

Assembly Bill No. 1660

CHAPTER 580

An act to add Article 1.5 (commencing with Section 43810) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, and to add Chapter 8.4 (commencing with Section 25725) to Division 15 of the Public Resources Code, relating to air pollution.

[Approved by Governor October 6, 2005. Filed with
Secretary of State October 6, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1660, Pavley. Vehicular air pollution: energy-efficient vehicles.

Existing law provides for the High Polluter Repair or Removal Program, a voluntary vehicle retirement program that requires the Department of Consumer Affairs to establish and implement a program for the repair or replacement of high polluters. Existing law requires the program to provide for the payment to the owner of a high polluter of up to 80% of the total costs of repair, not to exceed \$450, or the market value of a high polluter being removed.

This bill would create the California Energy-Efficient Vehicle Group Purchase Program in the Department of General Services to encourage the purchase of energy-efficient vehicles, as defined, by local and state agencies through a group-purchasing program.

The bill would require the director of the department to establish an advisory committee by April 1, 2006, and thereafter meet with the advisory committee, notify all affected entities about the purchasing program, and negotiate contracts, through competitive means and other appropriate strategies, for the purchase of energy-efficient vehicles at the lowest possible price from one or more reliable vendors. This bill would require the department to administer the program in accordance with regulations adopted by the department, and would permit the department to recover its administrative costs from program participants.

Existing law requires the department, in consultation with the Energy Commission and the State Air Resources Board, to develop and adopt specifications and standards for all passenger cars and light-duty trucks that are purchased or leased on behalf of, or by, state offices, agencies, and departments. The specifications and standards must include a requirement that fuel economy be evaluated and scored in order to enable the department to choose the vehicle with the lowest life cycle cost when awarding a state vehicle procurement contract. Authorized emergency vehicles, as defined, are exempt from the requirements.

This bill would provide that, on and after January 1, 2006, when awarding a vehicle procurement contract, every city, county, city and county, and special district, including a school district and a community

college district, may evaluate and score fuel economy, in addition to other life cycle factors, in choosing passenger cars or light-duty trucks, or both, with the lowest life cycle cost.

This bill would provide that, on and after January 1, 2006, when awarding a vehicle procurement contract, every city, county, city and county, and special district, including a school district and a community college district, may require that 75% of the passenger cars or light-duty trucks, or both, to be acquired be energy-efficient vehicles, as defined.

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

SECTION 1. Article 1.5 (commencing with Section 43810) is added to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, to read:

Article 1.5. Energy-Efficient Vehicle Group Purchase Program

43810. This article shall be known, and may be cited as, the California Energy-Efficient Vehicle Group Purchase Program.

43811. It is the intent of the Legislature that the state encourage the purchase of energy-efficient vehicles by local and state agencies through a group-purchasing program that uses the purchasing leverage of state and local agencies to lower the purchase price of those vehicles.

43812. For the purposes of this article, the following definitions apply:

(a) "Department" means the Department of General Services.

(b) "Director" means the Director of General Services.

(c) "Energy-efficient vehicle" means either of the following:

(1) A vehicle that meets California's super ultra-low emission vehicle (SULEV) standard for exhaust emissions and the federal inherently low-emission vehicle (ILEV) evaporative emission standard, as defined in Part 88 (commencing with Section 88.101-94) of Title 40 of the Code of Federal Regulations.

(2) A hybrid vehicle or an alternative fuel vehicle that meets California's advanced technology partial zero-emission vehicle (AT PZEV) standard for criteria pollutant emissions.

(d) "Local agency" means any governmental subdivision, district, public and quasi-public corporation, joint powers agency, public agency or public service corporation, authority, agency, board, commission, town, city, county, city and county, fire district, special district, school district, public utility, community college, or municipal corporation, whether incorporated or not or whether chartered or not, or any other public entity.

(e) "State agency" means any department, division, board, bureau, commission, or other authority of the State of California the University of California, or the California State University.

43813. (a) There is established in the Department of General Services an energy-efficient vehicle group purchase program. The department shall negotiate the lowest possible purchase price, with one or more vendors, for

energy-efficient vehicles on behalf of state and local agencies that are interested in obtaining those vehicles.

(b) In administering the program, the Director of General Services shall do all of the following:

(1) No later than April 1, 2006, establish an advisory committee, in cooperation with local and state agencies as defined in Section 43812.

(A) The committee shall meet at least once no later than 30 days after all members are appointed.

(B) The committee shall consult with the department regarding the design of the program and other matters relating to the purchase of energy-efficient vehicles, no later than July 30, 2006.

(2) Notify all affected agencies about the purchasing program through the department’s Internet Web site and publications, the Internet Web sites of appropriate associations, governing boards of local agency associations, and other cost-effective means.

(3) After consultation with the committee pursuant to subparagraph (B) of paragraph (1) of subdivision (b), the director shall negotiate contracts, through competitive means and other appropriate strategies, for the purchase of energy-efficient vehicles at the lowest possible price from one or more reliable vendors.

(4) Include a provision in the vendor contract allowing any state or local agency to purchase energy-efficient vehicles directly from the vendor at the contract price.

(c) The department may recover its actual administrative costs from program participants.

(d) Nothing in this article shall be construed as superseding or precluding any similar program that is administered by a district, any other public agency, or any other person.

SEC. 2. Chapter 8.4 (commencing with Section 25725) is added to Division 15 of the Public Resources Code, to read:

CHAPTER 8.4. LOCAL VEHICLE FLEET

25725. On and after January 1, 2006, when awarding a vehicle procurement contract, every city, county, city and county, and special district, including a school district and a community college district, may evaluate and score fuel economy, in addition to other life cycle factors, in choosing passenger cars or light-duty trucks, or both, with the lowest life cycle cost.

25726. (a) On and after January 1, 2006, when awarding a vehicle procurement contract, every city, county, city and county, and special district, including a school district and a community college district, may require that 75 percent of the passenger cars or light-duty trucks, or both, to be acquired be energy-efficient vehicles.

(b) “Energy-efficient vehicle” means either of the following:

(1) A vehicle that meets California's super ultra-low emission vehicle (SULEV) standard for exhaust emissions and the federal inherently low-emission vehicle (ILEV) evaporative emission standard, as defined in Part 88 (commencing with Section 88.101-94) of Title 40 of the Code of Federal Regulations.

(2) A hybrid vehicle or an alternative fuel vehicle that meets California's advanced technology partial zero-emission vehicle (AT PZEV) standard for criteria pollutant emissions.