit issued pursuant to paragraph (1) is valid
11 for either 60 days after the expiration of the registration of the
12 vehicle or 60 days after the date that vehicle is removed from
13 nonoperation, whichever is applicable at the time that the temporary
14 permit is issued.

15 (4) A temporary permit issued pursuant to paragraph (1) is
16 subject to Section 9257.5.

17 (c) (1) The department may issue a temporary permit pursuant
18 to subdivision (a) to operate a vehicle for which registration may
19 be refused pursuant to Section 4000.15.

20 (2) Only one temporary permit may be issued pursuant to this
21 subdivision for any ~~vehicle~~ *vehicle, unless otherwise approved*
22 *by the State Air Resources Board.*

23 (3) A temporary permit issued pursuant to paragraph (1) is valid
24 for either 90 days after the expiration of the registration of the
25 vehicle or 90 days after the date that vehicle is removed from
26 nonoperation, whichever is applicable at the time the temporary
27 permit is issued.

28 (4) A temporary permit issued pursuant to paragraph (1) is
29 subject to Section 9257.5.