
SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: SCR 89 **Hearing Date:** 8/4/2020
Author: Dahle
Version: 7/30/2020 Amended
Urgency: No **Fiscal:** Yes
Consultant: Amy Gilson

SUBJECT: Deputy Sheriff Brian "Ish" Ishmael Memorial Highway

DIGEST: This resolution designates a portion of State Route 50 in the County of El Dorado as the Deputy Sheriff Brian "Ish" Ishmael Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the portion of State Route 50 in the County of El Dorado as the Deputy Sheriff Brian "Ish" Ishmael Memorial Highway. It requests that the Department of Transportation to erect appropriate signs upon receiving sufficient donations from non-state sources to cover the costs.

COMMENTS:

- 1) *Purpose.* According to the author, "Deputy Brian "Ish" Ishmael was a well-liked Deputy with the El Dorado County Sheriff's office who took pride in serving his community every day. Sadly on October 23, 2019 while responding to a burglary call, Deputy Ishmael encountered gunfire and was struck multiple times. Despite life savings measures, he passed away on the way to the very hospital he was born in 37 years earlier. Deputy Ishmael lost his life while trying to protect those he served and is deserving of the honor of having the Deputy Sheriff Brian "Ish" Ishmael memorial Highway."
- 2) *Background.* Brian David "Ish" Ishmael was born at Marshall Hospital in Placerville, California, on December 12, 1981. He was a police officer with the Placerville Police Department and, later, the El Dorado County Sheriff's Office. In the early hours of October 23, 2019, Brian was on patrol and responded to a call for a theft of marijuana from what was later found to be an illegal marijuana grow. Brian was met with gunfire and, during the gun battle, struck multiple times. Sadly, Brian passed away in the ambulance on the way to the same hospital where he was born 37 years before.

Brian is remembered as a hard worker, a role model, and leader who shared his joy for life with everyone he met. He is survived and forever remembered by his wife, Katie, their children Prudence, Zoey, and Cash, his parents Kim and Don, his sister Brenda.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

County of El Dorado
El Dorado County Board of Supervisors District 3

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: AB 238

Hearing Date: 8/4/2020

Author: Santiago

Version: 7/9/2020

Urgency: No

Fiscal: Yes

Consultant: Randy Chinn

SUBJECT: Unlicensed automobile dismantlers: enforcement and compliance activities

DIGEST: This bill reestablishes a multi-agency strike team to enforce against illegal automobile dismantling until January 1, 2024 and deletes a conflicting statute.

ANALYSIS:

Existing law:

- 1) Defines an "automobile dismantler," as a person who dismantles three or more personal vehicles within any 12-month period, and prohibits any person from acting as an automobile dismantler without first having procured a license or temporary permit issued by DMV.
- 2) Requires an applicant for an auto dismantler's license to provide DMV with information as to his or her character, honesty, integrity, and reputation, as DMV may consider necessary.
- 3) Requires an applicant for a new license or the renewal of a license to submit all of the following information as part of the application, if the applicant is required by other provisions of law to have the following permits, numbers, or plans:
 - a) BOE resale permit number;
 - b) Identification number issued by the CalEPA;
 - c) A statement indicating that the applicant has either filed an application for a stormwater permit or is not required to obtain a stormwater permit;

- d) A statement indicating that the applicant has either filed a hazardous materials business plan or is not required to file that plan; and,
 - e) The tax identification number assigned by the Franchise Tax Board.
- 4) Requires the Department of the California Highway Patrol to inspect vehicles previously declared a total loss during the dismantling process when such vehicles are later presented to DMV for registration after reconstruction.
 - 5) Requires DMV to collaborate with the State Board of Equalization, the California Environmental Protection Agency, the Department of Toxic Substances Control, the State Water Resources Control Board, the Department of Resources Recycling and Recovery, and the State Air Resources Board (aka strike team) to investigate occurrences of unlicensed automobile dismantling, including resulting tax evasion and environmental damage. The strike team sunsets on January 1, 2020.
 - 6) Requires the strike team to submit a report to the Legislature by January 1, 2019.

This bill recreates the strike team with the same duties, sunsets the strike team on January 1, 2024 and deletes a conflicting statute, as recommended by the strike team report.

COMMENTS:

- 1) *Author's Statement.* Unlicensed dismantling is a sleeper environmental justice, economic, and public health issue. The resulting environmental and public health damage to our communities called for an urgent action from the Legislature in 2016, which resulted in the signing of AB 1858. This measure required the DMV to coordinate enforcement and compliance activity related to unlicensed vehicle dismantling with other state agencies. Since then, there have been over 24 operations throughout California, which have resulted in the identification of 605 unlicensed dismantlers. AB 238 will simply extend the sunset of AB 1858 so that this successful work can continue.
- 2) *What It is.* Vehicle dismantling is the process of disassembling junked vehicles so that parts can be reused and the non-reusable parts recycled or otherwise disposed of. This is a dirty business; vehicles are laden with petrochemicals and toxic materials, which must be properly handled, as well as many pounds of recyclable metals, glass and rubber. The DMV has estimated that 1.2 million

vehicles are disposed of annually in California and nearly one third are processed by unlicensed dismantlers.

- 3) *How Did We Do?* The multi-agency strike team submitted their required report to the Legislature on January 21, 2020.¹ That report noted that unlicensed auto dismantlers operate in the underground economy and do not comply with the licensing requirements, environmental regulatory requirements, insurance obligations, workplace safety requirements, and tax liability that licensed automobile dismantlers comply with. The report tallied numerous successful prosecutions, identified statutory and regulatory weaknesses, and recommended continuation of the strike team. This bill only recreates the strike team for three years and deletes a conflicting statute; it does not implement any of the other suggested statutory reforms.
- 4) *Come Clean.* Supporters note the significant environmental benefits of licensed auto dismantling and the unfair competition resulting from unlicensed dismantlers.

RELATED LEGISLATION:

AB 1858 (Santiago, Chapter 449 of 2016) — Established a temporary multi-agency strike force to coordinate enforcement and compliance activity related to unlicensed and unregulated automobile dismantling, and sunset that strike force on January 1, 2020.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee:

- Annual costs, for fiscal years 2020-21 and 2021-2022, to DMV in the approximate range of \$150,000 to \$300,000. (In fiscal years 2017-18, 2018-19 and 2019-20, DMV received, or will receive, \$294,000, \$282,000 and \$147,000, respectively, for the strike team)
- Annual costs, for fiscal years 2020-21 and 2021-2022, to the Department of Toxic Substances Control (DTSC), of approximately \$600,000 (Hazardous Waste Control Account). The costs cover one investigator, one senior scientist and one attorney for enforcement case development support.
- Costs to other members of the strike force are minor and absorbable.

¹ Department of Motor Vehicles, Vehicle Dismantler Industry Strike Team Report to the Legislature In Accordance with California Vehicle Code Section 11545c; January 21, 2020.

- To the extent the task force reduces unlicensed dismantler activity; there will be increased state and local tax revenues.

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

Association of Deputy District Attorneys
Automotive Recyclers Association
Brash Industries
CA Coalition for Clean Air
California Association of Code Enforcement Officers
California Association of Environmental Health Administrators
California Association of Environmental Health Administrators (CAEHA)
California Auto Dismantlers' and Recyclers' Alliance, INC.
California Coastkeeper Alliance
California College and University Police Chiefs Association
California Metals Coalition
California Narcotic Officers Association
California Narcotic Officers' Association
California Statewide Law Enforcement Association
Californians Against Waste
Coalition for Clean Air
Coastal Environmental Rights Foundation
Comite Pro Uno
Institute of Scrap Recycling Industries, West Coast Chapter
Lkq Corporation
Los Angeles County Professional Peace Officers Association
Los Angeles Waterkeeper
Pick-n-pull Auto Dismantlers
Riverside Sheriff's Association
Sa Recycling, LLC
Schnitzer Steel Industries
State of California Auto Dismantlers Association,
The San Diego County Auto Recyclers Association
West Coast Chapter-institute of Scrap Recycling Industries

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: AB 326 **Hearing Date:** 8/4/2020
Author: Muratsuchi
Version: 7/22/2020 Amended
Urgency: No **Fiscal:** Yes
Consultant: Randy Chinn

SUBJECT: Electric mobility manufacturers

DIGEST: This bill establishes a new method for individuals and companies to use electric vehicle known as an electric mobility manufacturer vehicle membership program.

ANALYSIS:

Existing law:

- 1) Provides several methods for acquiring the use of a vehicle, including renting, leasing, and ownership.
- 2) Establishes specific consumer protections related to the acquisition and use of vehicles, such as advertising restrictions, marketing and disclosure requirements, lemon laws, repossession rules, recall mechanisms, and privacy rules.

This bill creates a new method for acquiring the use of an electric or zero-emission vehicle through an electric mobility manufacturer vehicle membership program.

More specifically:

An electric mobility manufacturer (Manufacturer) is a company that offers an electric mobility manufacturer vehicle, as defined below, and holds a vehicle manufacturer license and an electric mobility manufacturer permit issued by the Department of Motor Vehicles. A Manufacturer does not include an entity that offers an internal combustion engine vehicle or hybrid vehicle directly to a customer, nor an entity that maintains a contractual relationship with a dealer-franchise network in California this is not owned and operated by the electric vehicle manufacturer.

An electric mobility manufacturer vehicle is a vehicle manufactured or caused to be manufactured by a Manufacturer that is 1) all electric or all-alternative energy, 2) in compliance with all federal, state and local laws governing vehicle safety, 3) has two or more doors, and 4) is designed to carry more than 3, but less than 15 passengers, including the driver.

The membership agreement between the Manufacturer and the consumer must contain the following:

- a) The amount of any membership initiation fee;
- b) The amount and interval of any membership fee;
- c) An itemized list of any additional fees, penalties or charges;
- d) The membership term and minimum notice of cancellation, which may not exceed two months;
- e) A statement of the terms and conditions for the right to use the vehicle.

Before the Manufacturer permits a customer to use an electric mobility manufacturer vehicle, the Manufacturer shall ensure that the customer carries valid insurance or has elected to pay a membership fee, which includes the cost of insurance.

The Manufacturer may not disclose any personally identifiable information of a consumer unless the disclosure is required by law, is required to verify and maintain the operational status of the vehicle, is required for maintaining or repair the vehicle, is required to protect or defend the terms of the use of the vehicle, is required to investigate a violation of the membership agreement, or the consumer provides prior opt-in consent that clearly discloses the purpose of the disclosure.

The Manufacturer may not utilize electronic tracking technology to obtain or record the location of the vehicle unless the consumer is expressly made aware of the existence of the tracking technology, the consumer provides written consent, and the technology is used for specified purposes related to the operation of the vehicle, or the information is anonymized.

A Manufacturer that willfully violates the provisions of this bill is subject to a civil penalty of up to \$2000. If the DMV determines that a Manufacturer has violated the terms of its permit, the DMV may suspend or revoke the permit or impose an administrative fine of up to \$10,000 per violation.

Nothing in this bill or a membership agreement may supersede any other state or federal law applicable to an electric mobility manufacturer, including California's laws regarding automobile recalls, the California Consumer Privacy Act, The

Consumers Legal Remedies Act, The Unfair Competition Law, and specified provisions of federal law.

COMMENTS:

- 1) *Author's Statement.* This bill provides consumers with a new option when deciding to obtain a new vehicle. This bill creates a legal framework for "Electric Vehicle Memberships" which will provide access to EVs without up-front costs, financing, or long-term commitments. The bill is needed because the Electric Vehicle Membership model does not squarely fit into existing laws regulating the rental car industry or vehicle leasing.
- 2) *Overview.* Transportation has changed in many remarkable ways over the last decade. From vehicle technology (electric vehicles, autonomous vehicles) to new forms of mobility (Lyft, Uber, carsharing, electric bicycles and scooters) to new ways of acquiring vehicles (CarMax, Carvana), most everything in the transportation industry is dynamic and changing, reflecting innovation in technology and business models as well as new public policy goals emphasizing sustainability and equity. A byproduct of this innovation is increased California employment, both in white collar, professional jobs as well as more traditional manufacturing and assembly jobs.
- 3) *What is it?* The electric vehicle membership model established by this bill is another example of innovation in transportation, combining new technology (EVs) with a new business model (membership). The model has four characteristics which distinguish it from traditional vehicle rentals or leases: Relative short-term, as little as one month; EV or other alternative fuel vehicles only; an all-in price, including maintenance, charging and insurance; a direct relationship between manufacturer and customer. The goal of this model is to make it more attractive for individuals to try an EV by minimizing the financial commitment, simplifying the transaction, and making the vehicle more convenient to operate and maintain.
- 4) *Why Not Lease?* Opponents believe the bill is unnecessary. They contend that the same ends could be achieved under the existing leasing statutes. For example, Volvo offers a subscription service which bundles insurance, maintenance, and vehicle registration.

However, that program has been controversial with the new car dealers, who view it as unfair competition between manufacturers and their franchised dealers and have taken their objections to the New Motor Vehicle Board. The Volvo program is also different from the subscription program established by

this bill as Volvo requires a 24-month commitment while this bill permits a subscriber to terminate the subscription with not more than two months notice.

More generally, lease terms are statutorily defined as at least four months, while the membership program created by this bill could be as little as one. Leases are also regulated under federal law which requires disclosures that are more relevant to long term financial obligations than the shorter terms established by this bill.

- 5) *Why Not Rent?* A subscription service also bears a resemblance to a car rental, which might also serve as the statutory basis for allowing the membership program envisioned by this bill. Nevertheless, supporters contend that the statutory rental limit of 30 days, subject to renewal, is inconsistent with their business model which envisions multi-month memberships. They also note that the rental car statutes prevent them from offering charging, keyless entry, and other subscription services.
- 6) *A New Business Model with Similar Protections.* As vehicles are often a consumer's second largest purchase (behind a home), it is appropriate that the transaction is accompanied with substantial consumer protections. Opponents object that the consumer protections in the bill are inadequate, leaving loopholes including exemption from existing consumer protection and privacy statutes. The author's office has conferred with some of the opponents and resolved many, though not all, of those issues. The result is that this bill contains substantially similar protections to those contained in the existing rental and leasing models. Some of those protections are stated explicitly, such as disclosure requirements, provisions for dealing with collisions and recalls, and privacy protections. Other are contained in existing law, which are cited. The strongest consumer protection is inherent in the model itself, which is the relatively short notice of not more than two months to discontinue the membership.
- 7) *Taking a Peek.* There is much information to be gleaned from how and where a person uses her auto. As with most consumer data, there are tradeoffs between privacy and utility. This bill attempts to strike a balance by permitting the disclosure of personally identifiable information only under specific circumstances, the most notable of which is if the consumer provides prior opt-in consent through a separate agreement that clearly discloses the purpose of the disclosure. Moreover, the bill also allows the manufacturer to obtain the vehicle location only if the consumer provides express written consent and the information is either anonymized or used for a specified purpose, the most notable of which is to provide unspecified member benefits to the customer

provided that all permitted uses are clearly and conspicuously disclosed. If the vehicle location information is disclosed, the customer has the right to obtain the disclosed information. In any event, the provisions of the California Consumer Privacy Act apply.

- 8) *Insurance.* Customers may carry their own insurance or obtain it through the Manufacturer. If obtained through the Manufacturer, the price shall be set by the licensed insurer, no markup is permitted, and the terms shall be clearly and conspicuously disclosed.
- 9) *Diminishing Support.* California has the most ambitious Zero Emission Vehicle (ZEV) goals in the country, which have been backed by supporting policies and substantial funding. However, the main mechanism for supporting those goals, the Clean Vehicle Rebate Program, has been chronically underfunded and is in jeopardy of being unfunded this year. This bill creates an alternative mechanism for supporting ZEVs without any state funding.
- 10) *A Small Step.* The impact of this bill will be small, at least in the first several years. Not until 2022 will the sponsors have a vehicle that can be offered to the public. Their goal is to produce 50,000 units annually after several years; by contrast, Toyota sells about 2 million annually in the US. Even a wildly successful company like Tesla has taken seven years to achieve a market share of about one percent. Yet while the impact is small, it opens the door for more competition, both in the offering of new types of environmentally-friendly vehicles and new means of vehicle acquisition.
- 11) *Double referral.* In a typical year, this bill would have been double-referred to the Senate Judiciary Committee. The committee staff has been engaged with this bill and offers the following comments:
 - a) This bill touches upon various issues within the jurisdiction of the Senate Judiciary Committee. Given that the bill creates a legal framework for providing products and services to consumers, the Senate Judiciary Committee is primarily focused on whether there are appropriate consumer protection provisions that properly balance consumer rights against the business interests, and in this case the environmental interests, advanced by the bill. Critically, new Civil Code Section 3000 makes clear that all other consumer protection laws continue to apply to these transactions with electric mobility manufacturers, including the California Consumer Privacy Act, the Consumers Legal Remedies Act, and the Unfair Competition Law. However, some legitimate concerns from consumer groups remain. Notably, the bill allows for membership initiation fees and a minimum notice of

cancellation requirement of up to two months. Senators may wish to evaluate whether these provisions should be tightened to further protect consumers.

- b) As this bill also includes provisions that concern businesses' collection, use, and disclosure of consumers' personally identifiable information, the Senate Judiciary Committee is also focused on the privacy issues that are raised by the bill. While the sponsors and author have made efforts to address some of the concerns in this space, arguably more can be done to enhance the consent element laid out in the bill so that it provides more meaningful notice and control over what is being done with consumers' personal information. This is especially true given the provisions allowing for the utilization of electronic tracking technology by manufacturers while the vehicles are being used by consumers. This type of surveillance should be tightly controlled given the incredibly sensitive nature of the data. In particular, there is concern that the ability to surveil consumers to "provide any membership benefits" is overly broad and could invite troubling data collection that could include a detailed picture of a consumer's every movement.

- 12) *Technical Amendments.* The bill needs two technical amendments. The first, on page 19, line 20 of the bill corrects a reference to Section 30103 of Title 49 of the United States Code (replace 30102 with 30103). The second, on page 6, line 11 and repeated on page 16, line 37, clarifies that the bill encompasses electric and other zero-emission vehicles (replace "an all-alternative energy powered vehicle that is in compliance with all of the emissions requirements set by the State Air Resources Board." With "Zero-emission vehicle as defined in Section 44258 of the Health and Safety Code." As an observation, the term "electric mobility manufacturer" and "electric mobility manufacturer vehicle" are misnomers as the vehicles can be non-electric so long as they are zero-emission.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

Canoo INC.
Center for Biological Diversity
City of Thousand Oaks
Coalition for Clean Air
Consumers for Auto Reliability & Safety
Environment California
Los Angeles County Economic Development Corporation
Natural Resources Defense Council
Rivian
Sierra Club
Union of Concerned Scientists
Voices for Progress

OPPOSITION:

Alliance for Automotive Innovation
California New Car Dealers Association
Consumer Attorneys of California

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: AB 408 **Hearing Date:** 8/4/2020
Author: Frazier
Version: 1/23/2020
Urgency: No **Fiscal:** Yes
Consultant: Randy Chinn

SUBJECT: Vehicles: disabled veterans

DIGEST: This bill requires the Department of Motor Vehicles (DMV) to accept a certificate certifying a veteran is disabled for the purpose of a disability license plate from a County Veteran Service Officer (CVSO) or the Department of Veteran Affairs (CALVET).

ANALYSIS:

Existing law:

- 1) Requires a disabled person, in order to obtain a disabled placard or plate, to submit a certificate signed by a physician, surgeon, or licensed chiropractor indicating that the person has lost the use of one or more lower extremities or both hands (one hand for a disabled veteran), or who has a significant limitation in the use of his or her lower extremities.
- 2) Allows DMV to accept a certificate from the United States Department of Veteran Affairs (VA) in lieu of the certificate described above for a disabled veteran.
- 3) Defines a “disabled veteran” as a veteran who suffers any of the following:
 - a) Has a disability which has been rated at 100 by VA or the military service from which the veteran was discharged, due to a diagnosed disease or disorder which substantially impairs or interferes with mobility.
 - b) Is so severely disabled as to be unable to move without the aid of an assistant device.
 - c) Has lost, or has lost use of, one or more limbs.
 - d) Has suffered permanent blindness.

This bill expands who can certify to the DMV that a veteran is disabled, for the purpose of obtaining a disabled placard or plate, to also include a County Veteran Service Officer (CVSO) and the Department of Veteran Affairs (CalVet).

COMMENTS:

- 1) *Author Statement.* “Historically California has used a California-unique letter issued by VA to substantiate that a veteran applying for Disabled Veteran license plates is qualified to receive them. This worked fine when all paperwork for California veterans came from one of the three VA regional offices located in California. This process has changed over the last 5-10 years. Today when a veteran makes a request for the disabled plate qualification letter from the VA, that request is more likely to be fulfilled by a regional office outside California. Regional Offices outside California are unaware of this California-unique documentation and typically send the veteran the wrong documentation. Subsequently, the veteran lacks the necessary documentation for DMV to issue the disabled veteran plate. The current process is overly bureaucratic, frustrating, and essentially denies eligible veterans a benefit they have justifiably earned.”
- 2) *Skip the Line.* Disabled veteran license plates allow for free and unrestricted parking in most public parking spaces as well as use of preferential spaces. Disabled veterans are also entitled to an exemption of most vehicle fees for one passenger or commercial motor vehicle. Obtaining this benefit requires the applicant to demonstrate that they are a qualified disabled veteran. This requires either certification by a medical professional or the U.S. Department of Veterans Affairs (VA). The VA currently has a substantial claims backlog, increasing from about 80,000 nationwide in the period from 2016 through 2019 to 180,000 in July 2020¹.

This bill allows CVSOs and CalVet to obtain certification of a veterans disability, providing an alternative to going through from the VA. This certification is obtained from an existing VA database known as VBMS. The database indicates the degree to which the veteran is disabled so the CVSOs and CalVet won't be making an independent judgement of the veteran's disability. They will simply be accessing the same database the VA accesses, allowing applicants to skip the substantial VA backlog.

- 3) *General Concerns with Disabled License Plate Abuse.* California has a long track record of disabled license plate abuse. In 2016 the California State Auditor reported that the DMV does not sufficiently ensure that applications for

¹ Veterans Benefits Administration Website (benefits.va.gov/reports/mmwr_va_claims_backlog.asp).

placards or plates are legitimate and recommended several improvements to reduce fraud and abuse (Report 2016-121), some of which were legislatively enacted.

- 4) *Double Referral*. In a normal year, this bill would have been doubled referred to the Veterans Affairs Committee. The committee staff has been consulted and they indicate no specific concerns with this bill, though they express general concerns that the DMV is too stringent in determining whether a partial disability qualifies a veteran for a disabled veteran plate or placard.

RELATED LEGISLATION:

SB 611 (Hill, Chapter 485, Statutes of 2017) — Enacted several provisions to improve the oversight of California's disabled license plate program.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee:

- Minor DMV costs related to forms modifications. (Special fund.)
- Potential revenue loss to DMV of an unknown amount, to the extent this bill increases the number of eligible disabled veterans who apply for a disability license plate. This potential loss results from disabled veterans being exempt from registration fees for one vehicle. It is unknown how many more disabled veterans, if any, will apply and qualify for a disability license plate—and the related waiver of registration fees—in response to this bill.

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

American G.i. Forum of California
 American Legion, Department of California
 Amvets, Department of California
 California Association of County Veterans Service Officers
 California State Commanders Veterans Council
 County of Fresno
 County of Santa Clara
 Fresno; County of
 Military Officers Association of America, California Council of Chapters

National Guard Association of California
National Veterans Group
San Diego; County of
Stanislaus; County of
Ventura; County of
Vietnam Veterans of America, California State Council

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 2006	Hearing Date:	8/4/2020
Author:	Fong		
Version:	1/28/2020		
Urgency:	No	Fiscal:	Yes
Consultant:	Randy Chinn		

SUBJECT: State Highways: relinquishment: State Highway Route 184

DIGEST: This bill allows the California Transportation Commission (CTC) to relinquish to the County of Kern and the City of Bakersfield a portion of State Route (SR) 184.

ANALYSIS:

Existing law:

- 1) Identifies the California state highway system through a description of segments of the state's regional and interregional roads that are owned and operated by the Department of Transportation (Caltrans).
- 2) Defines a "state highway" as any roadway that is acquired, laid out, constructed, improved, or maintained as a state highway according to legislative authorization.
- 3) Specifies that it is the intent of the Legislature for the routes of the state highway system to connect the communities and regions of the state and that they serve the state's economy by connecting centers of commerce, industry, agriculture, mineral wealth, and recreation.
- 4) Provides that any expansion or deletion of the state highway system occurs through a statutory process requiring the CTC to make findings that it is in the best interest of the state to include or delete a specified portion of roadway from the system.

This bill:

- 1) Allows the CTC to relinquish to the County of Kern and the City of Bakersfield the portion of SR 184 that is located within the unincorporated area of the county and within the city limits between Route 58 and Route 178, if the department and the county and city enter into an agreement.
- 2) Upon relinquishment, the relinquished portion of SR 184 ceases to be a state highway.

COMMENTS:

- 1) *Purpose.* The purpose of this bill is to turn over responsibility for a portion of SR 184 to the City of Bakersfield, the County of Kern, and the Kern Council of Governments, relieving Caltrans from that responsibility, and allowing for quicker response to safety concerns. The author notes that the current highway has functioned as a local road for a number of years.
- 2) *Relinquishments.* Each session, the Legislature passes and the governor signs numerous bills authorizing CTC to relinquish segments of the state highway system to local jurisdictions. Relinquishment transactions are generally preceded by a negotiation of terms and conditions between the local jurisdiction and Caltrans. Once an agreement has been established, CTC typically approves the relinquishment and verifies its approval via a resolution.
- 3) *Support.* Supporters note that there have been safety issues along this highway, including vehicle collisions and pedestrian accidents associated with a nearby high school. They believe that by relinquishing this portion of the highway they will implement appropriate safety measure more than Caltrans has. They state that the City, County and Caltrans all agree that a relinquishment is in the public interest.

RELATED LEGISLATION:

SB 921 (Dahle, 2020) — Authorizes relinquishment of a portion of Route 174 in the City of Grass Valley. This bill is pending in the Assembly Transportation Committee.

AB 1456 (Kiley, Chapter 619 of 2019) — Authorizes relinquishment of a portion of Route 193 to the City of Lincoln.

SB 757 (Allen, 2019) — Authorizes relinquishment of a portion of Route 710. This bill is pending in the Assembly.

SB 989 (Wieckowski, Chapter 461 of 2018) — Authorizes relinquishment of a portion of Route 84 to the City of Fremont.

AB 2272 (Mayes, Chapter 433 of 2018) — Authorizes relinquishment of a portion of Route 111 to the City of Palm Springs.

AB 2473 (Bonta, Chapter 321 of 2018) — Authorizes relinquishment of a portion of Route 185 to the City of San Leandro.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee:

- There will be negligible state costs.

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

County of Kern
Kern Council of Governments
Kern County Public Works

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: AB 2038 **Hearing Date:** 8/4/2020
Author: Committee on Transportation
Version: 5/4/2020
Urgency: No **Fiscal:** Yes
Consultant: Katie Bonin

SUBJECT: Transportation: omnibus bill

DIGEST: This bill makes several non-substantive, non-controversial changes to provisions of law related to transportation.

ANALYSIS:

According to the Legislative Analyst's Office, the cost of producing a bill in 2001-2002 was \$17,890. By combining multiple matters into one bill, the Legislature can make minor changes to law in the most cost-effective manner.

Proposals included in this transportation omnibus bill must abide by the Senate Transportation Committee policy on omnibus bills. The proposals have to be non-controversial and non-policy changes to various committee-related statutes. The proponent of an item submits proposed language and provides background materials to the Committee for the item to be described to legislative staff and stakeholders. Committee staff provides a summary of the items and the proposed statutory changes to all majority and minority consultants in both the Senate and Assembly, as well as all known or presumed interested parties. If an item encounters any opposition and the proponent cannot work out a solution with the opposition, the item is omitted from or amended out of the bill. Proposals in the bill must reflect a consensus and be without opposition from legislative members, agencies, and other stakeholders.

Existing law:

- 1) Requires, for each parking offense for which a parking penalty, fine, or forfeiture is imposed, an added penalty of \$3 to be imposed in addition to the penalty fine, or forfeiture set by the city, district, or other issuing agency.
- 2) Prohibits the validity of an assessment of a property and business improvement district (PBIDs) from being contested, unless the contestation is initiated within

30 days after the assessment resolution is adopted pursuant to Streets and Highway Code (SHC) §36626.

- 3) Requires the Department of Motor Vehicles (DMV) to report to the Legislature on the progress of a medical dispatch training that became obsolete on January 1, 1988.
- 4) Creates a pilot program and requires the DMV to submit a report on the program by September 1, 1994.

This bill:

- 1) Creates conforming changes in language related to parking offenses and parking infractions in Government Code §76000.3.
- 2) Removes a reference to an obsolete code section relating to PBIDs and replaces it with a relevant reference.
- 3) Removes an obsolete reporting requirement established for DMV medical dispatch training that became obsolete in 1988.
- 4) Repeals provisions related to a two-year pilot program for emergency road service organizations that became obsolete in 1994.

COMMENTS:

- 1) *Author's statement.* According to the Assembly Committee on Transportation, "the purpose of omnibus bills is to make a number of minor, non-controversial changes to statute at one time in a cost-effective manner. If issues arise that cannot be resolved, the provision of concern will be deleted from the bill. There is no known opposition to any item in this bill."

Specifically, this bill includes the following provisions, with the proponent of each provision noted in brackets.

- 2) *Offense vs. Violation.* Government Code §76000.3 was added by SB 857 (Chapter 720, Statutes of 2010), the Judiciary budget trailer bill, with sunset provisions later removed by SB 1021 (Committee on Budget and Fiscal Review, Chapter 41, Statutes of 2012). This section generally imposes a \$3 penalty surcharge on "each parking offense" where a parking penalty, fine, or forfeiture is imposed, without reference to whether the offense is an infraction

or misdemeanor. However, rather than referring to “parking offenses,” the provisions describing how this surcharge should be collected refers to “infraction parking violations” or “parking violations.” The inconsistency in the terms used creates ambiguity in the code regarding whether those rare parking violations charged as misdemeanors are also subject to the surcharge.

By using “parking offense” throughout the section, this bill clarifies that the \$3 surcharge applies to misdemeanors and makes the code internally consistent. [Judicial Council of California]

- 3) *Obsolete Code.* PBIDs were created as a financing mechanism where property owners enter into a special assessment district to improve their commercial districts. The 1994 PBID Act specified multiple procedures for establishing a PBID, including the passage of a resolution of establishment (SHC §36626) and a resolution of formation (SHC §36625). Nevertheless, some practitioners argued that the resolution of establishment was duplicative of the resolution of formation and the management district plan, which together specify the purposes and activities of a PBID. SB 1498 (Senate Committee on Local Government, Chapter 467, Statutes of 2018) repealed the requirement to enact a resolution of establishment. Yet, current law regarding contestation of PBID assessments (SHC §36633) still reference the obsolete code section.

This bill removes reference to the obsolete section and replaces it with the appropriate reference to resolution of formations. [California Travel Association]

- 4) *Stuck In The Past?* Existing law requires the DMV to determine and implement basic level of emergency medical dispatcher training for dispatchers employed by the DMV. Existing law also requires the DMV report to the Legislature on the progress of this training program no later than January 1, 1988.

This bill repeals the obsolete reporting requirement. [Assembly Transportation Committee]

- 5) *Pilot Program.* Existing law creates a two-year pilot program for emergency road service organizations, commencing on July 1, 1992 with a report requirement to the Legislature no later than September 1, 1994.

This bill repeals the provisions related to this pilot project. [Assembly Transportation Committee]

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee:

- There is no fiscal effect.

Assembly Votes:

Floor	76 - 0
Approps	18 - 0
Trans	15 - 0

POSITIONS: (Communicated to the committee before noon on Monday,
July 27.)

SUPPORT:

Judicial Council of California

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: AB 2141

Hearing Date: 8/4/2020

Author: Mathis

Version: 3/4/2020

Urgency: No

Fiscal: Yes

Consultant: Randy Chinn

SUBJECT: Department of Motor Vehicles

DIGEST: This bill authorizes DMV to exempt specified veterans from certain commercial driver's license tests.

ANALYSIS:

Existing federal regulations:

- 1) Permits states to waive the knowledge and skills test required to obtain a commercial driver's license for certain individuals with military commercial motor vehicle experience.

Existing state law:

- 1) Prohibits an individual from operating a commercial motor vehicle unless he or she has in his or her immediate possession a valid commercial driver's license (CDL) of the appropriate class.
- 2) Requires a CDL for a variety of trucks weighing more than 26,000 lbs., passenger buses, and vehicles carrying hazardous materials.
- 3) Requires an individual, in order to obtain a CDL, to successfully complete both a written and driving test that comply with the minimum federal standards to operate a commercial motor vehicle. Separate endorsements, obtained through successful completion of knowledge tests, are required for driving tank vehicles, commercial vehicles transporting hazardous materials, commercial vehicles transporting passengers, and other specified commercial motor vehicles.
- 4) Authorizes DMV to waive the driving test for an individual with military commercial motor vehicle experience if the individual is currently licensed with

the U.S. Armed Forces and his or her driving record and experience meet the minimum federal standards.

- 5) Exempts active duty members and most reservists of the U.S. Armed Forces, active duty members of the National Guard, and active duty personnel of the U.S. Coast Guard from all CDL requirements and sanctions.

This bill:

- 1) Authorizes DMV to waive the knowledge test for obtaining a commercial driver's license (CDL) for specified military veterans who have received equivalent military training.
- 2) Authorizes DMV to waive the specialized knowledge tests required to obtain an endorsement for tank vehicles, commercial vehicles transporting hazardous materials, and commercial vehicles transporting passengers for specified military veterans who have received equivalent military training.
- 3) Deletes the state policy statement prohibiting the waiving of fees for obtaining CDLs by veterans.

COMMENTS:

- 1) *Background.* Pursuant to federal law, in 2014 the DMV implemented the Troops to Trucks program to make it easier for trained military veterans to obtain civilian commercial driver's licenses (CDL), which are required to operate large trucks and busses. The program allows DMV to waive the CDL driving test for qualified military service members who are or were, employed within the last year in a military position requiring the operation of a military vehicle equivalent to a commercial motor vehicle. To be eligible the individual need to have a relatively clean driving record including no alcohol or drug offenses, no record of at-fault accidents, and few traffic violations. The DMV has waived 1500 tests since the program inception.

In 2018, federal rules were expanded to also allow for waivers of the CDL knowledge test. This bill authorizes the DMV to waive the CDL knowledge tests, in addition to waiving the driving test allowed under current DMV regulations. In addition, the bill authorizes the waiver for specialized knowledge tests for operating tank vehicles, transporting hazardous materials, and transporting passengers.

- 2) *Eliminating Duplicative Testing.* Commercial vehicles are bigger and heavier than passenger vehicles. They are harder to drive and, because of their mass and payload, create increased risk for others. Consequently, additional testing is required to earn a license to drive commercial vehicles. Recent legislation has recognized that commercial driver training can be inadequate leading to injury and death (SB 1236, Monning, Chapter 984 of 2018). However, there seem to be no concerns that the testing exemptions created by this bill will create unnecessary public risk. The California Highway Patrol has reviewed the provisions of this bill and does not have any concerns. They believe that the military driver training is sufficient and note that several other states have adopted these provisions without incident.
- 3) *Fees.* This bill removes the statutory statement of state policy against waiving CDL fees for veterans, but the bill does not mandate that fees be waived. CDL fees are \$82 with additional fees for tank or hazardous materials endorsements.

RELATED LEGISLATION:

SB 1236 (Monning, Chapter 984 of 2018) — Requires DMV to adopt regulations relating to entry-level driver training requirements for commercial truck drivers.

AB 2659 (Bloomfield, Chapter 406 of 2012) — Authorizes DMV to waive the CDL skills test for certain military members.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee:

- Minor, absorbable costs to DMV to update internal policies and procedures, create new certification forms and update DMV publications and website content.
- This bill removes from statute a prohibition against waiving any fees required by law for a commercial driver's license; however, the bill does not authorize DMV to waive commercial driver's license fees for current or former members of the armed forces. Presumably, DMV would not waive fees for such individuals, absent explicit legislative authorization to do so.

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 2172	Hearing Date:	8/4/2020
Author:	Petrie-Norris		
Version:	2/11/2020		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: State highways: Route 133: relinquishment

DIGEST: This bill allows the California Transportation Commission (CTC) to relinquish segments of State Route (SR) 133 in the City of Laguna Beach.

ANALYSIS:

Existing law:

- 1) Identifies the California state highway system through a description of segments of the state's regional and interregional roads that are owned and operated by the Department of Transportation (Caltrans).
- 2) Defines a "state highway" as any roadway that is acquired, laid out, constructed, improved, or maintained as a state highway according to legislative authorization.
- 3) Specifies that it is the intent of the Legislature for the routes of the state highway system to connect the communities and regions of the state and that they serve the state's economy by connecting centers of commerce, industry, agriculture, mineral wealth, and recreation.
- 4) Provides that any expansion or deletion of the state highway system occurs through a statutory process requiring the CTC to make findings that it is in the best interest of the state to include or delete a specified portion of roadway from the system.

This bill:

- 1) Authorizes CTC, upon determining it is in the best interests of the state and upon an agreement being reached between the Department of Transportation

(Caltrans) and the City of Laguna Beach, to relinquish a portion of SR 133 from SR 1 to El Toro Road.

- 2) Requires the city to ensure continuity of traffic flow, maintain traffic signal progression, and maintain signs along the segments in their jurisdiction directing motorists to the continuation of SR 133.

COMMENTS:

- 1) *Author's statement.* According to the author, "SR 133 is one of only two exit and entry routes to and from the City of Laguna Beach and its maintenance provides for the safety of my constituents, especially in the event of an evacuation due to a fire. Currently, the City is exploring opportunities to vastly improve SR 133 for their residents and visitors. AB 2172 would authorize California Transportation Commission to transfer ownership of State Route (SR) 133 between SR 1 and El Toro Road to the City of Laguna Beach subject to an agreement between the State and the City."
- 2) *Relinquishments.* Each session, the Legislature passes and the Governor signs numerous bills authorizing CTC to relinquish segments of the state highway system to local jurisdictions. Relinquishment transactions are generally preceded by a negotiation of terms and conditions between the local jurisdiction and Caltrans. Once an agreement has been established, CTC typically approves the relinquishment and verifies its approval via a resolution.
- 3) *SR-133.* SR-133 connects SR-1 in Laguna Beach through the San Joaquin Hills with several freeways in Irvine, ending at the SR-241. In 1998, the majority of the Eastern Transportation Corridor opened, and the connector between I-5 and SR-241 was designated as a toll extension of SR 133. Specifically, SR-133 between SR-1 and El Toro Road is a 3.4-mile long segment originating in downtown Laguna Beach and entering Laguna Canyon as it travels north. El Toro Road is SR-133's first major intersection. As mentioned, the northernmost part of SR-133 is a toll road; however, the segment considered for relinquishment in this bill is not a part of, nor directly adjacent to, the toll road facility.

The City of Laguna Beach is currently conducting a feasibility study to assess the potential needs of SR-133. The feasibility study will enable Laguna Beach to determine if they desire to have the state relinquish control of SR-133. If the relinquishment occurs, Laguna Beach would have more flexibility to implement standards related to its goals for future projects that are vested in the

community's interests, including traffic calming measures and undergrounding of overhead utilities lines that will mitigate safety risks and provide for the overall wellbeing of residents and visitors.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee:

- There will be negligible state costs.

POSITIONS: (Communicated to the committee before noon on Monday, July 27, 2020.)

SUPPORT:

None received.

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 2285	Hearing Date:	8/4/2020
Author:	Committee on Transportation		
Version:	5/4/2020		
Urgency:	No	Fiscal:	Yes
Consultant:	Katie Bonin		

SUBJECT: Transportation

DIGEST: This bill makes numerous non-controversial alterations to transportation-related statutes.

ANALYSIS:

Existing law:

- 1) Requires a person driving a vehicle on a freeway that approaches a stationary authorized emergency vehicle displaying emergency lights, a stationary tow truck, or a California Department of Transportation (Caltrans) vehicle displaying flashing amber warning lights, to approach, with due caution, and before passing in a lane immediately adjacent to any of these vehicles, do one of the following:
 - a) Make a lane change into an available lane not immediately adjacent to the authorized emergency vehicle, tow truck, or Caltrans vehicle, with due regard for safety and traffic conditions, if practicable and not prohibited by law.
 - b) If the maneuver described above would be unsafe or impracticable, slow to a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions.
- 2) Establishes a pilot program administered by Department of Motor Vehicles (DMV) for alternative license plates and vehicle registrations that expires on January 1, 2021.
- 3) Establishes, in Senate Bill 1, that Road Maintenance and Repair Act (RMRA) revenues are to be dedicated to specific programs.

- 4) Establishes the Clean Truck Program, administered by the California Air Resource Board (ARB) in conjunction with California Energy Commission (CEC), to use Greenhouse Gas Reduction Fund (GGRF) revenues for development, demonstration, pre-commercial pilot, and early commercial deployment of zero- and near zero-emission truck, bus, and off-road vehicle and equipment technologies and requires ARB, in consultation with CEC, to create an annual framework and plan for technology development.

This bill:

- 1) Extends the obligation for a person driving a vehicle to slow down and move over for certain stationary vehicles displaying flashing amber or emergency lights on the freeway to also apply on local streets and roadways.
- 2) Extends the pilot program for alternative license plates and vehicle registrations issued by the DMV until January 1, 2023.
- 3) Continuously appropriates interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account (RMRA) to Caltrans for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program (SHOPP).
- 4) Extends by one year, until January 1, 2022, the requirement that ARB dedicate 20% of California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program (Clean Truck Program) to support early commercial deployment of existing zero- and near-zero-emission heavy-duty trucks.

COMMENTS:

- 1) *Author's Statement.* According to the author, "in light of the COVID-19 pandemic and appreciating the need for the Legislature to be mindful of the volume of bills under consideration during this legislative session, the Assembly Transportation Committee consolidated four noncontroversial measures, initially introduced separately by members of that committee, into a single bill. Each of the four provisions in the bill are substantive, but minor policy changes without opposition."
- 2) *Slow Down, Move over.* According to the Center for Disease Control, between 2006 and 2016 more than one officer per week has been killed on the road

nationally. Roadside deaths have been the leading cause of death for officers while on duty. Between 2007 and 2016, 130 officers were killed in the U.S. as a result of being struck by a vehicle while on foot. In 2006, the Legislature passed and Governor Schwarzenegger signed SB 1610 (Simitian, Chapter 375, Statutes of 2006), which established the requirement for drivers to slow down and move over when approaching a stationary emergency vehicle, tow truck, or Caltrans vehicle while on the side of the freeway. This bill broadens that provision to also include local streets and roadways.

According to the California Association of Highway Patrolmen, who is sponsoring this provision, and only this provision, of the bill, "As you know, California Highway Patrol (CHP) officers are run down on the freeways far too often. The fact that we have a 'Slow Down – Move Over' law has not stopped all of the deaths; although, it has helped reduce them. This bill will further reduce deaths and injuries on highways and roadways. We are currently gathering statistics about crashes caused by motorists not moving over, but I can tell you, anecdotally, in talking to CHP officers all over California, the number of near-misses is staggering."

This provision comprised the committee bill as introduced, and was introduced to enhance safety and create uniformity for the rules of the road. During the novel coronavirus pandemic, speeding dramatically increased. Between March 19 and April 19, CHP issued 87% more speeding tickets to drivers going above 100 miles per hour than over the same period last year. This provision can help ensure the safety of our essential workers.

- 3) *Pilot program alternative license plates and vehicle registration.* In 2013, the Legislature passed and Governor Brown signed SB 806 (Hueso, Chapter 569, Statutes of 2013), authorizing DMV to establish a pilot program to evaluate the use of alternatives to license plates, registration stickers, and registration cards. That pilot has been extended multiple times since its introduction. Last year, DMV recommended making the program permanent, and this year Assembly member Gipson introduced AB 2770 to make this program permanent. This bill instead extends the pilot by two years.

The pilot program established by SB 806 is set to expire on January 1, 2021. This bill merely extends the pilot program for two years instead of making it permanent so DMV can focus on more pressing issues than having to promulgate new regulations related to digital license plates in the midst of the pandemic, while still ensuring those participating in the pilot can continue to use the \$700 digital license plates they purchased.

- 4) *Highway maintenance.* This provision, as originally proposed by Assembly member Daly in this year's AB 2310, continuously appropriates to Caltrans the interest earnings derived from revenues deposited in the RMRA for maintenance of the state highway system or for purposes of the SHOPP.

In 2017, the Legislature passed and Governor Brown signed into law the Road Repair and Accountability Act (SB 1, Beall, Chapter 5), which created the RMRA, the account into which the state deposits about \$3 billion annually in state transportation revenues over the course of a fiscal year as they are collected. As is the case for the General Fund and other special funds, the RMRA carries a cash balance associated with it to ensure the availability of funds. This cash balance is invested in interest-bearing financial instruments through the state's Pooled Money Investment Account.

Whereas SB 1 dedicates the revenues deposited into the RMRA to specified programs, the legislation does not contain statutory language dedicating interest earnings to specific programs. Thus, the interest earnings effectively end up in the account's cash balance. To ensure these interest earnings do not accumulate unnecessarily, the California Transportation Commission recommended in its Annual Report to the Legislature that the interest earnings be dedicated to the SHOPP.

The University of California (UC) Road Ecology Center at UC Davis has reported traffic is down as much as 50% as a result of the shelter-in-place orders issued as a result of the novel coronavirus pandemic. Less driving means less fuel consumption, which means a loss in gas tax revenue. This provision can ensure additional funds are available for the SHOPP program at a time that gas tax revenues are down as a result of the shelter in place order.

- 5) *Zero and near-zero heavy duty trucks.* Nearly 40% of California's greenhouse gas (GHG) emissions are generated by the transportation sector, which includes both the light-duty (passenger fleet) and medium- and heavy-duty fleets. While cleaning up the entire transportation sector is important, efforts to improve the heavy-duty vehicle fleet is a high priority because, in addition to GHGs, this sector contributes greatly to a variety of smog-forming pollutants such as oxides of nitrogen (NOx), particulate matter, reactive organic gasses, and other toxic air contaminants that contribute to poor air quality and associated health impacts.

To help accelerate the deployment of zero- and near-zero-emission heavy-duty trucks, the Legislature passed and Governor Brown signed SB 1204 (Lara, Chapter 524, Statutes of 2013), which created the Clean Truck Program. This

Program was designed to use GGRF funds to develop, demonstrate, pilot, and deploy zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies. To help the Clean Truck Program better meet the goal of benefiting disadvantaged communities, SB 1204, among other things, required ARB, until January 1, 2018, to dedicate no less than 20% of the program's funding to support early commercial deployment of zero- and near-zero emission heavy duty truck technology. By creating this set aside, SB 1204 sought to ensure that cleaner trucks were be deployed sooner to provide immediate emissions reduction and air quality improvement benefits. The set aside was later extended until January 1, 2021.

Assembly member O'Donnell this year introduced AB 2860 to extend the set aside until the end of 2025 and clarify the definition of near-zero emission vehicles. The provision in AB 2285 instead extends that sunset by one year, until the end of 2022 so a more robust conversation about the future of the program can take place in next year's legislative session.

FISCAL EFFECT: Appropriation: Yes Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee:

- The bill results in no state costs.
- The bill does have fiscal effects. It continuously appropriates millions of dollar in interest earnings to state highway maintenance.
- In addition, it requires ARB to continue, for another year, to dedicate millions of Clean Truck Program dollars to support early commercial deployment of existing zero- and near-zero-emission heavy duty-trucks.

Assembly Votes:

Floor	78-0
Approps	18-0
Trans	15-0

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

AAA Northern California, Nevada, and Utah

Alameda County Industries
Alameda County Industries of San Ramon
Amador Valley Industries
American Refuse
Arrow Services, INC.
Atlas Disposal
Auto Club of Southern California (AAA)
Bioenergy Association of California
Burrtec Waste Industries, INC.
California Association of Highway Patrolmen
California Natural Gas Vehicle Coalition
California State Sheriffs' Association
California Waste Haulers Council
Calmet Services, INC.
Clean Energy
Cleanstreet
Coalition for Renewable Natural Gas
E.j. Harrison and Sons, INC.
Food Express, INC.
Garden City Sanitation
Harris Ranch
Interior Removal Specialist, INC.
Livermore Sanitation
Mid Valley Disposal
Milpitas Sanitation
Mustang Renewable Power Ventures
Napa Recycling and Waste Services
National Ready Mixed Concrete Company
Palm Springs Disposal Services
Pleasanton Garbage Service
Refuel Energy Partners
Republic Services INC.
Resource Recovery Coalition of California
South San Francisco Scavenger Company
STAR Concrete
Transportation California
Tule Trash Company
Turlock Scavenger Company
Universal Waste Systems, INC.
Valley Vista Services, INC.
Ware Disposal, INC.
Western Milling

OPPOSITION:

None received.

-- END --

Fuel standards

- 1) Specifies that the Secretary of Agriculture shall establish the method of sale of motor vehicle fuels and lubricants sold at retail to the public. (BPC §13404.5)
- 2) Requires the Secretary of Agriculture to make rules and regulations to define and enforce the octane number, antiknock index labeling requirements, or other labeling requirements of engine fuels. (BPC §13480(c))
- 3) Authorizes the California Department of Food and Agriculture (CDFA) to allow engine fuels that are under development to meet requirements that vary from typical specifications. (BPC §13405)
- 4) Defines various types of motor vehicle fuels and fuel blends including biodiesel, ethanol, gasoline, and gasoline-oxide blend. (BPC §13400)

This bill defines “Dimethyl ester-propane fuel blend,” as a motor vehicle fuel consisting primarily of liquefied petroleum gas meeting the requirements of ASTM International Standard Specification D1835 mixed with dimethyl ether meeting the requirements of ASTM International Standard Specification D7901.

- 5) Specifies that the antiknock index for gasoline and gasoline oxygenated blends shall not be less than 87. (BPC §13440)

This bill specifies that the antiknock index for dimethyl ether-propane fuel shall not be less than 87.

- 6) Requires CDFA to establish specification for automotive fuels through reference to standards developed by a recognized consensus organization or via interim specifications. Requires gasoline, gasoline-oxygenate blends, ethanol fuel blends, methanol fuel blends, liquefied petroleum gas, and natural gas to meet the latest specification set forth by ASTM International or SAE International, as specified. (BPC §13440, §13446)

This bill requires dimethyl ether-propane fuel blends used as motor vehicle fuel to meet the latest specifications set forth by the ASTM International and, if ASTM International specifications do not exist, requires the secretary to establish interim specifications by regulation.

- 7) Requires automotive fuels sold to conform to CDFA specifications. (BPC §13441)
- 8) Prohibits any business from selling automotive fuel unless the price, including taxes, of the fuel is displayed on the dispensing apparatus. (BPC §13470)

Requires every business selling automotive fuels to display the total prices of the three major grades of motor vehicle fuel offered for sale so that they are clearly visible from the street. Exempts propane, electricity, and natural gas from the requirement that their price be visible from the street. (BPC §13531)

This bill also exempts DME-propane blend from the requirement that price signage be visible from the road.

COMMENTS:

- 1) *Purpose.* According to the author, “AB 2663 will make the necessary amends to the CA Business and Professions Code and the CA Revenue and Taxation Code to authorize the retail sale and dispensing in California of DME and DME blended with LPG for use as motor vehicle fuels. DME is a clean burning, non-toxic fuel replacement for heavy duty diesel trucks and agriculture equipment that currently rely on petroleum diesel. Similarly, DME can also be used as a cost-effective blending agent with liquefied petroleum gas – which is used to fuel school buses, shuttles, and local government vehicles -- that can reduce LPG’s carbon intensity. Moreover, up to 20% of DME can be blended with LPG without requiring any modifications to vehicles that operate on LPG or to the existing LPG fueling infrastructure. AB 2663 will help facilitate enhanced production and commercial availability of cleaner burning alternative fuel options for California’s consumers which, in turn, will provide tangible benefits to the state’s air quality and economy.”
- 2) *Development of DME as a vehicle fuel.* DME is widely used in the chemical industry and under development as an alternative to diesel. It is an odorless gas at atmospheric pressure and may be compressed into liquid form for handling or applications. The overall environmental impact of using DME as a transportation fuel depends on multiple factors throughout its lifecycle, including whether it is made from fossil fuel or renewable feedstock. However, DME as an alternative to diesel can virtually eliminate particulate emissions and potentially negate the need for costly diesel particulate filters. DME has half the energy density of diesel fuel, though, getting about half as many miles per gallon of fuel. Vehicles need a specially designed engine to run on DME, and a number of DME vehicle demonstrations have been held in Europe and

North America. However, vehicles that operate on propane can also be fueled with a blend of propane and DME. According to the California Department of Tax and Fee Administration (CDTFA), over 9 million gallons of propane vehicular fuel was sold in fiscal year 2018-2019.

To date, CDTFA also has no reported DME fuel sales. However, the California Energy Commission (CEC) recently approved a \$2.88 million grant for the sponsor of this measure, Oberon Fuels, Inc., under the Alternative and Renewable Fuel and Vehicle Technology Program. According to Oberon's grant application, this funding will "move Oberon's existing DME pilot facility to demonstration scale and facilitate the first production of [renewable] DME in the United States." Writing in support, they say this upgrade will ramp up target DME production capacity to about 1.56 million gallons of DME per year, "The fuel produced under this CEC grant will ultimately be made available in the form of DME and DME blended with LPG to local fleets operating in Imperial Valley and other Southern California locations."

- 3) *Regulation of alternative fuels.* The CDFA is the only state agency with the authority to regulate the quality of fuel and automotive products. No other state agency has the authority to regulate weights and measures, advertising, labeling, and fuel quality requirements for motor vehicle fuels and automotive products. All fuels must comply with fuel-quality standards and advertising and labeling requirements. CDFA's regulatory authority over conventional fuels, gasoline and diesel, reaches back over a decade, and AB 808 (Ridley-Thomas, Chapter 591, Statutes of 2015) expanded their authority to alternative fuels-biodiesel, dimethyl ether, ethanol, and natural gas among them. Because national fuel quality standards may not exist for emerging fuels, AB 808 also tasked CDFA with establishing interim standards if national standards do not exist.

This bill makes the statutory changes to enable retail sale of DME-propane fuel blend as an alternative fuel. These changes include adding DME-propane fuel blend to the codified list of alternative fuels and defining it (DME and propane are already listed individually), requiring CDFA to establish interim quality specifications, and requiring DME-propane blend to have an anti-knock index above 87.

- 4) *No price display from street.* Current law requires gasoline prices to be visible from the street, but exempts electricity, natural gas, and propane sold as motor fuel from this signage requirement. This bill also exempts DME-propane fuel blend. Prices are still required on the pump or dispensing device.

- 5) *Tax rates for alternative fuels.* The Use Fuel Tax Law imposes a tax of \$0.18 per gallon on the use of certain fuels, generally fuels other than gasoline and diesel which are taxed separately under the Motor Vehicle Tax Law and Diesel Fuel Tax Law respectively. However, emerging alternative fuels have generally been promoted through tax rates below the default use fuel tax rate. California's alternative fuels development efforts included a propane rate established in 1965 at \$0.06 per gallon, which was lower than the \$0.07 per gallon use fuel tax rate (AB 380, Chapter 747, Statutes of 1965). In 1970, the tax rate for LNG followed suit, also at \$0.06 per gallon. Most recently, in 1981, California reduced the tax rate of E85/ethanol fuel to fifty percent of the use fuel tax rate, which was \$0.035 per gallon at the time (SB 654, Chapter 950, Statutes of 1981). Proponents argued this tax rate made sense since alcohol fuel had about one-half the energy content of gasoline.
- 6) *Old tax rates.* As gasoline and diesel fuel tax rates increased, most recently, under SB 1, LNG and LPG rates retained their reduced rates. E85 tax rates remained at one-half the use fuel tax rate, increasing from the \$0.035 to the current \$0.09 per gallon. AB 1907 (Ridley-Thomas, Chapter 805, Statutes of 2014) required the tax rate for LNG to be expressed in diesel gallon equivalents, a revenue-neutral change intended to provide a simple way of comparing the cost of LNG and diesel. Overall, taxes on these alternative fuels are arguably outdated since they have been largely set and forget.
- 7) *This bill reduces tax rates for DME and DME-propane blend.* DME appears to be the first novel, emerging fuel for the internal combustion engine in decades. Because existing law does not set a specific tax rate for DME, it is subject to the \$0.18 per gallon use fuel tax rate, a higher tax rate than for similar fuels. This bill sets, starting July 1, 2021, the tax rate for DME and for DME-propane blend at the same tax rate as propane, \$0.06 per gallon.
- 8) *Flat annual fee option extended to DME and DME-propane blend.* Separately, existing law allows owners or operators of vehicles propelled by propane, LNG, and CNG to pay an annual flat fee instead of paying at the pump. This bill would, starting July 1, 2021, extend that option to vehicle running on DME or DME-propane blend.
- 9) *Single referral does not set precedent.* COVID-19 response has constrained the legislative calendar and necessitated single referrals for many bill that would typically be heard by multiple committees. Under normal circumstances, AB 2663 would have been double referred to the Senate Committee on Governance and Finance as well as this committee. Its single referral does not set precedent for future referrals.

RELATED LEGISLATION:

AB 808 (Ridley-Thomas, Chapter 591, Statutes of 2015) — expanded the authority of the California Department of Food and Agriculture (CDFA) to include alternative fuels, as defined; requires the method of sale for all motor vehicle fuels and lubricants to be consistent with national standards, and requires the Secretary of the CDFA to establish interim standards for methods of sale if national standards do not exist; and makes other conforming changes.

AB 1907 (Ridley-Thomas, Chapter 805, Statutes of 2014) — requires compressed and liquefied natural gas (LNG) sold as motor vehicle fuels to be metered, labeled, and taxed in units of gasoline- and diesel-gallon equivalents, respectively.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriation Committee:

- Minor and absorbable costs to the California Department of Tax and Fee Administration (CDTFA) to reprogram its Centralized Revenue Opportunity System (CROS) for the rate changes and fuel classifications, update regulations, publications and staff guidelines, and answer inquiries from taxpayers.
- CDTFA indicates the tax revenue impact is unknown due to limited information on DME motor vehicle fuel sales and use.

Assembly Votes:

Floor	78-0
Appropriations	18-0
Business and Professions	19-0

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

International Dme Association
Oberon Fuels
Shv Energy
Suburban Propane Partners, L.p.
Western Propane Gas Association

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	AB 3277	Hearing Date:	8/4/2020
Author:	Jones-Sawyer		
Version:	6/29/2020		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: Parking penalties: collection

DIGEST: This bill makes various eligibility and programmatic changes to the payment plan program administered by local agencies relative to parking citations.

ANALYSIS:

Existing law:

- 1) Provides several options to processing agencies collecting unpaid parking penalties for tickets, including filing an itemization of unpaid parking penalties and service fees with DMV for collection with the registration of a vehicle, so long as the processing agency:
 - a) Provides a payment plan option for indigent persons, as defined, that allows unpaid parking fines and fees to be paid off in monthly installments of no more than \$25 for total amounts due that are \$300 or less, in a period within 18 months. No prepayment penalty for paying off the balance prior to the payment period may be accessed.
 - b) Waives all late fees and penalty assessments, exclusive of any state surcharges, as defined, if an indigent person enrolls in the payment plan. Waived late fees and penalty assessments may be reinstated if the person falls out of compliance with the payment plan.
 - c) Limits the processing fee to participate in a payment plan to \$5 or less for indigent persons and \$25 or less for all other persons. The processing fee may be added to the payment plan amount at the discretion of the payee.
 - d) Allows the application for indigency determination for a period of 60 calendar days from the issuance of a notice of parking violation, or 10 days after the administrative hearing determination, whichever is later.

- 2) Requires a processing agency to allow a registered owner or lessee who falls out of compliance with a payment plan a one-time extension of 45 calendar days from the date the plan becomes delinquent to resume payments before the processing agency files an itemization of unpaid parking penalties and service fees with DMV.
- 3) Requires a processing agency to include information regarding its payment plan option above on its public website, and a web page link and telephone number to more information on the program.
- 4) Defines “indigent” for the purposes of this section to mean anyone who meets the income requirements for or is currently on several public assistance programs, including Supplemental Security Income (SSI), Supplemental Nutrition Assistance Program (SNAP, or more commonly known as food stamps), Medi-Cal or IHSS.

This bill:

- 1) Makes the following changes to the law requiring processing agencies to provide indigent individuals the opportunity to set up a payment plan to pay parking tickets before a processing agency can use DMV to collect unpaid parking debt:
 - a) Increases the \$300 maximum debt limit to \$500 for the total debt amount required for a parking agency to offer a payment plan to an indigent person.
 - b) Lengthens the payment plan to be available for a maximum of 24 months from 18 months.
 - c) Lengthens the period of time an individual can request a payment plan from 60 calendar days from the issuance of a parking violation to 120 days from the issuance of a parking violation.
 - d) Clarifies that the required website notification of the availability of a payment plan must be in a place that is readily accessible in a prominent location on parking payment section of the agency’s website.

COMMENTS:

- 1) *Author’s statement.* According to the author, “AB 3277 would update existing law to allow more individuals to access to payment plans. Granting additional

flexibility reduces the financial impact of parking debt for more low-income individuals and gives individuals in financial distress greater lengths of time to enroll and pay off their debts. As cities and counties seek to find ways to help low-income individuals, including vehicle owners experiencing homelessness, AB 3277 makes relief more accessible to a population that is disproportionately struggling with housing and economic instability.”

- 2) *Parking citations.* The cost of being late or being unable to pay a parking ticket on time can easily spiral out of control for an indigent person. An unpaid parking ticket can accrue multiple cycles of late fees. Local agencies are authorized to file unpaid tickets with the DMV, which can require payment in full for unpaid parking tickets when the vehicle owner renews their vehicle registration. However, if someone were unable to pay their parking tickets, then they are unlikely to be able to pay their vehicle registration, which means additional late fees and additional fines for driving an unregistered vehicle. In 2017, the Legislature passed and the Governor signed AB 503 (Lackey, Chapter 741, Statutes of 2017), to break this cycle of debt and require agencies to provide indigent people a payment plan for unpaid parking tickets that also waives late fees, prior to asking DMV to collect their unpaid parking debt, starting on July 1, 2018. In 2018, AB 2544 (Lackey, Chapter 494, Statutes of 2018) was enacted as follow up measure to clarify when local entities are to start implementing the payment plan options. The author of these bills subsequently introduced AB 833 (Lackey, Chapter 495, Statutes of 2019), which clarified that the \$300 maximum cap for which a parking agency had to offer a payment plan only applied to the base fines and not to late penalties.

The provisions specified in this bill aim expand the scope of the parking citation payment program voluntarily administered by local agencies in attempt to qualify a larger number of participants that may benefit from the program. The author rightfully points to the economic downturn associated with the current COVID-19 pandemic as one of the primary reasons to modify program eligibility criteria. As Californians continue to experience layoffs, reduced hours, and challenges finding employment, it's within reason to provide motorists experiencing hardships with options to satisfy their financial obligations to local agencies while still allowing these municipalities to enforce parking ordinances.

RELATED LEGISLATION:

AB 503 (Lackey, Chapter 741, Statutes of 2017) — required the offering of a payment plan and the waiver of penalties for indigent people with unpaid parking tickets prior to filing an itemization of them at the DMV, starting on July 1, 2018.

AB 2544 (Lackey, Chapter 494, Statutes of 2018) — clarified when local entities are to start implementing the abovementioned payment plan options.

AB 833 (Lackey, Chapter 495, Statutes of 2019) — clarified that the \$300 maximum cap for which a parking agency had to offer a payment plan only applied to the base fines and not to late penalties.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee:

- State costs of an unknown, but likely minor amount.

POSITIONS: (Communicated to the committee before noon on Monday, July 27, 2020.)

SUPPORT:

LA Homeless Services Authority (Sponsors)
AARP
Downtown Women's Center
National Association of Social Workers, California Chapter
North Valley Caring Services
Safe Parking LA

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	ACR 97	Hearing Date:	8/4/2019
Author:	Patterson		
Version:	7/1/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Randy Chinn		

SUBJECT: Officer Phia Vang Memorial Interchange

DIGEST: This resolution designates the interchange at State Route 180 and Temperance Avenue in Fresno County as the "Officer Phia Vang Memorial Interchange."

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.

- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the interchange at State Route 180 and Temperance Avenue in Fresno County as the "Officer Phia Vang Memorial Interchange." It requests that the Department of Transportation (Caltrans) determine the costs of erecting the appropriate signs consistent with the signing requirements for the state highway system, showing the special designation, and upon receiving donations from non-state sources covering the costs, to erect the signs.

COMMENTS:

- 1) *Purpose.* According to the author, "Officer Vang was a loved and respected member of the Fresno Police Department and the Hmong community. His life was tragically cut short when a wrong-way driver struck his vehicle as he was on his way home from work. ACR 97 will designate the intersection of (State Route) 180 and Temperance Avenue as the Officer Phia Vang Memorial Intersection, so that we may always remember and honor a man who dedicated his life to serving his community."
- 2) *Background.* Officer Phia Vang was born on August 6, 1970 in Ban Phakke, Mouang Phoun, Vangvieng province in the country of Laos, to Xay Pao Vang and Mee Her. He was the youngest of nine children. At five years of age, Phia fled into the jungles of Laos with his father, mother, and two sisters to escape the new communist regime. In 1982, the Vang family relocated to Fresno, California where the parents became farmers and contributed to the local agricultural business. Phia graduated from McLane High School in 1989 and completed his training in the Fresno City Police Academy in 1991. He was a police officer serving in the Fresno Police Department for 26 years until February 4, 2019 when an intoxicated driver collided with his vehicle. Officer Van is survived by his wife and four children.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

Peace Officers' Research Association of California

OPPOSITION:

None received.

-- END --

This resolution designates the portion of Interstate 15 from the junction at State Route 74 (postmile 22.277) to the crossing at Lake Street UC #56-682 (postmile 26.688) near the City of Lake Elsinore in the County of Riverside as the CHP Sergeant Steven L. Licon Memorial Highway. It requests that the Department of Transportation to erect appropriate signs upon receiving sufficient donations from non-state sources to cover the costs.

COMMENTS:

- 1) *Purpose.* According to the author, "The memory of Sgt. Licon will never be forgotten and his commitment to his family and the safety of our communities should be forever memorialized on this stretch of the 15 freeway. ACR 107 would designate a portion of Interstate 15, from the junction of State Route 74 to the Lake Street crossing near the City of Lake Elsinore, as the CHP Sergeant Steven Lawrence Licon Memorial Highway to honor and commemorate his service to the community. This highway memorial should be a constant reminder that driving under the influence can take the lives of people we care about most. Sgt. Licon's 27-year career as a highway patrol officer was proof that he put the safety of our families before his own and we should never forget the sacrifices our law enforcement officers make to keep us safe. It is fitting that we honor his service to the residents of Riverside County by memorializing this stretch of highway to his memory."
- 2) *Background.* Steven Lawrence Licon was born July 5, 1965, in Palm Springs, California. He entered the California Highway Patrol Academy in 1990 and was assigned to the Santa Ana CHP Office in 1991. Steven was a skilled motorcyclist, a drug recognition expert, departmental range instructor, and a firearms inspector. After 12 years on road patrol duties, Steve was promoted to Sergeant and reported to the CHP Baldwin Park Area and, later, served the CHP Riverside Area. Steve's career ended on April 6, 2019, when he was struck and killed by a passing motorist as he was writing a traffic ticket on Interstate 15 near the City of Lake Elsinore. Steven is survived by his wife, Ann; his children, Marissa, Kelly, and Stephen; and his parents. He is preceded by his son, Nathan, who passed away in 2012. Steve is remembered as an extremely devoted family member who loved them above all else.

FISCAL EFFECT: Appropriation: Fiscal Com.: Yes Local:

POSITIONS: (Communicated to the committee before noon on Monday July 27.)

SUPPORT:

California Association of Highway Patrolmen (sponsor)

OPPOSITION:

None received.

-- END --

This resolution designates the portion of State Route 120 in the County of Mono as the Chiura Obata Great Nature Memorial Highway. It requests that the Department of Transportation to erect appropriate signs upon receiving sufficient donations from non-state sources to cover the costs.

COMMENTS:

- 1) *Purpose.* According to the author, "This measure is a tremendous opportunity to honor a painter known for his beautiful artwork of Yosemite and the Sierra Nevada. Recognizing him with a highway memorial resolution on Highway 120 will provide those who honor his memory the chance to do so as they enter a part of the state that he loved very much."

- 2) *Background.* Chiura Obata was a painter, born on November 18, 1885 in Japan. Japan. In 1903, Obata immigrated to the United States, settling in San Francisco where he cofounded the East West Art Society to promote a uniting of Asian and Western art traditions. While incarcerated at the Topaz War Relocation Center during World War 2, he was able to create an art school with over 600 students. After the war, Obata continued to visit Yosemite and the eastern Sierra Nevada Mountains to paint his landscapes. From 1955 to 1970, until he was 85 years of age, Obata traveled throughout California, giving lectures and demonstrations on Japanese brush painting and in 1965, in Japan, Obata received the Emperor's Award, the Order of the Sacred Treasure, 5th Class, in recognition of his efforts to spread cultural understanding.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

Multiple Individuals

OPPOSITION:

None received.

This resolution designates a portion of State Route 120 between Sexton and Brennan Roads in the County of San Joaquin as the "Officer Justin Kepler Memorial Highway." It requests that the Department of Transportation to erect appropriate signs upon receiving sufficient donations from non-state sources to cover the costs.

COMMENTS:

- 1) *Purpose.* According to the author, "Officer Justin Kepler was an amazing son, brother, grandson, nephew, cousin, friend and an excellent police officer from Assembly District 12. ACR 119 memorializes Officer Justin Kepler as an individual who gave so much to ensure safety and protection of Californians in his short tenure."
- 2) *Background.* Justin Kepler was born on April 13, 1988, in San Jose, California. He grew up in a family of law enforcement, and in 2012, Justin joined the Stockton Police Department. During his four-year career as a police officer, Justin obtained the status of field training officer and specialized in impaired driving enforcement. At only 28 years old, he was riding his personal motorcycle home when he was hit and thrown from his bike by a driver who fled the scene. Justin died on site. He is survived by his mother, Rhonda, older brother, Kyle, younger brother, Cody, and sister, Shelley.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: ACR 120

Hearing Date: 8/4/2020

Author: Quirk

Version: 8/12/2019

Urgency: No

Fiscal: Yes

Consultant: Amy Gilson

SUBJECT: The CHP Officer Andrew J. Camilleri Memorial Interchange

DIGEST: This resolution designates the interchange at Interstate 880 and State Route 92 in the County of Alameda as the CHP Officer Andrew J. Camilleri Memorial Interchange.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.

- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the interchange at Interstate 880 and State Route 92 in the County of Alameda as the CHP Officer Andrew J. Camilleri Memorial Interchange. It requests that the Department of Transportation to erect appropriate signs upon receiving sufficient donations from non-state sources to cover the costs.

COMMENTS:

- 1) *Purpose.* According to the author, "Officer Andrew Joseph Camilleri, Sr. spent 13 years working for Clark Pest Control before finally realizing his dream of becoming a member of the California Highway Patrol (CHP). He graduated from the CHP academy in March of 2017 and shortly thereafter, was assigned to the Hayward area in my district. He served with courage, integrity and dignity. Although Officer Camilleri only served for 16 months, he served that time with dedication and for a deep love to the profession. In honor of a man who made the ultimate sacrifice, I am proud to author this bill to designate the interchange at Interstate 880 and State Route 92 in the County of Alameda as the CHP Officer Andrew J. Camilleri Memorial Interchange."
- 2) *Background.* Andrew Joseph Camilleri, Sr. was born on February 20, 1984 in San Jose, California. After a career in pest control, he joined the CHP in 2017. Sadly, he was killed in the line of duty by an errant driver shortly thereafter. He is survived by his wife, children, parents, and siblings.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

California Association of Highway Patrolmen

OPPOSITION:

None received.

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	ACR 124	Hearing Date:	8/4/2020
Author:	Arambula		
Version:	8/13/2019		
Urgency:	No	Fiscal:	Yes
Consultant:	Manny Leon		

SUBJECT: State Route 269: Heart of the Valley Bridge.

DIGEST: This resolution would designate the 500-foot long bridge over Arroyo Pasajero Creek on State Route 269 as the Heart of the Valley Bridge.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution will designate the 500-foot long bridge over the Arroyo Pasajero Creek on State Route 269 as the Heart of the Valley Bridge, to honor and commemorate the seven residents of Fresno County whose lives were lost on March 12, 1995.

COMMENTS:

- 1) *Purpose.* The author introduced this resolution to honor and commemorate the seven residents of Fresno County whose lives were lost on March 12, 1995 due to SR 269 flooding.
- 2) *Background.* SR 269 is the only route connecting the community of Huron to the rest of the central valley by connecting it with Interstate 5. The road has been closed over 551 days due to flooding since SR 269 came into the state highway system in 1976. The closures have caused the residents of Huron to have to make a 28-mile detour for shopping and services, including medical emergencies. On March 12, 1995, SR 269 was closed due to roadway collapse and raging flood waters. Seven residents of Fresno County lost their lives on Interstate 5 that day. \$1.2 million from a local sales tax measure and \$28.9 million from the State Highway Operation and Protection Program has allowed for the construction of three new bridges and a modification of the Arroyo Pasajero Creek channel to prevent future closure of the highway due to flooding.
- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

Fresno County Rural Transit Agency
Fresno County Transportation Authority

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: ACR 127 **Hearing Date:** 8/4/2020
Author: Flora
Version: 7/30/2020 Amended
Urgency: No **Fiscal:** Yes
Consultant: Manny Leon

SUBJECT: Officer Robert W. Winget Memorial Overpass

DIGEST: This resolution would designate a specified overpass on State Route 99 in the City of Ripon as the Officer Robert W. Winget Memorial Overpass.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution will designate an overpass in both directions on State Route 99 at Exit 236, Main Street, in the City of Ripon in the County San Joaquin as the "Officer Robert W. Winget Memorial Overpass."

COMMENTS:

- 1) *Purpose.* The author introduced this resolution to honor the service of Officer Bob Winget.
- 2) *Background.* Officer Bob Winget, a Vietnam Veteran and United States Marine, began his 37-year law enforcement career in the early 1970s. He served the Los Angeles Police Department for 20 years, was a deputy sheriff for the County of Stanislaus for 12 years, and eventually joined the Ripon Police Department. Officer Winget was involved in a crash of his all-terrain patrol vehicle on April 10, 2007 that resulted in his death.

He is survived by his wife of 22 years, Chris, his three daughters, Ashley, Kelley and Bonnie; and his son, Edward.

- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	ACR 128	Hearing Date:	8/4/2020
Author:	Gray		
Version:	7/29/2020 Amended		
Urgency:	No	Fiscal:	Yes
Consultant:	Katie Bonin		

SUBJECT: Corporal Ronil Singh Memorial Highway

DIGEST: This resolution would designate a specified portion of State Highway Route 33 in the Counties of Merced and Stanislaus as the Corporal Ronil Singh Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.

- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution will designate a portion of State Highway Route 33 from Sanches Road, Postmile 29.730 in Merced County to Stuhr, Postmile 2.060 in Stanislaus County as the Corporal Ronil Singh Memorial Highway.

COMMENTS:

- 1) *Purpose.* The author introduced this resolution to honor the service of Corporal Ronil Singh.
- 2) *Background on Corporal Singh.* After immigrating to the United States from the island nation of Fiji, Corporal Singh settled in Stanislaus County and began his law enforcement career as a cadet with the Turlock Police Department. He later worked as a reserve officer with the Merced County Sheriff's Department. In 2011, he joined the Newman Police Department.

Corporal Singh was a well-respected, seven-year veteran of the Newman Police Department, and a trained K-9 officer. His K-9 partner, Sam, frequently accompanied him on duty. Corporal Singh possessed an adventurous spirit and provided an admirable role model for future generations. Corporal Singh's innate desire to do well in the world by providing committed, bountiful, and consequential service, will be forever remembered.

Tragically, on December 26, 2018, Corporal Singh was killed in the line of duty. He is survived by his wife, Anamika, his infant son, and the members of his extended family in both California and Fiji.

- 3) *Consistent with committee policy.* This resolution is consistent with the provisions of the committee's policy on highway designation.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	ACR 139	Hearing Date:	8/4/2020
Author:	Arambula		
Version:	5/4/2020		
Urgency:	No	Fiscal:	Yes
Consultant:	Amy Gilson		

SUBJECT: Esther Padilla Memorial Highway

DIGEST: This resolution designates a segment of State Highway Route 168 in the County of Fresno as the Esther Padilla Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates a segment of State Highway Route 168 beginning at the interchange with State Highway Route 180 and ending at East Shields Avenue in the County of Fresno, as the Esther Padilla Memorial Highway. It requests that the Department of Transportation to erect appropriate signs upon receiving sufficient donations from non-state sources to cover the costs.

COMMENTS:

- 1) *Purpose.* According to the author, "The first Latina elected to the Fresno City Council, Esther Padilla was a pioneer who dedicated her life to serving her community. Ms. Padilla worked to provide and improve social services to all residents, having worked as a county social worker. During her life, Esther also became an advocate for organ transplant donation and worked tirelessly to raise awareness among Latinos of the importance of organ donation."
- 2) *Background.* Esther V. Negrete Padilla was born in Fowler, California, in 1944. Ester had more than 30 years of social work experience with nonprofit organizations and volunteered at the United Farm Workers Union for 10 years. In 1991, Esther was the first Latina elected to the Fresno City Council. She also served as the Mayor pro Tempore and on various commissions and boards. Esther is survived by her husband, Gilbert Padilla, her daughter, Adelita Padilla, as well as her stepchildren, her 13 grandchildren, her 16 great grandchildren, and one great-great grandchild.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday July 27.)

SUPPORT:

None received.

OPPOSITION:

None received.

-- END --

SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No: ACR 147
Author: Lackey
Version: 1/9/2020
Urgency: No
Consultant: Amy Gilson

Hearing Date: 8/4/2020

Fiscal: Yes

SUBJECT: Jeffrey "Jef" Dye Memorial Highway

DIGEST: This resolution designates the a portion of Interstate 5 in the County of Los Angeles as the Jeffrey "Jef" Dye Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.
- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the 4.735-mile portion of Interstate 5 between post mile R68.818 and post mile R73.553 in the County of Los Angeles as the Jeffrey “Jef” Dye Memorial Highway. It requests that the Department of Transportation to erect appropriate signs upon receiving sufficient donations from non-state sources to cover the costs.

COMMENTS:

- 1) *Purpose.* According to the author, “A dedication using an individual’s name connects their memory to personality. To understand a person’s character, thereafter, causes one to understand how they completed their goals and why they sought certain accomplishments. This dedication reclaims the memory of a man’s life to be defined by his assistance to others. This underscores that his life should be celebrated rather than continuously mourned. It refocuses attention from tragedy to the trajectory of his mission to provide the community with a heightened sense of security.”
- 2) *Background.* Jeffrey “Jef” Dye was born in the City of San Fernando, California, in 1968. Jef began his professional career as an Investigative Assistant with the Ventura County District Attorney’s Office, after which he focused on Digital Forensics and CyberCrime and worked at General Dynamics, PricewaterhouseCoopers, and, most recently, Bank of America as Vice President of Global Information Security. In 2016, Jef joined the Ventura County Sheriff’s Office’s Fillmore Mountain Search and Rescue (SAR) Team. In 2019, Jef and his teammates observed a serious vehicle rollover accident. They began an emergency response, but during the medical treatment a second vehicle lost control and crashed into the existing accident scene, mortally injuring Jef. He is survived by his wife Sandra, mother Linda, and sisters Lori Bushnell and Luanne Brock.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

None received.

OPPOSITION:

None received.

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SENATE COMMITTEE ON TRANSPORTATION

Senator Jim Beall, Chair

2019 - 2020 Regular

Bill No:	ACR 165	Hearing Date:	8/4/2020
Author:	Ting		
Version:	2/11/2020		
Urgency:	No	Fiscal:	Yes
Consultant:	Amy Gilson		

SUBJECT: Alice Peña Bulos Memorial Highway

DIGEST: This resolution designates the portion of State Route 35 that runs through the City of Daly City in the County of San Mateo as the Alice Peña Bulos Memorial Highway.

ANALYSIS:

The committee has adopted a policy regarding the naming of state highways or structures. Under the policy, the committee will consider only those resolutions that meet all of the following criteria:

- 1) The person being honored must have provided extraordinary public service or some exemplary contribution to the public good and have a connection to the community where the highway or structure is located.
- 2) The person being honored must be deceased.
- 3) The naming must be done without cost to the state. Costs for signs and plaques must be paid by local or private sources.
- 4) The author or co-author of the resolution must represent the district in which the facility is located, and the resolution must identify the specific highway segment or structure being named.
- 5) The segment of highway being named must not exceed five miles in length.
- 6) The proposed designation must reflect a community consensus and be without local opposition.

- 7) The proposed designation may not supersede an existing designation unless the sponsor can document that a good faith effort has uncovered no opposition to rescinding the prior designation.

This resolution designates the portion of State Route 35 that runs through the City of Daly City in the County of San Mateo from postmile 27.09 to postmile 31.061 as the Alice Peña Bulos Memorial Highway. It requests that the Department of Transportation to erect appropriate signs upon receiving sufficient donations from non-state sources to cover the costs.

COMMENTS:

- 1) *Purpose.* According to the author, “For the past forty years, Alice Bulos had been a constant source of inspiration and mobilization for many Filipino Americans, gaining the title of the ‘Godmother of Filipino American Politics and Empowerment.’ She held many local, state, and federal positions throughout her lifetime and led the way for three generations of Asian and Pacific Islander public servants. She passed away on October 21, 2016 and her legacy is carried by her family and the many friends and supporters she inspired over the years. In honor of her service, ACR 165 would memorialize part of State Route 35 as the Alicia Peña Bulos Memorial Highway.”
- 2) *Background.* Alice Peña Bulos was a Professor of Sociology and later chairperson of the Department of Sociology at the University of Santo Tomas before moving to Sacramento, California, in 1977 to pursue a career as an employment counselor at the California Educational Theatre Association. She served in numerous leadership position, including on the National Council on Aging and State Chair of the Filipino American Caucus of the California Democratic Party. She was honored as Woman Warrior of the Year by the Pacific Asian Women Bay Area Coalition and inducted into the County of San Mateo’s Women’s Hall of Fame in 1988.

FISCAL EFFECT: Appropriation: Fiscal Com.: Yes Local:

POSITIONS: (Communicated to the committee before noon on Monday, July 27.)

SUPPORT:

City of Daly City

OPPOSITION:

None received.

-- END --