

ASSEMBLY BILL

No. 631

Introduced by Assembly Member Horton

February 21, 2007

An act to amend Section 43867 of, and to add Section 43870 to, the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 631, as introduced, Horton. Air pollution: fueling stations: ethanol blends.

Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the State Energy Resources Conservation and Development Commission, in partnership with the state board, and in consultation with specified state agencies, to develop and adopt a state plan to increase the use of alternative fuels, as defined, including E85.

The Lewis-Presley Air Quality Management Act requires the South Coast Air Quality Management District to establish expedited permit review and project assistance mechanisms for facilities or projects that are directly related to research and development, demonstration, or commercialization of electric and other clean fuel vehicle technologies.

Existing law requires the Sacramento Metropolitan Air Quality Management District, not later than January 1, 1990, to adopt an air quality improvement strategy to reduce public exposure to air pollution and toxic air contaminants and to achieve and maintain state and federal ambient air quality standards by the earliest practicable date, including a program to encourage the establishment of the necessary infrastructure to support the introduction of cleaner burning fuels.

This bill would require the state board to adopt regulations to require that, on and after January 1, 2010, all new fueling stations constructed in this state be able to provide E85 fuel, as defined, to vehicles that use that fuel.

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 43867 of the Health and Safety Code is
2 amended to read:

3 43867. For the purposes of this article, the following terms
4 have the following meanings:

5 (a) "Alternative fuel" means a nonpetroleum fuel, including
6 electricity, ethanol, biodiesel, hydrogen, methanol, or natural gas
7 that, when used in vehicles, has been demonstrated, to the
8 satisfaction of the state board, to have the ability to meet applicable
9 vehicular emission standards. For the purpose of this section,
10 alternative fuel may also include petroleum fuel blended with
11 nonpetroleum constituents, such as E85 or B20.

12 (b) "E85 fuel" or "E85" means a motor fuel blend of 85 percent
13 ethanol and 15 percent gasoline.

14 ~~(b)~~

15 (c) "Full fuel-cycle assessment" means evaluating and
16 comparing the full environmental and health impacts of each step
17 in the life cycle of a fuel, including, but not limited to, all of the
18 following:

19 (1) Feedstock extraction, transport, and storage.

20 (2) Fuel production, distribution, transport, and storage.

21 (3) Vehicle operation, including refueling, combustion or
22 conversion, and evaporation.

23 SEC. 2. Section 43870 is added to the Health and Safety Code,
24 to read:

25 43870. The state board shall adopt regulations to require that,
26 on and after January 1, 2010, all new fueling stations constructed
27 in this state be able to provide E85 fuel to vehicles that use that
28 fuel.