

ASSEMBLY THIRD READING  
AB 2285 (Committee on Transportation)  
As Amended May 4, 2020  
Majority vote

## SUMMARY:

Makes various non-controversial changes to transportation-related statutes.

### Major Provisions

- 1) Extends the requirement for a person driving a vehicle to slow down and move over for certain stationary vehicles displaying flashing amber or emergency lights on the freeway to also apply on local streets and roads.
- 2) Extends the pilot program for alternative license plates and vehicle registrations issued by the Department of Motor Vehicles (DMV) until January 1, 2023.
- 3) Continuously appropriates interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account (RMRA) to the California Department of Transportation (Caltrans) for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program (SHOPP).
- 4) Extends by one year, until January 1, 2022, the requirement that the California Air Resources Board (ARB) dedicate 20% of California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program (Clean Truck Program) to support early commercial deployment of existing zero- and near-zero-emission heavy-duty trucks.

## COMMENTS:

In light of the novel coronavirus pandemic, The Transportation Committee had decided to consolidate several noncontroversial measures that had been introduced this year into a single bill. These provisions are substantive, but are minor, and most amend provisions of law that have already been considered by the Legislature and have passed unanimously.

*Slow Down, Move over:* According to the Center for Disease Control, between 2006 and 2016 more than one officer per week has been killed on the road nationally. Roadside deaths have been the leading cause of death for officers while on duty. Between 2007 and 2016, 130 officers were killed in the U.S. as a result of being struck by a vehicle while on foot. In 2006, the Legislature passed and Governor Schwarzenegger signed SB 1610 (Simitian), Chapter 375, which established the requirement for drivers to slow down and move over when approaching a stationary emergency vehicle, tow truck, or Caltrans vehicle while on the side of the freeway. This bill extends that provision to also include local streets and roads.

*Pilot program alternative license plates and vehicle registration:* In 2013, the Legislature passed and Governor Brown signed SB 806 (Hueso), Chapter 569, Statutes of 2013, authorizing DMV to establish a pilot program to evaluate the use of alternatives to license plates, registration stickers, and registration cards. That pilot has been extended multiple times since its introduction. Last year DMV recommended making the program permanent, and this year Assemblymember Gipson introduced AB 2770 to make this program permanent. This bill instead extends the pilot by two years.

*Highway maintenance:* This provision continuously appropriates interest earnings derived from revenues deposited in the RMRA to Caltrans for maintenance of the state highway system or for purposes of the SHOPP.

In 2017, the Legislature passed and Governor Brown signed into law the Road Repair and Accountability Act (SB 1, Beall, Chapter 5), which created the RMRA, the account into which the state deposits about \$3 billion annually in state transportation revenues over the course of a fiscal year as they are collected. As is the case for the General Fund and other special funds, the RMRA carries a cash balance associated with it to ensure the availability of funds. This cash balance is invested in interest-bearing financial instruments through the state's Pooled Money Investment Account.

Whereas SB 1 dedicates the revenues deposited into the RMRA to specified programs, the legislation does not contain statutory language dedicating interest earnings to specific programs. Thus, the interest earnings effectively end up in the account's cash balance. To ensure these interest earnings do not accumulate unnecessarily, the California Transportation Commission recommended in its Annual Report to the Legislature that the interest earnings be dedicated to the SHOPP.

*Zero and near-zero heavy duty trucks:* To help accelerate the deployment of zero- and near-zero-emission heavy-duty trucks, the Legislature passed and Governor Brown signed SB 1204 (Lara), Chapter 524, in 2013, that created the Clean Truck Program. This Program was designed to utilize GGRF funds to develop, demonstrate, pilot, and deploy zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies. To help the Clean Truck Program better meet the goal of benefiting disadvantaged communities, SB 1204, among other things, required ARB, until January 1, 2018, to dedicate no less than 20% of the program's funding to support early commercial deployment of zero- and near-zero emission heavy duty truck technology. By creating this set aside, SB 1204 sought to ensure that cleaner trucks were deployed sooner to provide immediate emissions reduction and air quality improvement benefits. The set aside was later extended until January 1, 2021.

**According to the Author:**

No author statement provided.

**Arguments in Support:**

According to the California Association of Highway Patrolmen, who is sponsoring the Slow Down Move Over provision, and only this provision, of the bill, "As you know, California Highway Patrol (CHP) officers are run down on the freeways far too often. The fact that we have a "Slow Down – Move Over" law has not stopped all of the deaths; although, it has helped reduce them. Your bill will further reduce deaths and injuries on highways and roadways. We are currently gathering statistics about crashes caused by motorists not moving over, but I can tell you, anecdotally, in talking to CHP officers all over California, the number of near-misses is staggering.

**Arguments in Opposition:**

None.

**FISCAL COMMENTS:**

According to the Assembly Appropriations Committee, this bill results in no state costs. Yet, the bill does have fiscal effects. It continuously appropriates millions of dollar in interest earnings to state highway maintenance. And it requires ARB to continue, for another year, to dedicate millions of Clean Truck Program dollars to support early commercial deployment of existing zero- and near-zero-emission heavy duty-trucks.

**VOTES:****ASM TRANSPORTATION: 15-0-0**

**YES:** Frazier, Fong, Aguiar-Curry, Berman, Chu, Cunningham, Daly, Diep, Friedman, Gipson, Grayson, Kiley, Medina, Nazarian, O'Donnell

**ASM APPROPRIATIONS: 18-0-0**

**YES:** Gonzalez, Bigelow, Bauer-Kahan, Bloom, Bonta, Calderon, Carrillo, Chau, Megan Dahle, Diep, Eggman, Fong, Gabriel, Eduardo Garcia, Petrie-Norris, McCarty, Robert Rivas, Voepel

**UPDATED:**

VERSION: May 4, 2020

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