

ASSEMBLY BILL

No. 605

Introduced by Assembly Member Muratsuchi

February 13, 2025

An act to add Chapter 6 (commencing with Section 39900) to Part 2 of Division 26 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 605, as introduced, Muratsuchi. Lower Emissions Equipment at Seaports and Intermodal Yards Program.

Existing law, upon the appropriation of funds by the Legislature, requires the State Air Resources Board to allocate funds on a competitive basis for projects that are shown to achieve the greatest emission reductions from each emission source identified, as specified, from activities related to the movement of freight along California's trade corridors, commencing at the state's airports, seaports, and land ports of entry.

This bill would enact the Lower Emissions Equipment at Seaports and Intermodal Yards Program. As part of the program, the state board would be prohibited from adopting a future regulation that prohibits or disallows for the use of its entire useful life any cargo handling equipment, as defined, that is purchased pursuant to the program before December 31, 2027.

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. Chapter 6 (commencing with Section 39900) is
2 added to Part 2 of Division 26 of the Health and Safety Code, to
3 read:

4
5 CHAPTER 6. LOWER EMISSIONS EQUIPMENT AT SEAPORTS AND
6 INTERMODAL YARDS PROGRAM
7

8 39900. The Legislature finds and declares all of the following:

9 (a) It is in the best interests of all Californians to find innovative
10 and cost-effective ways to eliminate the localized impacts from
11 emissions of toxic air contaminants, including diesel emissions
12 and other criteria pollutants, as quickly as possible, while it is in
13 the best interests of all global citizens to reduce the total volume
14 of greenhouse gas emissions.

15 (b) The state has accelerated emission reductions in many
16 manners that benefit both local and global emission goals, including
17 through regulatory enactments and the use of strategic incentives.

18 (c) The state must maintain its aggressive long-term priority
19 emission reductions goals for decarbonization and the reduction
20 of greenhouse gases through the implementation of zero-emission
21 technologies while also addressing the priority of reducing the
22 public health and air quality impacts of toxic air contaminants and
23 criteria pollutants during the intervening years leading up to and
24 during the implementation of zero-emission technologies.

25 (d) In those instances where zero-emission technologies are not
26 yet commercially available, required by law, or economically
27 feasible, transitional technologies can provide an effective bridging
28 technology that results in significant reductions in toxic air
29 contaminants and criteria pollutants in the short term until
30 zero-emission technologies are implemented.

31 (e) Impacted California communities benefit from the reduction
32 of toxic air contaminants and criteria pollutants earlier and greater
33 than otherwise required by law.

34 (f) The state benefits from the enactment of programs that
35 encourage regulators and regulated industry to work cooperatively
36 in the creation of programs that successfully result in the utilization
37 and development of innovative new concepts to introduce

1 zero-emission and lower emission equipment into seaport
2 operations in California.

3 (g) It is in the best interests of the people of the State of
4 California to achieve cumulative lower emission reduction
5 outcomes at seaports and intermodal yards by application of
6 innovative concepts in partnership with industry in a manner that
7 protects public health and the environment.

8 (h) The state should encourage the purchase of equipment and
9 vehicles that are built to existing decarbonization standards adopted
10 by other jurisdictions, including the European Union, prior to the
11 state's adoption of its own zero-emissions standards. Subsequent
12 to the purchase of this equipment, the state should not penalize the
13 voluntary adoption of these decarbonization standards for any
14 equipment by prohibiting its use prior to the end of its useful life.

15 39901. The Legislature further finds and declares that all
16 emission reductions generated by the deployment of zero-emissions
17 cargo handling equipment pursuant to this chapter and prior to the
18 adoption of regulations by the State Air Resources Board will
19 result in a cumulative reduction in diesel toxic air contaminants,
20 a cumulative reduction of nitrogen oxides emissions, and a
21 cumulative reduction of greenhouse gas emissions for the life of
22 the equipment being approved when compared to the current diesel
23 engine standards. These reductions in emissions will thereby
24 contribute to public health by reducing the total amount of diesel
25 toxic air emissions in the state, contribute to a reduction of nitrogen
26 oxides in nonattainment areas of the state, and reduce the state's
27 contribution to global greenhouse gases.

28 39902. It is the intent of the Legislature to do all of the
29 following:

30 (a) Facilitate an innovative program that produces early and
31 extra reductions of local criteria and toxic air contaminant
32 emissions and greenhouse gas emissions.

33 (b) Maximize near-term local emission reductions of toxic air
34 contaminants and criteria pollutants and to accelerate global
35 reductions of greenhouse gas emissions resulting in reductions
36 that are greater than those that would otherwise occur under current
37 law.

38 (c) Ensure that the cumulative emission reductions from seaport
39 and intermodal yard equipment pursuant to this chapter will result

1 in emissions that are less than the cumulative outcome of acting
2 pursuant to the current and expected regulatory baseline.

3 (d) Provide owners of cargo handling equipment at California
4 seaports and intermodal yards certainty about the useful life of
5 equipment purchased pursuant to programs implemented by the
6 state board pursuant to this chapter to meet required environmental
7 standards.

8 (e) Encourage, in California, the investment in, purchase of,
9 and use of clean cargo handling equipment as early as possible.

10 (f) Support the California goods movement industry to maintain
11 its competitive advantage and avoid risking disinvestment or cargo
12 diversion to locations with less stringent environmental regulations.

13 39903. (a) As used in this chapter, “Cargo handling equipment”
14 means any equipment that is either of the following:

15 (1) (A) Any off-road, self-propelled vehicle, or equipment used
16 at a port or intermodal railyard to lift or move container, bulk, or
17 liquid cargo carried by ship, train, or another vehicle.

18 (B) Cargo handling equipment includes, but is not limited to,
19 rubber-tired gantry cranes, yard trucks, top handlers, side handlers,
20 reach stackers, forklifts, loaders, aerial lifts, excavators, and dozers.

21 (2) Any piece of equipment that is considered zero emissions
22 because it meets the definition for new heavy-duty vehicles at the
23 time of its purchase pursuant to the CO₂ emission performance
24 standards adopted by the European Union in Regulation (EU)
25 2019/1242.

26 (b) For purposes of this chapter, cargo handling equipment does
27 not mean any fully automated cargo handling equipment, including
28 equipment that is remotely operated and remotely monitored with
29 or without the exercise of human intervention or control. This
30 section does not limit the use of devices that support
31 human-operated cargo handling equipment, including equipment
32 to evaluate the utilization and environmental benefits of that
33 human-operated equipment.

34 39904. The state board shall not adopt a future regulation that
35 prohibits or disallows for the use of its entire useful life any cargo
36 handling equipment that is purchased pursuant to the terms of this
37 chapter before December 31, 2027.