Marketing and Incentives Workgroup

Legislative findings and declarations

The Legislature hereby finds and declares as follows:

(a) The state board approved a comprehensive Diesel Risk Reduction Plan to reduce potential health risks of diesel emissions from both new and existing diesel-fueled engines and vehicles. The goal of the plan is to reduce diesel particulate matter (PM) emissions and the associated health risk by 75 percent in 2010 and 85 percent by 2020.

(b) The Carl Moyer Memorial Air Quality Standards Attainment Program is a very successful state-funded incentive program that provides to eligible recipients the incremental cost of cleaner on-road, off-road, marine, locomotive and stationary agricultural pump engines. Grants are available through participating air pollution control and air quality management districts. The incentive program is intended to support projects which reduce emissions of smog-forming oxides of nitrogen that are not required by local, state, or federal law.

c) While reductions in NOx may lead to reductions in PM, there is an immediate need of specific strategies to meet the state's diesel PM reduction deadlines. However, it is critical that efforts to reduce PM not adversely affect efforts to reduce NOx emissions.

(d) This chapter is intended to direct that a study be done to determine how best to develop a statewide PM reduction program modeled on the Carl Moyer Memorial Air Quality Standards Attainment Program. The study should balance the concurrent need for NOx reductions from diesel engines and should also specifically evaluate the feasibility of including proactive contracting by state agencies as a mechanism for encouraging PM and NOx reducing strategies.

Carl Moyer Advisory Committee

(a) The Carl Moyer Program Advisory Committee is hereby created in state government to provide recommendations to the Air Resources Board (state board) on development of a statewide PM emission reduction incentive program. The Committee's recommendations will be submitted within one (1) year of the effective date of this bill in a report to the Governor, Legislature, energy commission (commission), and state board no later than ____.

The report will include but not be limited to the following areas of recommendation:

(1) An overview of PM emission sources and their impact on the emissions I inventory;
(2) The environmental and health impacts of PM emissions;
(3) Available and anticipated technologies to reduce PM emissions;
(4) Program funding requirements and possible sources;

(5) Policies that will insure the PM incentive program shall not adversely affect ozone attainment, or cause significant increase of other criteria or toxic pollutants;
(6) Vehicle and equipment applications to be included in a PM emission reduction incentive program;
(7) How the operation of a PM incentive program should be integrated with the existing Carl Moyer Program.
(8) Preferential contracting policies favoring low-emission technologies for government agencies which use diesel-fueled vehicles and equipment.

(b) This report will be prepared in consultation with interested parties, and public and private entities. The Advisory Committee will conduct at least one public hearing to obtain comment on program objectives, content and funding options prior to submission of its report.
(c) The Advisory Committee shall consist of 15 members. Four of the members shall be public members. Two public members shall be appointed by the Senate Committee on Rules, and two public members shall be appointed by the Speaker of the Assembly. The Secretary for Environmental Protection shall appoint the following ten members:

(1) The executive officer of the state board.
(2) One member of the commission.
(3) One representative of the heavy-duty engine manufacturers industry.
(4) One representative of the heavy-duty trucking industry.
(5) One representative of the agricultural industry.
(6) One representative of the construction industry.

(7) One representative of the railroad locomotive industry.
(8) One representative of the maritime industry.
(9) One representative of a regional transportation agency.
(10) One member of a public interest environmental organization.
(11) One member of the petroleum industry.

(d) The executive officer of the state board shall serve as the chairperson of the Advisory Committee.
(e) The Advisory Committee may appoint ex officio officers.
(f) The Advisory Committee may request assistance from the state board, the commission, or other Advisory Committee member organizations for administrative services and staff support, and these agencies shall provide such assistance to the extent possible within budgetary resources.