

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Isaac G. Bryan, Chair

AB 2075 (Bennett) – As Introduced February 18, 2026

SUBJECT: Forestry: safety requirements: fire equipment: internal combustion engines

SUMMARY: Revises and recasts current requirements for where to maintain fire prevention tools during specified operations.

EXISTING LAW:

- 1) Prohibits, during any time of the year when burning permits are required in a designated area, a person from using or operating motor, engine, boiler, stationary equipment, welding equipment, cutting torches, tarpots, or grinding devices from which a spark, fire, or flame may originate, which is located on or near any forest-covered land, brush-covered land, or grass-covered land, without doing both of the following (Public Resources Code (PRC) 4427):
 - a) First clearing away all flammable material, including snags, from the area around such operation for a distance of 10 feet.
 - b) Maintaining one serviceable round point shovel with an overall length of not less than 46 inches and one backpack pump water-type fire extinguisher fully equipped and ready for use at the immediate area during the operation.
- 2) Prohibits a person, except any member of an emergency crew or the driver or owner of any service vehicle owned or operated by or for, or operated under contract with, a publicly or privately owned utility, which is used in the construction, operation, removal, or repair of the property or facilities of such utility when engaged in emergency operations, from using or operating any vehicle, machine, tool or equipment powered by an internal combustion engine operated on hydrocarbon fuels, in any industrial operation located on or near any forest, brush, or grass-covered land between April 1 and December 1 of any year, or at any other time when ground litter and vegetation will sustain combustion permitting the spread of fire, without providing and maintaining, for firefighting purposes only, suitable and serviceable tools in the amounts, manner and prescribed location. (PRC 4428)
- 3) Prohibits, during any time of the year when burning permits are required in an a designated area, a person, copartnership, firm, corporation or company, from using or operating in such area any steam-operated engine, machine equipment, mill or industrial plant, located on or near forest-covered land or brush-covered land, without providing one adequate force pump or water under pressure equivalent to a pump, and not less than 200 feet of hose not less than one inch in diameter for each steam-operated engine or equipment. The pump or water pressure required in this section shall be capable of applying a minimum of 40 pounds pressure at the nozzle on 200 feet of hose, such nozzle to be one-fourth inch or larger in diameter. If two steam-operated engines or steam equipment are customarily operated within 100 feet of each other, only one engine or piece of equipment need be equipped with pump and hose. (PRC 4430)

- 4) Prohibits, during any time of the year when burning permits are required in a designated area, a person from using or operating or causing to be operated in the area any portable saw, auger, drill, tamper, or other portable tool powered by a gasoline-fueled internal combustion engine on or near any forest-covered land, brush-covered land, or grass-covered land, within 25 feet of any flammable material, without providing and maintaining at the immediate locations of use or operation of the saw or tool, for firefighting purposes one serviceable round point shovel, with an overall length of not less than 46 inches, or one serviceable fire extinguisher. Requires the Director of Forestry and Fire Protection (CAL FIRE) to, by administrative regulation, specify the type and size of fire extinguisher necessary to provide at least minimum assurance of controlling fire caused by use of portable power tools under various climatic and fuel conditions. (PRC 4431)
- 5) Prohibits a person from using, operating or allowing to be used or operated, any internal combustion engine which uses hydrocarbon fuels on any forest-covered land, brush-covered land, or grass-covered land unless the engine is equipped with a spark arrester, in effective working order or the engine is constructed, equipped, and maintained for the prevention of fire. (PRC 4442)
- 6) Prohibits a person from selling, offering for sale, leasing, or renting to any person any internal combustion engine subject to PRC 4442 or 4443, and not subject to Health and Safety Code (HSC) 13005, unless the person provides a written notice to the purchaser or bailee, at the time of sale or at the time of entering into the lease or rental contract, stating that it is a violation of PRC 4442 or 4443 to use or operate the engine on any forest-covered, brush-covered, or grass-covered land unless the engine is equipped with a spark arrester, as defined in PRC 4442, maintained in effective working order or the engine is constructed, equipped, and maintained for the prevention of fire pursuant to PRC 4443. (PRC 4442.5)
- 7) Prohibits a person from selling, offering for sale, leasing, or renting to a person any equipment that is powered by an internal combustion engine subject to PRC 4442 or 4443, and not subject to HSC 13005, unless that equipment has a permanent warning label attached that is in plain view to the operator that states, "WARNING—Operation of This Equipment May Create Sparks That Can Start Fires Around Dry Vegetation. A Spark Arrester May be Required. The Operator Should Contact Local Fire Agencies For Laws or Regulations Relating to Fire Prevention Requirements." (PRC 4442.6)
- 8) Prohibits a person from using, operating, or causing to be operated on any forest-covered land, brush-covered land, or grass-covered land any handheld portable, multiposition, internal-combustion engine manufactured after June 30, 1978, which is operated on hydrocarbon fuels, unless it is constructed and equipped and maintained for the prevention of fire. Requires the Board of Forestry (Board), by regulation, specify standards for construction, equipment, and maintenance of such engines for the prevention of fire and shall specify a uniform method of testing to be used by engine and equipment manufacturers, governmental agencies, and equipment users. The regulations shall include specification of exhaust system standards for carbon particle retention or destruction, exposed surface temperature, gas temperature, flammable debris accumulation, durability, and serviceability. (PRC 4443)

THIS BILL:

- 1) Revises the conditions under which a person is prohibited from using or operating any motor, engine, boiler, stationary equipment, welding equipment, cutting torches, tarpots, or grinding devices from which a spark, fire, or flame may originate without additionally maintaining at least one backpack pump-type fire extinguisher fully equipped and ready for use, and a sufficient number of serviceable round point shovels with an overall length of not less than 46 inches so that each person at the operation can be equipped to fight fire, within the operating area. Prohibits the required fire tools from being, at any time, farther than 25 feet from the point of operation of the power saw or tool.
- 2) Provides that these requirements apply to a person working away from the motorized vehicle whether or not she/he was at any time a passenger of the motorized vehicle.
- 3) Exempts from the aforementioned requirements a person operating a motorized vehicle to work on, clear, or grade any land in or near any forest-covered land, brush-covered land, or grass-covered land, during any time of the year when burning permits are required in an area.
- 4) Requires a person operating a motorized vehicle to work on, clear, or grade any land in or near any forest-covered land, brush-covered land, or grass-covered land, during any time of the year when burning permits are required in an area to have in or affixed to the motor vehicle and ready for immediate use one serviceable round point shovel with an overall length of not less than 46 inches and one fully equipped fire extinguisher.
- 5) Defines “person” as a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity for purposes of PRC 4428, 4430, 4431, 4442, 4442.5, 4442.6, and 4443.
- 6) Provides that no reimbursement is required by this bill pursuant to California Constitution.

FISCAL EFFECT: Unknown

COMMENTS:**1) Author’s statement:**

With climate change increasing the frequency and intensity of wildfires, California needs clarity regarding who to hold accountable when an accidental fire breaks out during an outdoor operation. AB 2075 clarifies fire safety standards during operations on or near any forest, brush, or grass-covered land and ensures companies performing such activities clearly know what they can be held liable for in the event a fire occurs. This bill is a commonsense measure to protect workers and guarantee justice for fire victims.

- 2) **Firefighting tool box.** Internal combustion engine-powered equipment, whether fueled by gasoline, diesel, propane, natural gas, or other fuels, can act as ignition sources. Without proper precautions, industrial machinery can quickly turn a small spark into a large, uncontrollable wildfire. Current law prohibits a person from using internal combustion engine-powered equipment on an industrial operation located on or near any forest, brush, or grass-covered land between April 1 and December 1 of any year, or at any other time when

ground litter and vegetation will sustain combustion permitting the spread of fire, without providing and maintaining, for firefighting purposes only, suitable and serviceable tools in the specified amounts, manner and location.

Current law requires the availability of a sealed box of tools onsite of an industrial operation to be accessible in the event of fire onsite. The fire toolbox is required to contain one backpack pump-type fire extinguisher filled with water, two axes, two McLeod fire tools, and a sufficient number of shovels so that each employee at the operation can be equipped to fight fire. These requirements were enacted in 1971 and have not been updated since.

- 3) **Examples of worksite fire.** In October of 2024 in Ventura County, a tractor driver was clearing dry vegetation to prepare for cattle grazing when an accidental fire caused by an engine failure erupted. The tractor driver, who was contracted by an agricultural company, immediately drove the tractor to a cleared area and called for help. The mandated fire extinguishing equipment was down a hill in the tractor driver's truck. As a result, the tractor driver could not immediately extinguish the fire. The tractor became engulfed in flame, and the blaze grew to 1.8 acres before it was extinguished by first responders.

One week later, heated tire debris at the fire site became dislodged and dispersed during very high winds, acting as the catalyst to the Mountain Fire. This fire would go on to burn nearly 20,000 acres, damage 126 structures, and destroy another 243. According to the author's office, this fire may not have occurred if the required fire extinguishing equipment was attached to the tractor or within 25 feet of the initial fire, which may have enabled the fire to be extinguished before the tractor was engulfed.

In the Ventura County District Attorney's investigation into criminal liability of the Mountain Fire, it was revealed that existing standard "ready for use" under PRC 4427 allows too much room for judgment error, and that uncertainty whether the company who contracted the tractor driver could be held criminally liable for fire safety non-compliance.

Existing law is arguably vague concerning the required location of mandatory fire extinguishing equipment when individuals work open land at a time when burning permits are required. The uncertainty allows the required equipment to potentially be kept too far from worksites, thus increasing the risk of fire.

- 4) **Clarifying requirements.** This bill specifies the required placement of mandatory fire extinguishing equipment and standardizes the entity responsible for compliance across several statutes.

The author's office states that statutory ambiguity also places responsibility for some violations on individuals, but not on the business entities who hire them, although business entities are best positioned to ensure compliance. Clarifications to these laws can make liability and personal responsibility clearer. This bill is also referred to the Assembly Judiciary Committee, which will further analyze this component of the bill.

- 5) **Getting it right.** Last year, this committee heard AB 1395 (Harabedian, 2025) to require a dedicated set of tools, including a sufficient number of fire extinguishers, to be located within the operating area on or near any forest, brush, or grass-covered land and accessible in the event of a fire, so that, when added to any other tools on the industrial operation, each

employee at the operation can be equipped to fight fire. At that time, the Associated California Loggers (ACL) expressed concern that AB 1395 was premature because meetings were “underway between the Association and CAL FIRE to work out administrative direction to inspectors and other personnel on enforcement of regulations derived from PRC 4228 that AB 1395 would amend. The meetings are specifically to address ambiguities in [current law].” AB 1395 was ultimately paused in hopes that those meetings could inform legislation to change the current statute.

CAL FIRE and ACL last met on this topic in late February. CAL FIRE and ACL both identified that the location of the required fire tools within an active operation is subjective due to neither the Forest Practice Rules nor the PRC defining the “operating area” or “point of operation.” CAL FIRE and ACL have been discussing various distances to ensure compliance. Later this year, CAL FIRE and ACL plan to continue to discuss and evaluate proposed distances during field operations to test for different operating constraints. Additionally, the working group has been discussing how to best define terms such as “operating area.” Once discussions and evaluations are complete, the reports from the evaluations will be reviewed and a recommendation will be made to the Board of Forestry and Fire Protection on how best to revise the Forest Practice Rules.

- 6) **Double referral.** This bill is also referred to the Assembly Judiciary Committee.
- 7) **Committee amendments.** The *committee may wish to consider* amending the bill to require:
 - a) For timber operations on timberland conducted by a timber operator, as those terms are defined in PRC 4527, 4526, and 4526.5, respectively, the Board to define the terms “operating area” and “point accessible in the event of a fire” in the Forest Practice Rules.
 - b) For timber operations on timberland conducted by a timber operator as those terms are defined in PRC 4527, 4526, and 4526.5, respectively, the Board to define the necessary number and types of tools needed in the fire toolbox.
- 8) **Related legislation.** AB 1395 (Harabedian, 2025) requires a dedicated set of tools, including a sufficient number of fire extinguishers, to be located within the operating area on or near any forest, brush, or grass-covered land and accessible in the event of a fire, so that, when added to any other tools on the industrial operation, each employee at the operation can be equipped to fight fire. This bill was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Ventura County District Attorney's Office

Opposition

None on file

Analysis Prepared by: Paige Brokaw / NAT. RES. /