

AMENDED IN SENATE MARCH 29, 2017

**SENATE BILL**

**No. 174**

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**Introduced by Senators Lara and Leyva**  
*(Coauthor: Senator Beall)*

January 23, 2017

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An act to amend Section 4156 of, and to add Section 4000.15 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 174, as amended, Lara. Diesel-fueled vehicles: registration.

Existing law prohibits a person from driving, moving, or leaving standing upon a highway any motor vehicle, as defined, that has been registered in violation of provisions regulating vehicle emissions.

This bill, effective January 1, 2020, would require the Department of Motor Vehicles to confirm, prior to the initial registration or the transfer of ownership and registration of a diesel-fueled vehicle with a gross vehicle weight rating of more than 14,000 pounds, that the vehicle is compliant with, or exempt from, applicable air pollution control technology requirements, pursuant to specified provisions. The bill would require the department to refuse registration, or renewal or transfer of registration, for certain diesel-fueled vehicles, based on weight and model year, that are subject to specified provisions relating to the reduction of emissions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants from in-use diesel-fueled vehicles. The bill would authorize the department to allow registration, or renewal or transfer of registration, for any diesel-fueled vehicle that has been reported to the State Air Resources Board, and is using an approved exemption, or is compliant with applicable air pollution control technology requirements, pursuant to specified provisions.

Existing law authorizes the department, in its discretion, to issue a temporary permit to operate a vehicle when a payment of fees has been accepted in an amount to be determined by the department and paid to the department by the owner or other person in lawful possession of the vehicle.

This bill would additionally authorize the department to issue a temporary permit to operate a vehicle for which registration is otherwise required to be refused under the provisions of the bill, as prescribed. *The bill would specify that only one temporary permit may be issued for a vehicle pursuant to these provisions unless the State Air Resources Board approves otherwise.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 4000.15 is added to the Vehicle Code,  
 2 to read:  
 3 4000.15. (a) Effective January 1, 2020, the department shall  
 4 confirm, prior to the initial registration or the transfer of ownership  
 5 and registration of a diesel-fueled vehicle with a gross vehicle  
 6 weight rating of more than 14,000 pounds, that the vehicle is  
 7 compliant with, or exempt from, applicable air pollution control  
 8 technology requirements pursuant to Division 26 (commencing  
 9 with Section 39000) of the Health and Safety Code and regulations  
 10 of the State Air Resources Board adopted pursuant to that division.  
 11 (b) Except as otherwise provided in subdivision (c), for  
 12 diesel-fueled vehicles subject to Section 43018 of the Health and  
 13 Safety Code, as applied to the reduction of emissions of diesel  
 14 particulate matter, oxides of nitrogen, and other criteria pollutants  
 15 from in-use diesel-fueled vehicles, and Section 2025 of Title 13  
 16 of the California Code of Regulations as ~~if~~ of January 1, 2017, or  
 17 as subsequently amended:  
 18 (1) The department shall refuse registration, or renewal or  
 19 transfer of registration, for a diesel-fueled vehicle with a gross  
 20 vehicle weight rating of 14,001 pounds to 26,000 pounds for the  
 21 following vehicle model years:  
 22 (A) Effective January 1, 2020, vehicle model years 2004 and  
 23 older.

1 (B) Effective January 1, 2021, vehicle model years 2007 and  
2 older.

3 (C) Effective January 1, 2023, vehicle model years 2010 and  
4 older.

5 (2) The department shall refuse registration, or renewal or  
6 transfer of registration, for a diesel-fueled vehicle with a gross  
7 vehicle weight rating of more than 26,000 pounds for the following  
8 vehicle model years:

9 (A) Effective January 1, 2020, vehicle model years 2000 and  
10 older.

11 (B) Effective January 1, 2021, vehicle model years 2005 and  
12 older.

13 (C) Effective January 1, 2022, vehicle model years 2007 and  
14 older.

15 (D) Effective January 1, 2023, vehicle model years 2010 and  
16 older.

17 (c) (1) As determined by the State Air Resources Board,  
18 notwithstanding effective dates and vehicle model years identified  
19 in subdivision (b), the department may allow registration, or  
20 renewal or transfer of registration, for a diesel-fueled vehicle that  
21 has been reported to the State Air Resources Board, and is using  
22 an approved exemption, or is compliant with applicable air  
23 pollution control technology requirements pursuant to Division  
24 26 (commencing with Section 39000) of the Health and Safety  
25 Code and regulations of the State Air Resources Board adopted  
26 pursuant to that division, using an approved compliance ~~option~~  
27 *option, such as being equipped with the required model year*  
28 *emissions equivalent engine.*

29 (2) The State Air Resources Board shall notify the department  
30 of the vehicles allowed to be registered pursuant to this subdivision.

31 SEC. 2. Section 4156 of the Vehicle Code is amended to read:

32 4156. (a) Notwithstanding any other provision of this code,  
33 and except as provided in subdivision (b), the department in its  
34 discretion may issue a temporary permit to operate a vehicle when  
35 a payment of fees has been accepted in an amount to be determined  
36 by, and paid to the department, by the owner or other person in  
37 lawful possession of the vehicle. The permit shall be subject to the  
38 terms and conditions, and shall be valid for the period of time, that  
39 the department shall deem appropriate under the circumstances.

1 (b) (1) The department shall not issue a temporary permit  
2 pursuant to subdivision (a) to operate a vehicle for which a  
3 certificate of compliance is required pursuant to Section 4000.3,  
4 and for which that certificate of compliance has not been issued,  
5 unless the department is presented with sufficient evidence, as  
6 determined by the department, that the vehicle has failed its most  
7 recent smog check inspection.

8 (2) Only one temporary permit may be issued pursuant to this  
9 subdivision to a vehicle owner in a two-year period.

10 (3) A temporary permit issued pursuant to paragraph (1) is valid  
11 for either 60 days after the expiration of the registration of the  
12 vehicle or 60 days after the date that vehicle is removed from  
13 nonoperation, whichever is applicable at the time that the temporary  
14 permit is issued.

15 (4) A temporary permit issued pursuant to paragraph (1) is  
16 subject to Section 9257.5.

17 (c) (1) The department may issue a temporary permit pursuant  
18 to subdivision (a) to operate a vehicle for which registration may  
19 be refused pursuant to Section 4000.15.

20 (2) Only one temporary permit may be issued pursuant to this  
21 subdivision for any ~~vehicle~~: *vehicle, unless otherwise approved*  
22 *by the State Air Resources Board.*

23 (3) A temporary permit issued pursuant to paragraph (1) is valid  
24 for either 90 days after the expiration of the registration of the  
25 vehicle or 90 days after the date that vehicle is removed from  
26 nonoperation, whichever is applicable at the time the temporary  
27 permit is issued.

28 (4) A temporary permit issued pursuant to paragraph (1) is  
29 subject to Section 9257.5.