

Date of Hearing: April 21, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
AB 2075 Bennett – As Amended April 15, 2026

PROPOSED CONSENT

SUBJECT: FORESTRY: SAFETY REQUIREMENTS: FIRE EQUIPMENT: INTERNAL COMBUSTION ENGINES

KEY ISSUES:

- 1) SHOULD VARIOUS SAFETY STANDARDS FOR OPERATING INTERNAL COMBUSTION ENGINES IN WILDLAND AREAS BE UPDATED?
- 2) SHOULD NATURAL PERSONS, PARTNERSHIPS, FIRMS, ASSOCIATIONS, CORPORATIONS, LIMITED LIABILITY COMPANIES, AND OTHER LEGAL ENTITIES BE REQUIRED TO COMPLY WITH THE UPDATED SAFETY GUIDELINES?

SYNOPSIS

It is widely recognized that California's natural landscapes are highly vulnerable to wildfires. As the impacts of climate change grow, so too does the annual risk of catastrophic wildfires across the state. Recognizing that using internal combustion engines in wildland areas poses an especially acute risk of fire ignition, existing law already requires persons operating such equipment to carry some fire safety and suppression equipment with them while working in the wildland. However, as evidenced by a 2024 fire in Ventura County, the existing law is not adequate to prevent fires and to hold those truly responsible for their ignition to account.

This bill would update several safety requirements for operating internal combustion engines and related equipment in the wildland. The bill would also expand the scope of entities required to ensure the safety requirements are met to ensure that the responsibility lies not only with frontline workers but their employers.

This bill is sponsored by the Ventura County District Attorney who notes that their investigation into the 2024 Mountain Fire highlighted several deficiencies in existing law. The District Attorney brought this proposal to the author seeking to address these deficiencies to both improve fire safety and better hold those responsible to account should a fire start. This bill has no known opposition and was previously heard and approved by the Committee on Natural Resources unanimously.

SUMMARY: Establishes new fire safety and equipment standards for those operating internal combustion engines in fire prone areas and clarifies that the rules apply to a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity. Specifically, **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.

- 2) Specifies that the tools specified in 1) must be, at all times, no farther than 25 feet from the point of operation of the power saw or tool.
- 3) Requires for the purposes of 1), the Board of Forestry and Fire Protection to define the terms “operating area” and “point accessible in the event of a fire” in the Forest Practice Rules applicable to timber operations on timberland conducted by a timber operator.
- 4) Provides that the requirements of 1) apply to a person working away from the motorized vehicle whether or not they were at any time a passenger of the motorized vehicle.
- 5) Provides that the provisions of 1) do not apply to 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.
- 6) 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.
- 7) Clarifies that when a person is required to maintain a fire toolbox on their vehicle, the fire toolbox 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 natural person at the operation can be equipped to fight fire.
- 8) Requires the Board of Forestry and Fire Protection to define, in the Forest Practice Rules, the necessary number and types of tools needed in the fire toolbox specified in 7) based on the application and availability of tools that can be used to extinguish ignitions in an area of operation for timber operations on timberland conducted by a timber operator.
- 9) Authorizes the Board of Forestry and Fire Protection to adopt all regulations mandated by this bill using emergency regulation procedures as specified in the Administrative Procedures Act.
- 10) Defines “person” for the sake of various fire safety and equipment provisions of the Public Resources Code to mean a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity.

EXISTING LAW:

- 1) Prohibits a person 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, which is located on 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, without doing both of the following:

- a) First clearing away all flammable material, including snags, from the area around such operation for a distance of 10 feet; and
 - b) Maintaining one serviceable round point shovel with an overall length of not less than forty-six inches and one backpack pump water-type fire extinguisher fully equipped and ready for use at the immediate area during the operation. (Public Resources Code Section 4427.)
- 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 location without doing the following:
- a) Maintaining a sealed box, containing 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, within the operating area, at a point accessible in the event of fire;
 - b) One or more serviceable chainsaws of three and one-half or more horsepower with a cutting bar 20 inches in length or longer that must be immediately available within the operating area, or, in the alternative, a full set of timber-felling tools that must be located in the fire toolbox, including one crosscut falling saw six feet in length, one double-bit ax with a 36-inch handle, one sledge hammer or maul with a head weight of six, or more, pounds and handle length of 32 inches, or more, and not less than two falling wedges;
 - c) One shovel and one ax, if operating a rail speeder or passenger vehicle. (Public Resources Code Section 4428.)
- 3) Prohibits, any time of the year when burning permits are required in an 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. (Public Resources Code Section 4430.)
- 4) Prohibits, during any time of the year when burning permits are required in an area, no person from using or operating 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. (Public Resources Code Section 4431.)

- 5) Prohibits, generally, 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, as specified, that is maintained in effective working order or the engine is constructed, equipped, and maintained for the prevention of fire. (Public Resources Code Section 4442.)
- 6) Prohibits a person from selling, offering for sale, lease, or rent to a person any equipment that is powered by specified internal combustion engines, 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.” (Public Resources Code Section 4442.6.)
- 7) 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, that is operated on hydrocarbon fuels, unless it is constructed and equipped and maintained for the prevention of fire. (Public Resources Code Section 4443.)
- 8) Outlines the procedures for adopting an emergency regulation, including but not limited to, the provisions for waiving a public hearing on the regulation. (Government Code Section 11346.1.)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: Working in California’s wildland spaces can be dangerous, especially when a person is working with internal combustion engine-powered equipment. Far too frequently, these tools have triggered wildfires. Seeking to ensure that a small fire does not become a massive conflagration, the existing law requires persons operating internal combustion engines within wildland areas to carry firefighting tools. This bill revises and recasts several areas of the existing law mandating what tools a party must carry and clarifies that the existing wildland safety rules apply to a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity. In support of this bill the author states:

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.

Existing law requires people using internal combustion powered equipment in fire prone areas to take safety precautions. By their nature, tools powered by hydrocarbons can pose fire ignition risks. This is especially true when those tools are used in fire prone areas. Unfortunately, hydrocarbon fueled tools are especially useful for conducting activities like brush clearance, tree trimming, and other landscape management work in fire prone areas. The history of this state is replete with examples of otherwise innocent tools, including lawn mowers, chainsaws, and even vehicles triggering wildfires. To combat this risk, existing law requires those using these gas-

powered tools to carry with them fire response equipment, including hoses, shovels, axes, and saws.

A 2024 wildfire in the author's district helps illustrate the importance of maintaining proper equipment when working in wildland areas. In that instance, a tractor driver was clearing dry vegetation to prepare for cattle grazing when the tractor's internal combustion engine failed and ignited the dry brush. Unfortunately, the mandated fire extinguishing equipment was down a hill in the tractor driver's truck and thus the engine fire could not be immediately extinguished. However, thanks to the actions of the tractor operator, emergency services were quickly notified, and the local fire service was able to extinguish the fire after burning only 1.8 acres. (*Hot Tire Debris Dislodged by Extreme Winds Determined as Cause of the Mountain Fire*, Ventura County Fire Department (Nov. 7, 2025) available at: <https://fire.venturacounty.gov/news/hot-tire-debris-dislodged-by-extreme-winds-determined-as-cause-of-the-mountain-fire/>.)

Unfortunately, however, a subsequent windstorm reignited debris from the burned tractor and quickly dispersed the embers into the nearby brush. The subsequent conflagration, dubbed the Mountain Fire, burned nearly 20,000 acres and destroyed or damaged over 300 structures. (*Ibid.*) Although the initial fire was not terribly large, had the proper equipment be readily available to immediately extinguish the tractor fire, the tractor may not have burned with the ferocity it did, and the embers that triggered the Mountain Fire may never have existed.

Existing law targets compliance with fire safety rules on the person working in a wildland area and not their employer. The Mountain Fire also highlights how the existing law makes it difficult to hold the correct party accountable after a wildfire. Existing law specifies that “a person” conducting operations in the wildland with hydrocarbon powered equipment is responsible for maintaining fire suppression equipment. However, the statute also clearly envisions potential groups working in these areas. Given that much of this work is carried out by employees of companies with an interest in the property on which the work takes place, the reference to multiple parties makes sense.

Nonetheless, when investigating the Mountain Fire, the Ventura County District Attorney determined that the tractor driver largely complied with the law, as the existing law does not require the safety equipment to be within a specific radius of the work being performed. Accordingly, the District Attorney declined to charge the tractor operator. However, the District Attorney noted that the tractor operator's employer may have had some culpability in the fire as the safety equipment that was provided to the tractor driver may not have been adequate. The District Attorney noted that the current law makes holding the employer liable difficult as they may not be considered a “person” for the purposes of the mandates in existing law.

This bill updates fire safety tool requirements and expands the scope of those responsible to operate safely in wildland areas. Seeking to address the gaps in existing law exposed by the Mountain Fire, this bill makes several updates to the Public Resources Code regarding the operation of hydrocarbon field equipment in the wildland. First, this bill updates several of the fire prevention tool and equipment standards found in existing law. The bill also tasks the Board of Forestry and Fire Protection, the regulatory board setting standards for the Department of Forestry and Fire Protection or CAL FIRE, to adopt specific regulatory standards for timber operations into the Timber Practice Rules. A far more comprehensive evaluation of the new standards is contained within the analysis of this measure published by the Committee on Natural Resources who maintains jurisdiction over wildland fire safety regulations. (see, (Assem. Com.

on Nat. Res., Analysis of Assem. Bill No. 2075 (2025-26 Reg. Session) as introduced Feb. 18, 2026.)

Of relevance to this Committee, this bill also expands the definition of “person” for the purpose of complying with the above-described standards. As noted, the Ventura County District Attorney determined that they could not hold the employer of the tractor operator liable for the Mountain Fire, as the existing law only mandates the “person” using an engine in the wildland must maintain safety equipment. The District Attorney also argues, as a matter of policy, it would be unfair to hold an employee liable for the mistakes of their employer, in this case not providing the employee adequate safety equipment. Accordingly, this bill inserts a new definition of person into several of the Public Resources Code sections regarding what specific safety equipment must accompany specific wildland operations. The new definition would encompass natural persons, partnerships, firms, associations, corporations, limited liability companies, or other legal entities.

A review of the definitions of a “person” currently in existing law finds that a person is defined in numerous manners across the California codes. The reason for the varying definitions appears rooted in the unique needs of each statutory scheme in which “person” is defined. Given that the goal of the definition in this measure is to ensure that the business entity employing those working in wildland areas complies with the law and provides their employees the tools necessary to safely operate, the definition in this bill appears reasonable. While one may wonder, given that the United States Supreme Court has essentially held that corporations are people too (see, e.g. *Citizens United v. Federal Election Commission* (2010) 558 U.S. 310.), if such a definitional change is necessary; clarifying the law to ensure that employees are not held liable for the failings of their employer seems extremely reasonable under the circumstance, especially given the power imbalance between employees and employers.

ARGUMENTS IN SUPPORT: This bill is sponsored by the Ventura County District Attorney. In support of the bill, the District Attorney writes:

In October 2024 in Ventura County, a tractor driver clearing dry vegetation experienced an engine failure that accidentally ignited a fire on the tractor. The mandated firefighting equipment was down a hill in the driver’s truck. In what became known as the Balcom Fire, firefighters limited the blaze to only 1.8 acres. However, one week later very high winds dislodged and dispersed heated tire debris at the site, igniting the Mountain Fire, which burned nearly 20,000 acres, damaged 126 structures, and destroyed 243 more.

This devastating fire may not have occurred if the required equipment had been attached to the tractor or within 25 feet of the initial fire. In evaluating potential criminal liability for the Mountain Fire, our office determined the driver did not act maliciously or recklessly. However, we identified a gap in Public Resources Code section 4427, which allows equipment to be merely “available for ready use,” a vague standard that enabled the equipment to be too far from the worksite and not physically placed on the tractor.

AB 2075 addresses these problems directly. Not only does it clarify that when individuals work open land on foot with certain portable tools a fire extinguisher and shovels, must be within 25 feet of the operation, with enough shovels, it also requires that a shovel and a fire extinguisher be in or affixed to the motor vehicle, such as a tractor. Industrial operations must have a sealed fire toolbox containing a fire extinguisher and sufficient shovels located within the operating area and accessible in the event of fire. Failure to follow any of these

proposed requirements could subject operators and businesses to misdemeanor prosecution, though compliance is the goal, not prosecution.

AB 2075 also standardizes and clarifies responsibility for compliance across multiple sections of the Public Resources Code, making clear that compliance rests not only on the individual worker but also with the business entity responsible for the operation. Existing law does not specifically address whether a company can be held criminally liable for non-compliance in this area.

REGISTERED SUPPORT / OPPOSITION:

Support

Office of the Ventura County District Attorney

Opposition

None on file

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