Date of Hearing: March 23, 2026

ASSEMBLY COMMITTEE ON TRANSPORTATION
Lori D. Wilson, Chair
AB 1944 (Lee) – As Introduced February 13, 2026

SUBJECT: Zero-emission transit buses: axle weight

SUMMARY: Establishes higher weight limits up to 25,000 pounds for zero-emission (ZE) transit buses. Specifically, **this bill**:

1) Establishes a maximum curb weight of 25,000 pounds on any one axle of a ZE transit bus procured through a solicitation process where the solicitation was issued between January 1, 2027 and December 31, 2027, inclusive.

2) Establishes a maximum curb weight of 24,000 pounds on any one axle of a ZE transit bus procured through a solicitation process where the solicitation was issued between January 1, 2028 and December 31, 2029, inclusive.

3) Establishes a maximum curb weight of 23,000 pounds on any one axle of a ZE transit bus procured through a solicitation process where the solicitation was issued between January 1, 2030 and December 31, 2031, inclusive.

4) Establishes a maximum curb weight of 22,000 pounds on any one axle of a ZE transit bus procured through a solicitation process where the solicitation was issued on or after January 1, 2032.

EXISTING LAW:

1) Establishes a maximum gross weight of 20,500 pounds for any single axle of a bus. (Vehicle Code (VEH) 35554(a)(1))

2) Defines "curb weight" as the total weight of a fully loaded transit bus, including maximum fuel, oil, and coolant, and all equipment used in the normal operation of the bus, except without passengers or a driver. (VEH 35554(g))

3) Exempts transit buses from the above weight limit that were procured through a solicitation process that was issued before January 1, 2016. (VEH 35554(a)(2))

4) Exempts transit buses purchased by a publicly owned or operated transit system, or an operator of a transit system under contract with a publicly owned or operated transit system, from the above weight limit that were purchased during an option period in a multiyear contract before January 1, 2016, provided the option period does not exceed five years from the date of the original contract, or extend beyond January 1, 2021, whichever is earlier. (VEH 35554(a)(2))

5) Establishes a maximum curb weight of 23,000 pounds on any one axle of a transit bus procured through a solicitation process where the solicitation was issued between January 1, 2016 and December 31, 2018, inclusive. (VEH 35554(c)(1))

6) Establishes a maximum curb weight of 22,000 pounds on any one axle of a bus procured through a solicitation process where the solicitation was issued on or after January 1, 2019. (VEH 35554(c)(2))

7) Establishes a maximum curb weight of 25,000 pounds on any one axle of an articulated or ZE transit bus procured through a solicitation process where the solicitation was issued between January 1, 2016 and December 31, 2017, inclusive. (VEH 35554(d)(1))

8) Establishes a maximum curb weight of 24,000 pounds on any one axle of an articulated or ZE transit bus procured through a solicitation process where the solicitation was issued between January 1, 2018 and December 31, 2019, inclusive. (VEH 35554(d)(2))

9) Establishes a maximum curb weight of 23,000 pounds on any one axle of an articulated or ZE transit bus procured through a solicitation process where the solicitation was issued between January 1, 2020 and December 31, 2021, inclusive. (VEH 35554(d)(3))

10) Establishes a maximum curb weight of 22,000 pounds on any one axle of an articulated or ZE transit bus procured through a solicitation process where the solicitation was issued on or after January 1, 2022. (VEH 35554(d)(4))

11) Requires a transit operator operating an articulated transit bus to provide notice to all cities and counties in whose jurisdiction the bus will operate in the upcoming calendar year, identifying the approximate routes upon which the bus is expected to be scheduled for service, including the names of streets and roads upon which that service is likely to take place by July 1, 2016. Thereafter, a transit operator operating an articulated transit bus shall annually provide notice by July 1, to all cities and counties in whose jurisdiction the bus will operate in the upcoming calendar year, identifying any changes to the service on those routes and any new routes upon which the bus is expected to be scheduled for the upcoming year. The notice shall include data from information provided by the bus manufacturer to the transit operator, identifying the weight of the articulated bus. (VEH 35554(f))

FISCAL EFFECT: Unknown

COMMENTS: *Greenhouse gas emissions goals.* The Legislature has set several goals to reduce greenhouse gas (GHG) emissions and address climate change. The Global Warming Solutions Act of 2006, AB 32 (Nuñez), Chapter 488, Statutes of 2006 and subsequent companion legislation SB 32 (Pavley), Chapter 249, Statutes of 2016, requires California to reduce statewide GHG emissions to 40% below the 1990 level by 2030. AB 1279 (Muratsuchi), Chapter 337, Statutes of 2022 establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045. CARB is responsible for developing a Scoping Plan to detail how the state will achieve its GHG emissions reduction targets mandated by law.

Why regulate mobile source emissions? Mobile sources of air pollution are vehicles or equipment that can be moved from place to place and emit pollutants as they operate. These sources include on-road vehicles like cars, trucks, and buses, as well as non-road vehicles such as aircraft, construction equipment, and marine vessels. Mobile sources and the fossil fuels that power them are the largest contributors to the formation of ozone, GHG emissions, fine particulate matter ($PM_{2.5}$), and toxic diesel particulate matter (DPM). Statewide, more than 21 million out of over 39 million Californians live in areas that exceed the federal ozone standards; within these areas, there are many low-income and disadvantaged communities that are exposed

to not only ozone, but also particulate and toxic, pollutant levels significantly higher than the federal standards which have immediate and detrimental health effects.

In California, mobile sources are responsible for approximately 80% of smog-forming nitrogen oxide (NO_x) emissions. They also represent about 50% of GHG emissions when including emissions from fuel production, and more than 95% of toxic DPM emissions.

The National Ambient Air Quality Standard (NAAQS). The Clean Air Act of 1970 instructs the U.S. Environmental Protection Agency (US EPA) to set primary NAAQS to protect public health, and secondary NAAQS to protect plants, forests, crops and materials from damage due to exposure to six criteria air pollutants. These pollutants include: particulate matter, ozone, nitrogen oxides, sulfur oxides, carbon monoxide, and lead.

Federal law (42 United States Code 7409 and 7410) requires that all states attain the NAAQS and develop State Implementation Plans (SIP) for nonattainment areas to attain the NAAQS, and attainment areas to maintain attainment. Failure of a state to reach attainment of the NAAQS by the target date can trigger penalties, including withholding of federal highway funds.

State law (HSC 39602) requires CARB to develop SIP emission reduction strategies for cars, trucks, and other mobile sources to meet the requirements in the Clean Air Act. Local air districts are primarily responsible for controlling emissions from stationary sources such as factories and power plants. CARB coordinates closely with local air districts (such as SCAQMD) in the development of attainment plans which are then incorporated into the SIP.

The state of California's authority. Under the Clean Air Act, California has unique authority to set stricter than federal regulations for mobile source emissions after receiving a waiver from the US EPA. In January 2025, the Biden administration granted waivers to CARB for Advanced Clean Cars II (ACCII), Heavy-Duty Omnibus Low NO_x (Heavy-Duty Omnibus), Small Off-Road Engines, and In-Use Off-Road Diesel Fueled Fleets regulations. Additionally, partial waivers were granted for Commercial Harbor Craft, and Transportation Refrigeration Unit regulations. CARB also strategically withdrew waiver requests for Advanced Clean Fleets and In-Use Locomotive regulations prior to the Trump administration assuming office. In April 2025, three joint resolutions (H.J. Res.87, H.J.Res.88, H.J.Res.89) were introduced in the house to disapprove of numerous previously approved waivers, under the Congressional Review Act. On June 12, 2025, all three joint resolutions were signed into law. California immediately filed a lawsuit against the federal government to challenge the waiver revocations (State of California, et al. v. United States, et al. (United States District Court, Northern District of California, Case No. 4:25-cv-04966)). The lawsuit is ongoing, creating a state of uncertainty around many of California's clean vehicle regulations.

Innovative Clean Transit regulation. CARB adopted the Innovative Clean Transit (ICT) regulation in December 2018. The regulation remains in force and is not currently challenged by the federal administration. The regulation is a statewide rule that requires public transit agencies to transition their bus fleets to zero-emissions (ZE). The ICT defines a large transit agency as a transit agency that operates in the South Coast or the San Joaquin Valley Air Basin and operates more than 65 buses in annual maximum service or a transit agency that does not operate in South Coast or San Joaquin Valley Air Basin and has at least 100 buses in annual maximum service in an urbanized area with a population of at least 200,000. All other transit agencies are defined as a small transit agency. Under the ICT, large transit agencies are required to have 25% of their bus purchases in each calendar year to be ZE starting January 1, 2023, 50% ZE starting January 1,

2026, and 100% ZE starting January 1, 2029. Small transit agencies are required to have 25% of their bus purchases in each calendar year to be ZE starting January 1, 2026, and 100% ZE starting January 1, 2029. All transit agencies are required to fully transition all of their buses to ZE by 2040.

ZE bus weights. The Larson Transportation Institute's Bus Research and Testing Center, located in Altoona, Pennsylvania, was established in 1989 with funding provided by the Federal Transit Administration to perform heavy vehicle maintenance, repair and testing. The facility manages program operations associated with testing new model buses as required by federal law. Currently, the Center tests buses for maintainability, reliability, safety, performance, structural integrity and durability, fuel/energy economy, noise, and emissions. In accordance with the 1991 Intermodal Surface Transportation Efficiency Act, the Center tests brake performance, bus emissions, and buses using alternative fuels. Permanent facilities for testing and repairing vehicles that use hydrogen, gasoline, diesel fuel, compressed natural gas, liquefied natural gas, methanol/ethanol, propane, and battery-powered electricity have been in place since 1997.

The Center has released testing reports for 41 battery-electric (BE) buses and 4 hydrogen fuel cell (FC) buses. The curb weight on a single axel of tested BE buses ranges from 3,150 lbs. to 23,820 lbs. This bill would authorize all BE tested buses acquired through a solicitation process through December 31, 2029. The curb weight on a single axel of tested FC buses ranges from 5,510 lbs. to 21,550 lbs. This bill would authorize all FC tested buses acquired through a solicitation process in perpetuity. The weight of ZE buses is expected to decrease over time as technology matures and lighter materials are used in the manufacturing process.

Road wear and tear. Heavier vehicles wear roads more quickly than lighter vehicles. Additionally, the distribution of weight between vehicle axels is an added factor in road wear. The relationship between vehicle weight and road wear is calculated where road wear is proportional to the axel weight to the fourth power (Damage $\propto$ (Axle Load)^4). Caltrans utilizes this relationship when designing roads.

Committee comments. California has ambitious climate goals and the state's tools to reduce emissions from mobile sources are under attack from the federal administration. One of the remaining regulations California maintains is the authority to enforce is the Innovative Clean Transit regulation. However, transit agencies are restricted by state law which requires transit buses not to exceed specified curb weights. While previous efforts created short term solutions in hopes that battery weights would decrease over time, ZE transit bus weights have not decreased at the expected pace. This bill would provide relief for transit agencies to acquire any ZE bus through a solicitation that has been tested by The Larson Transportation Institute's Bus Research and Testing Center, until at least December 31, 2029. As discussed, increased vehicle weights lead to increased road wear. This Committee should consider the tradeoffs between providing flexibility to transit agencies in their ZE bus acquisitions and the increased wear on California's roads which would increase pressure on the amount of funding local agencies have for road maintenance.

According to the author, "California has set ambitious zero-emission goals, requiring that by 2029 all buses purchased by transit agencies must be zero-emission vehicles. However, because of axle-weight limits set by the Legislature, transit agencies are struggling to procure Zero Emission Busses that keep up with their operational needs while staying within existing weight limits. AB 1944 provides a practical and responsible solution by adjusting the timeline for these

limits while maintaining the previously negotiated upper weight cap, allowing California Transit Agencies to continue making progress towards our clean transportation goals."

According to the California Transit Association*, supporters of this bill,* "In December 2018, CARB adopted the ICT regulation, which requires public transit agencies to convert their bus fleets to zero-emission technology by no later than 2040. The regulation functions by way of a tiered zero-emission bus (ZEB) purchase mandate, which requires that, beginning in 2023, transit agencies purchase a fixed percentage of ZEBs with each bus procurement. Under the regulation, this fixed percentage increases every three years until, in 2029, it reaches 100 percent. In compliance with the regulation, transit agencies have already purchased 1,690 ZEBs (based on CARB's 2024 estimates) and are preparing to procure ZEBs in increasingly larger volumes. As ZEB deployment continues to increase (and short-range ZEBs are deployed on available shorter routes), transit agencies will be required to procure ZEBs with extended ranges to complete longer routes and more aggressive duty cycles. With today's technology, extended range ZEBs require additional batteries, which result in additional weight that meet or, in some cases, exceed the axle weight limits in current law.

"This bill aims to address this conflict between the state's ICT regulation (and its mandate that transit agencies purchase ZEBs) and the axle weight limits that apply to ZEBs purchased by these agencies by postponing the solicitation issuance dates by which certain axle weight limits apply and without changing the maximum axle weight limit in current law."

Previous and related legislation. AB 1250 (Bloom), Chapter 484, Statutes of 2015, exempted transit buses procured through a solicitation process before January 1, 2016 from the statutory weight limit of 20,500 pounds on any one axle and establishes a declining curb weight per axle.

AB 1720 (Bloom) Chapter 263, Statutes of 2014, provided a two-year exemption for existing transit buses to exceed statutory weight limits and sunset at the end of 2016. Additionally provided a weight exemption for transit buses if incorporating a new fleet class expansion.

AB 1706 (Eng) Chapter 771, Statutes of 2012, permanently allowed the operation of overweight transit buses on non-interstate highways that were procured before January 1, 2013. Additionally, it authorized transit operators to purchase new overweight transit buses to replace existing buses of equal or lesser weight, or to incorporate a new fleet class under specified conditions, until 2015.

REGISTERED SUPPORT / OPPOSITION:

Support

California Transit Association (sponsor)
Monterey-Salinas Transit District
Sacramento Regional Transit Center
San Diego Metropolitan Transit System

Opposition

None on file

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