

Date of Hearing: July 14, 2025

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

SB 731 (Archuleta) – As Amended July 3, 2025

SENATE VOTE: 38-0

SUBJECT: Trash receptacles and storage containers: reflective markings

SUMMARY: Extends an existing exemption for trash receptacles and storage containers with reflectors added before January 1, 2025, from the requirement to be made of certain high-performance retroreflective sheeting and of a specified length and number of reflectors, and adds red, white, or alternating red and white tape as one of the required tape options for high-performance retroreflective sheeting for a storage container transported by truck and trailer.

EXISTING LAW:

- 1) Requires a manufacturer who sells or rents a trash receptacle or storage container that is on a roadway or the curb of a roadway in order to be emptied or picked up to mark the trash receptacle or storage container with a reflector on each side, beginning January 1, 2025. (Health and Safety Code Section (HSC) 26275)
- 2) Requires an owner, other than the manufacturer, of a trash receptacle or storage container that is placed on a roadway or the curb of a roadway in order to be emptied or picked up to mark the trash receptacle or storage container with a reflector on each side, beginning January 1, 2026. (HSC 26275)
- 3) Requires reflector markings to include at least eight strips of reflective tape, each a minimum of two inches wide and two feet long:
 - a) Requires one strip to be applied horizontally to each of the top and bottom portions of the four corners where the vertical walls of the trash receptacle or storage container meet, and be oriented so that approximately 12 inches of each tape strip is visible on each of the two outside walls to which it is applied; and,
 - b) Requires the reflective tape shall be fluorescent yellow, red, white, or alternating red and white, and be made of high-performance retroreflective sheeting of American Society for Testing and Materials D4956-13 Type IX or XI. (HSC 26275)
- 4) Exempts trash receptacle or storage container from the requirements of reflective tape stated above, if the reflective tape or reflectors were applied to the trash receptacle or storage container before July 1, 2023, and if the reflective tape is made of high-performance retroreflective sheeting of American Society for Testing and Materials D4956-13 Type V, VIII, IX, or XI. (HSC 26275)
- 5) Requires an owner of a trash receptacle or storage container that is on a roadway or the curb of a roadway in order to be emptied or picked up to clearly label the trash receptacle or storage container with the owner's name and current telephone number. (HSC 26275)

- 6) Provides that a manufacturer or owner, other than a local government entity, who violates the above provisions is guilty of an infraction punishable by a fine, as follows:
 - a) \$100 for the first infraction if not corrected within 14 days of notice;
 - b) \$500 for the second infraction if not corrected within 14 days of notice; and
 - c) \$1,000 for the third and any subsequent infractions if not corrected within 14 days of notice. (HSC 26275)
- 7) Establishes the Accident Prevention and Road Safety Fund in the State Treasury and provides that all fines for violations of the reflector law are to be deposited in the fund. Such funds are available upon appropriation by the Legislature. (HSC 26275)

FISCAL EFFECT: Pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS: Objects on the road at night—even large ones—are hard to see. In recognition of this, current law establishes lighting and reflector requirements for vehicles and equipment on the roadway at night to make them visible, so as to avoid collisions.

Starting January 1, 2025, manufacturers of trash receptacles and storage containers that are longer than three feet in length and taller than four feet in height are required to mark the containers with high performance reflective tape on each side. Owners have until January 1, 2026 to add reflectors to their bins. The addition of reflective tape to containers and receptacles is intended to increase their nighttime visibility, thus improving the safety of local streets and roadways. The absence of nighttime safety markings on large trash receptacles that are placed in the street for pickup can be a safety hazard for motorists, cyclists, and pedestrians who might not see the receptacles.

PODS' reflectors. PODS is a moving and storage company that rents storage containers for customers to store their belongings in their driveway, or package belongings for moves. PODS' storage containers have steel-frames and impact-resistant wall paneling and range from the “small container” at 8' x 7' x 8' to the “large container” at 16' x 8' x 8'. PODS containers are generally placed in a driveway, but can be placed on the street if the customer receives a permit from the local jurisdiction. All PODS containers had reflectors installed before January 1, 2025. According to PODS, the company has nearly 300,000 containers in their nationwide fleet which are marked with red and white-silver engineering grade reflective tape. PODS chose these colors to match the United States Department of Transportation's required colors for reflective markings on trucks. Each of the company's three models has a minimum of three pieces of reflective tape: one at the top, middle, and bottom of the container. The newest model has added a fourth strip of tape to each corner.

Less reflectivity. This bill extends the date for compliance for manufacturers of trash receptacles and storage containers to comply with installing high reflectivity tape. Existing law allows manufactures and owners to utilize existing reflectivity tape if the tape was applied to the trash receptacle or storage container before July 1, 2023, and if the reflective tape is made of high-performance retroreflective sheeting. This bill allows manufacturers of trash receptacles and storage containers to utilize existing reflectors if they were applied before January 1, 2025. Under this bill, any containers put into use on or after January 1, 2026, including PODS, are required to comply with the specific statutory reflective tape requirements established under SB 806 (Archuleta) Chapter 722, Statutes of 2023. Currently, PODS uses tape made of American

Society for Testing and Materials (ASTM) Type I reflective sheeting to add reflectivity to their containers. This level of reflector provides a lower level of reflectivity, and thus potentially lower visibility, than what would be required under current law beginning in 2026. Because PODS is not the manufacturer of their containers, the company is only subject to the compliance timelines for container owners within AB 806. This means PODS had over three years notice before they had to comply with AB 806.

Types of reflection. AB 806 specifies a range of high-performance retroreflective sheeting types that owners and manufacturers of receptacle or storage containers must use to comply with the law. Specifically, owners and manufacturers must use reflective tape that is fluorescent yellow and made of high-performance retroreflective sheeting of American Society for Testing and Materials D4956-13 Type V, VIII, IX, or XI. These four Types are made of super-high-intensity retroreflective materials. Alternatively, Type I sheeting (currently used by PODS) has the lowest performance of all Types. It is more commonly used for signs where brightness during nighttime is less critical, such as “No Parking” signs.

This bill, for a storage container transported by truck and trailer adds, red, white, or alternating red and white reflectors made of high-performance retroreflective sheeting of American Society for Testing and Materials D4956-13 Type IX or XI as options for required reflectors.

In 2002, long time staffer and environmental advocate, Rick Best was killed after colliding with an unmarked dumpster late at night. This bill seeks to clarify existing law, in order to accommodate owners and manufacturers of trash receptacles and storage containers who have not complied with existing law to update their entire fleets in order to meet existing law, or already placed reflective markings on containers prior to any legislation.

According to the author, In 2022 Senator Archuleta passed SB 1111, the Rick Best Safety Act, named after Rodrick “Rick” Best, who worked as a legislative staffer and lobbyist in Sacramento for years. Sadly, Rick passed away after a traffic accident where he collided with an unmarked trash dumpster in the roadway. SB 1111 required a person who sells, or provides for compensation, a trash receptacle or storage container designed to be placed on the side of the road or curb to mark the bin with a reflector on each side by January 1st 2026. A follow up bill, SB 806 (Archuleta, 2023) added specific requirements for the category, location, and size of reflective markings on trash and storage containers and provided owners with a 14-day right to cure. Some actors in the industry, who were already voluntarily placing reflective markings on their containers prior to any bills, are struggling to update their entire fleets in order to meet the requirements of SB 806. This bill would allow them to comply with the reflective marking requirements going forward with any new purchases of trash or storage containers without being unnecessarily penalized for existing containers.

In support, the California Waste Haulers Council writes, “Our companies wish to express their SUPPORT for SB 731 (Archuleta), which fixes technical errors in exiting law as to the trash receptacles to which the Rick Best Safety Act applies.

Previous legislation. SB 806 (Archuleta), Chapter 722, Statutes of 2023 authorizes the Attorney General, or the district attorney or city attorney in the location where a violation is observed, to enforce the law requiring certain markings to be placed on trash receptacles, including reflectors and certain contact information. This bill also established a fund within the State Treasury where all collected fines are to be deposited.

SB 1111 (Archuleta) Chapter 244, Statutes of 2022 requires manufacturers and owners of trash receptacles and storage containers of specified dimensions be marked with a reflector on each side and contact information, respectively and as specified.

SB 741 (Archuleta of 2021) would have required the seller or provider of a roadside trash and storage container larger than three feet and taller than four feet to mark the container with a reflector on each side and imposed a civil penalty for failure to do so. *This bill died in the Senate Transportation Committee.*

SB 1353 (Archuleta of 2020) would have imposed substantially the same requirement of reflectors on trash receptacles as SB 741. *This bill died in the Senate Transportation Committee.*

REGISTERED SUPPORT / OPPOSITION:**Support**

California Waste Haulers Council
Pods Enterprises
Republic Services
Resource Recovery Coalition of California
Waste Management

Opposition

None on file

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