

AMENDMENTS TO SENATE BILL NO. 1025

Sponsor:

Printer's No. 1415

1 Amend Title, page 1, line 2, by inserting after "Program;"

2 establishing the Pennsylvania Clean Vehicles Program;
3 imposing duties and responsibilities on the
4 Department of Transportation and the Department of
5 Environmental Protection;

6 Amend Sec. 2, page 1, by inserting between lines 13 and 14

7 "CA-LEV II." The California Low Emission Vehicle Program,
8 Title 13, Division 3, Chapters 1 and 2 of the California Code of
9 Regulations.

10 Amend Bill, page 1, lines 16 and 17; page 2, line 1, by

11 striking out all of said lines on said pages and inserting

12 "Light-duty truck." A motor vehicle, rated at 8,500 pounds
13 gross vehicle weight or less which is designed primarily for
14 purposes of transportation of property or is a derivative of
15 such a vehicle, or is available with special features enabling
16 off-street or off-highway operation and use.

17 "Light-duty vehicle." A passenger car or light-duty truck.

18 "Passenger car." A motor vehicle designed primarily for
19 transportation of persons and having a design capacity of 12
20 persons or fewer.

21 Section 3. Manufacturers and persons affected.

22 This act shall apply to all covered motor vehicle
23 manufacturers as defined in 40 CFR 86.1702 (relating to
24 definitions) and to any person which seeks to sell, lease, offer
25 for sale or lease, import, deliver, purchase, rent, acquire,
26 receive or register a light-duty vehicle after the effective
27 date of this act.

28 Section 4. Establishment of the Pennsylvania Clean Vehicles
29 Program.

30 (a) Establishment of primary vehicle standard.--The
31 Commonwealth hereby establishes a low-emission vehicle program
32 standard which is consistent with the standards established by
33 the California Air Resource Board, known publicly as CA-LEV II.
34 In adopting this vehicle standard the adoption of the Zero
35 Emissions Vehicle requirement or the emissions control system
36 warranty statement contained in Title 13, Chapter 1, Section
37 2039 of the California Code of Regulations or to any specific
38 requirements as they pertain to fuel requirements mandated in

1 the state of California shall be prohibited.

2 (b) Establishment of compliance alternative.--Motor vehicle
3 manufacturers may comply with the new vehicle emission standards
4 established by the

5 Amend Sec. 3, page 2, line 2, by striking out "standard"

6 Amend Bill, page 2, lines 8 and 9, by striking out all of
7 said lines and inserting

8 new and in-use highway vehicles and engines) as an alternative
9 to complying with the standards established in subsection (a).

10 (c) Expiration.--Unless further affirmative action is taken
11 by the General Assembly, this section shall expire December 31,
12 2014.

13 Section 5. Exemptions.

14 (a) General rule.--The following new motor vehicles are
15 exempt from the Pennsylvania Clean Vehicles Program requirements
16 of this act:

17 (1) An emergency vehicle.

18 (2) A light-duty vehicle transferred by a dealer to
19 another dealer for ultimate sale outside of this
20 Commonwealth.

21 (3) A light-duty vehicle transferred for use exclusively
22 off-highway.

23 (4) A light-duty vehicle transferred for registration
24 out-of-State.

25 (5) A light-duty vehicle granted a national security or
26 testing exemption under section 203(b)(1) of the Clean Air
27 Act (69 Stat. 322, 42 U.S.C. § 7522(b)(1)).

28 (6) A light-duty vehicle held for daily lease or rental
29 to the general public which is registered and principally
30 operated outside this Commonwealth.

31 (7) A light-duty vehicle engaged in interstate commerce
32 which is registered and principally operated outside this
33 Commonwealth.

34 (8) A light-duty vehicle acquired by a resident of this
35 Commonwealth for the purpose of replacing a vehicle
36 registered to the resident which was damaged, or became
37 inoperative, beyond reasonable repair or was stolen while out
38 of this Commonwealth, if the replacement vehicle is acquired
39 out of this Commonwealth at the time the previously owned
40 vehicle was either damaged or became inoperative or was
41 stolen.

42 (9) A light-duty vehicle transferred by inheritance or
43 court decree.

44 (10) A light-duty vehicle defined as a military tactical
45 vehicle or engines used in military tactical vehicles
46 including a vehicle or engine excluded from regulation under
47 40 CFR 85.1703 (relating to application of section 216(2)).

48 (11) A light-duty vehicle if the vehicle was registered
49 in this Commonwealth before the effective date of this act.

50 (12) A light-duty vehicle having a certificate of
51 conformity issued under the Clean Air Act and originally
52 registered in another state by a resident of that state who
53 subsequently establishes residence in this Commonwealth and
54 upon registration of the vehicle provides satisfactory
55 evidence to the Department of Transportation of the previous

1 residence and registration.

2 (13) A vehicle transferred for the purpose of salvage.

3 (14) A light-duty vehicle purchased or leased from an
4 out-of-State dealer by a resident of this Commonwealth for
5 the personal use of the resident and not for immediate
6 resale.

7 (b) Registration.--To register an exempted vehicle, the
8 person seeking registration shall provide satisfactory evidence,
9 as determined by the Department of Transportation, demonstrating
10 that the exemption is applicable.

11 Amend Sec. 4, page 2, line 11, by inserting after

12 "California"

13 except as provided in section 3

14 Amend Bill, page 2, by inserting between lines 12 and 13

15 Section 6. Department responsibilities.

16 (a) Report.--No later than June 30, 2010, the department
17 shall report to the General Assembly on the ozone attainment
18 status of Pennsylvania's counties and regions as required under
19 the Clean Air Act (69 Stat. 322, 42 U.S.C. § 7401 et seq.). The
20 report shall contain the department's recommendations to attain
21 and maintain compliance with Clean Air Act air quality ozone
22 standards.

23 (b) Stakeholder process.--To assist in the department's
24 recommendations, the department shall convene a stakeholder
25 process for each geographic area or region listed as
26 nonattainment by the Environmental Protection Agency, and not
27 anticipated to meet attainment by June 30, 2010. Each
28 stakeholder group shall be organized and convened no later than
29 June 30, 2008. The department shall use an outside neutral
30 facilitator to conduct each stakeholder group's deliberations.

31 (c) Composition.--Each stakeholder group shall be comprised
32 of fair representation consisting of motorist, public health and
33 environmental organizations, public utility, automotive
34 manufacturers, business and industry organizations as well as
35 Federal, State and local officials.

36 (d) Waiver petitions.--The department shall submit, if
37 necessary, any petitions for waivers to the Environmental
38 Protection Agency to effectuate any provision of this act.

39 Section 7. Department of Transportation responsibilities.

40 Prior to December 31, 2006, and each year thereafter, the
41 Department of Transportation shall provide to the chairmen and
42 minority chairmen of the Transportation Committee and the
43 Environmental Resources and Energy Committee of the Senate and
44 the chairmen and minority chairmen of the Transportation
45 Committee and the Environmental Resources and Energy Committee
46 of the House of Representatives a report listing the following:

47 (1) The approximate number of vehicles registered in
48 Pennsylvania which are certified by the California Air
49 Resource Board as CA-LEV II compliant, listed by county.

50 (2) The approximate number of vehicles of each model
51 year subsequent to 1970 currently registered in each county
52 of this Commonwealth.

53 Amend Sec. 5, page 2, line 12, by striking out "5" and

1 inserting

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3 Amend Sec. 6, page 2, line 16, by striking out "6" and

4 inserting

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6 Amend Sec. 10, page 2, line 28, by striking out "5" and

7 inserting

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9 Amend Sec. 10, page 3, line 1, by striking out "6" and

10 inserting

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