

Assembly Bill 99

Clean Alternative Vehicles & Fuels

Assemblymember Mike Feuer

ASSEMBLY BILL 99

AB 99 directs the California Air Resources Board (CARB) to adopt regulations that at a minimum, and to the extent feasible, accomplish the following: that by January 1, 2012, 50% (and 100% by January 1, 2020) of new passenger vehicles and light duty trucks sold in the state, be clean alternative vehicles. In adopting these regulations CARB would be required to 1) consider the technological and economic feasibility of the regulations and; 2) develop and enforce compliance options for eligible clean alternative vehicles.

AB 99 defines a "clean alternative vehicle" as any passenger vehicle or light duty truck certified to run on a clean alternative fuel, defined as: *a nonpetroleum fuel including electricity, hydrogen, natural gas, propane or other fuels derived from renewable resources that, on a full fuel-cycle and energy equivalent basis, does not increase the emissions of greenhouse gases, toxic air contaminants, criteria air pollutants, water pollutants, or any other substances known to damage human health or the environment, in comparison to the production and use of a petroleum derived fuel. "Clean alternative fuel" may also include petroleum blended with nonpetroleum constituents, such as E85.* Nonpetroleum constituents must account for more than 50% of the blended fuel.

Clean alternative vehicles include, but are not limited to, the following: A) hybrid vehicles; B) plug-in electric hybrid vehicles with a minimum of 20 miles all electric range; C) flexible fuel vehicles; D)

compressed natural gas vehicles; E) liquid propane gas vehicles; and F) hydrogen fuel cell vehicles; so long as the vehicle is certified to run on a "clean alternative fuel".

AB 99 also directs CARB to ensure, to the extent technologically and economically feasible, that a clean alternative fuel is made available statewide at retail outlets whenever the board determines that a sufficient number of vehicles certified to use that fuel has been reached.

Finally, AB 99 requires CARB, beginning no later than January 1, 2014, to submit a report to the Legislature detailing the progress made by the auto manufacturers towards meeting the requirements of the bill.

PURPOSE

The \$3 - plus per gallon gasoline prices we have been witnessing again recently demonstrate one significant problem of over reliance upon a single source of fuel. While high gas prices represent a real challenge for our economy and are the most tangible effect of our reliance on oil, they are not the only, nor the most troubling byproduct of this dependency.

Pollutants from petroleum burning vehicles contribute to a broad range of environmental and health problems in California. Additionally, our continued reliance on oil contributes greatly to the rapidly growing threat of global warming. If we fail to dramatically increase our efforts to reverse the impacts of global warming, then we will at some point, perhaps in the not too distant future, reach a tipping point where we can no longer reverse the impacts.

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As the 6th largest economy and one of the largest transportation fuels market in the world, California has long been known as the leading international innovator in environmental regulation and the resulting technology the state's regulations have demanded. This has served California well in maintaining its proud position as both a global environmental and technological leader.

The state's continued economic success has also meant that California has become the 9th largest emitter of greenhouse gases in the world. The state faces pressing challenges in reducing its global warming emissions in the face of continued population growth, increasing energy demand – of which transportation fuel consumption accounts for roughly half of the state's total energy needs – and increasing pressure on the state's air quality, in part posed by the increasing number of vehicle miles traveled every year.

However, there is no single or magic bullet that will fix everything. To improve its air quality, reduce its green house gas emissions, diminish its dependence on foreign oil supplies, and preserve Californians' cherished way of life, the state must employ a multi-pronged strategy.

AB 99 is one critical component of this strategy. It provides for the creation of a critical mass of alternative fuel and vehicle technology necessary to establish the market conditions for the use of the environmentally friendly alternative fuels

of the future and for further innovation in clean transportation technologies.

Without this bill, the state's many other policy objectives as outlined in the AB 2076 (Petroleum Demand Reduction) Report, the 2005 Integrated Energy Policy Report, the Climate Action Team Report, the Bioenergy Action Plan, and the Governor's Executive Orders on reducing California's emissions of green house gases, and biofuels, are not likely to succeed.

CURRENT LAW

Existing state law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and non-vehicular sources. Presently, the State Air Resources Board is the designated state agency with the primary responsibility for the control of vehicular air pollution. The Board is to establish, by regulation, various standards for gasoline and motor vehicle fuel.