

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 272 (Aguiar-Curry) – As Amended March 13, 2025

**SUBJECT:** Heavy-Duty Vehicle Inspection and Maintenance Program

**SUMMARY:** Specifies the deadline for the California Air Resources Board (CARB) to provide the first of the two currently required biennial reports on the Heavy-Duty Vehicle Inspection and Maintenance Program (HD I/M ) to be December 31, 2026.

**EXISTING LAW:**

- 1) Requires CARB to adopt and implement a regulation for a HD I/M for non-gasoline, heavy-duty, on-road motor vehicles with a gross vehicle weight rating of more than 14,000 pounds, as specified (Health and Safety Code (HSC) 44152(a)).
- 2) Requires CARB to issue a Heavy-Duty Vehicle Inspection and Maintenance Compliance Certificate to vehicle owners and operators, and requires vehicle owners to keep that certificate of compliance with the vehicle and present it to a peace officer upon demand, as specified (HSC 44152 (c)).
- 3) Allows specified state agencies to provide any necessary information to help facilitate the installation of equipment necessary to implement HD I/M, as well as develop initiatives for outreach and education to help ensure compliance with HD I/M (HSC 44152 (d)(e)).
- 4) Requires CARB to request a permit to deploy equipment on the state highway system, as specified, and requires the Department of Transportation to provide CARB assistance in the permitting process when a permit request is denied, as specified (HSC 44152 (f)).
- 5) Applies existing practices to HD I/M, allowing CARB to inspect vehicles in conjunction with the safety and weight enforcement activities of the Department of the California Highway Patrol or at other locations selected by CARB, as specified (HSC 44152 (g)).
- 6) Requires that within four years following the full implementation of the program, CARB shall provide the first of two biennial reports on its internet website including, but not limited, to enforcement, operation downtime, and an estimate of emissions reduced and cost-effectiveness. (HSC 44152 (m)).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Why regulate vehicle emissions?* Mobile sources and the fossil fuels that power them are the largest contributors to the formation of ozone, greenhouse gas (GHG) emissions, fine particulate matter (PM<sub>2.5</sub>), and toxic diesel particulate matter. In California, they are responsible for approximately 80% of smog-forming nitrogen oxide (NO<sub>x</sub>) emissions. They also represent about 50% of greenhouse gas emissions when including emissions from fuel production, and more than 95% of toxic diesel particulate matter emissions. Statewide, more than 21 million out of over 39 million Californians live in areas that exceed the federal ozone standards; within these areas, there are many low-income and disadvantaged communities that

are exposed to not only ozone, but also particulate and toxic, pollutant levels significantly higher than the federal standards which have immediate and detrimental health effects.

*The National Ambient Air Quality Standard (NAAQS).* The Clean Air Act of 1970 instructs the U.S. Environmental Protection Agency to set primary NAAQS to protect public health, and secondary NAAQS to protect plants, forests, crops and materials from damage due to exposure to six air pollutants. These pollutants include: particulate matter, ozone, nitrogen oxides, sulfur oxides, carbon monoxide, and lead.

Federal law (42 United States Code 7409 and 7410) requires that all states attain the NAAQS and develop State Implementation Plans (SIP) for nonattainment areas to attain the NAAQS, and attainment areas to maintain attainment. Failure of a state to reach attainment of the NAAQS by the target date can trigger penalties, including withholding of federal highway funds.

Under State law (Health and Safety Code (HSC) 39602), CARB is responsible for developing the SIP emission reduction strategies for cars, trucks, and other mobile sources to meet the requirements in the Clean Air Act. The California Department of Pesticide Regulation (DPR) is the State agency responsible for controlling pesticide emissions. Local air districts are primarily responsible for controlling emissions from stationary sources such as factories and power plants. CARB coordinates closely with the local air districts in the development of attainment plans which are then incorporated into the SIP.

*GHG reduction goals.* The Legislature has set a number of goals to reduce GHG emissions and address climate change. The Global Warming Solutions Act of 2006, AB 32 (Nuñez), Chapter 488, Statutes of 2006 and subsequent companion legislation SB 32 (Pavley), Chapter 249, Statutes of 2016, requires California to reduce statewide GHG emissions to 40% below the 1990 level by 2030. AB 1279 (Muratsuchi), Chapter 337, Statutes of 2022 establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045. CARB is responsible for developing a Scoping Plan to detail how the state will achieve its GHG emissions reduction targets mandated by law.

*Heavy-Duty Vehicle Inspection and Maintenance Program:* Senate Bill 210 (Leyva) Chapter 298, Statutes of 2019 directed CARB to develop and implement a comprehensive HD I/M regulation to ensure that vehicles' emissions control systems are properly functioning when traveling on California's roadways. The Board approved the regulation on December 9, 2021, with implementation to be phased in starting January 2023. Dubbed the Clean Truck Check, the program combines periodic vehicle testing requirements with other emissions monitoring techniques and expanded enforcement strategies to identify vehicles in need of emissions related repairs and ensure any needed repairs are performed. The program is designed to provide reductions in criteria pollutant emissions to achieve the federal air quality mandates.

*Committee comments:* This bill specifies a date certain (December 31, 2026) for CARB to post the first of two biennial reports on their website. This is reasonable given that the program began phasing in January 2023.

*According to the author:* "In 2019, Senate Bill 210 (Leyva) authorized the California Air Resources Board (CARB) to create the nation's first smog check-style program for medium and heavy-duty vehicles. This bill known as the Clean Truck Check (CTC), mandated that CARB must publish two biennial reports on its website within four years after the program's full implementation. These reports are supposed to include, but are not limited to, information on

enforcement methods, operational downtime, and estimates of emissions reduced along with an evaluation of cost-effectiveness. Fees and biannual testing requirements for the program began in 2024, with quarterly testing scheduled to start in 2027. This bill will clarify that the California Air Resources Board (CARB) should deliver the first of two legislatively mandated reports on the nation's first smog check program for trucks prior to the increase in testing frequency to four times a year in 2027."

*Arguments in support:* According to the California Trucking Association, the sponsors of this bill, "In 2019, SB210 (Leyva) authorized the California Air Resources Board to develop and implement the nation's first smog-check style program for medium and heavy duty vehicles. This program is currently known as "Clean Truck Check" (CTC). SB210 required CARB to, within four years following full implementation of the program, provide two biennial reports on its internet website. These reports were to include, but are not limited to, enforcement methods, operational downtime for impacted fleets, and an estimate of emissions reduced and cost-effectiveness. CARB was separately required to report information to the Assembly and Senate Transportation Committees prior to full implementation of CTC. To date, no such report has been submitted. Fees and two times a year annual testing requirements began in 2024. The program testing frequency will increase to four times a year beginning in 2027. AB 272 seeks to clarify the initial reporting deadline on this new program, the first of its kind in the nation, should occur in advance of the increase in testing frequency in 2027."

*Prior and related legislation:* SB 210 (Leyva) Chapter 298, Statutes of 2019 directs CARB to develop and implement a comprehensive HD I/M regulation to ensure that vehicles' emissions control systems are properly functioning when traveling on California's roadways.

SB 44 (Skinner) Chapter 297, Statutes of 2019 requires CARB to update its 2016 mobile source strategy to include a comprehensive strategy for the deployment of medium duty and heavy-duty vehicles in the state.

SB 210 (Leyva) of 2017 required CARB to adopt and implement regulations for a Heavy-Duty Vehicle Inspection and Maintenance Program for nongasoline, heavy-duty, on-road vehicles. SB 210 was referred to and not heard in this committee.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

California Trucking Association (sponsor)

### **Opposition**

No opposition on file

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