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CALIFORNIA LEGISLATURE—2023–2024 REGULAR SESSION

ASSEMBLY BILL**NO. 1594**

**Introduced by Assembly Member Garcia
(Coauthor: Assembly Member Wendy Carrillo)
(Coauthors: Senators Bradford and Dahle)**

February 17, 2023

An act to add the heading of Division 12.5 (commencing with Section 28500 to, and to add Chapter 1 (commencing with Section 28500) to Division 12.5 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1594, as amended, Garcia. Medium- and heavy-duty zero-emission vehicles: public agency utilities.

Executive Order No. N-79-20 establishes the goal of transitioning medium- and heavy-duty vehicles in California to zero-emission vehicles by 2045 for all operations where feasible and by 2035 for drayage trucks, and requires the State Air Resources Board to develop and propose medium- and heavy-duty vehicle regulations to meet that goal.

Existing law establishes the Air Quality Improvement Program that is administered by the board for purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality, and establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program to make financing tools and nonfinancial supports available to operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles.

This bill would require any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles by a public agency utility to ensure that those vehicles can support a public agency utility's ability to maintain reliable water and electric services, respond to disasters in an emergency capacity, and provide mutual aid assistance statewide and nationwide, among other requirements. The bill would define a public agency utility to include a local publicly owned electric utility, a community water system, and a wastewater treatment provider, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The heading of Division 12.5 (commencing with Section 28500) is added to the Vehicle Code, to read:

DIVISION 12.5. Zero-Emission Vehicles

SEC. 2. Chapter 1 (commencing with Section 28500) is added to Division 12.5 of the Vehicle Code, to read:

CHAPTER 1. Public Agency Utility Medium- and Heavy-Duty Vehicles

28500. (a) "Public agency utility" means a local publicly owned electric utility, as defined in Section 224.3 of the Public Utilities Code, a community water system, as defined in Section 116275 of the Health and Safety Code, and a wastewater treatment provider, as defined in Section 116773.2 of the Health and Safety Code.

(b) Any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles shall ensure that those vehicles can support a public agency utility's ability to maintain reliable water and electric service, respond to disasters in an emergency capacity, and provide mutual aid assistance statewide and nationwide, and shall do both of the following:

(1) Recognize the diversity of fleet size, terrain, and climate, and authorize public agency utilities to purchase replacements for traditional ~~utility-specialized~~ *utility-specialized* vehicles that are at the end of life when needed to maintain reliable service and respond to major foreseeable events, including, but not limited to, severe weather, wildfires, natural disasters, and physical attacks.

~~(2) In coordination with public agency utilities, include a list of vehicle vendors and suppliers that meet zero-emission vehicle standards and the public agency utilities' technical and performance requirements.~~

(2) Authorize a public agency utility to request that the public agency utility be allowed to determine whether a comparable zero-emission vehicle is available for purchase without regard to the model year of the vehicle being replaced and in consideration of daily usage capabilities and foreseeable emergency response and mutual aid assistance needs.