Office of Senate Floor Analyses
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THIRD READING

Bill No: AB 2635
Author: Celeste Rodriguez (D)
Amended: 8/13/26 in Senate
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 7-0, 6/24/26
AYES: Blakespear, Valladares, Allen, Dahle, Gonzalez, Hurtado, Menjivar

SENATE LOCAL GOVERNMENT COMMITTEE: 5-0, 7/1/26
AYES: Durazo, Arreguín, Ashby, Cervantes, Laird
NO VOTE RECORDED: Choi, Seyarto

ASSEMBLY FLOOR: 62-12, 5/27/26 - See last page for vote

SENATE APPROPRIATIONS COMMITTEE: 6-0, 8/13/26
AYES: Cervantes, Cabaldon, Dahle, Grayson, Richardson, Wahab
NO VOTE RECORDED: Seyarto

SUBJECT: Air pollution: small off-road engines: voucher programs: local regulation

SOURCE: California Immigrant Policy Center
Inclusive Action

DIGEST: This bill requires large and medium air districts, as defined, to offer commercial vouchers for zero-emission small off-road equipment (SORE), as specified. Prohibits air districts from collecting or disclosing specified information from applicants. Limits penalties for violations of local ordinances, as specified.

ANALYSIS:

Existing federal law:

1) Sets, through the Federal Clean Air Act (FCAA) and its implementing regulations, National Ambient Air Quality Standards (NAAQS) for six criteria

pollutants, designates air basins that do not achieve NAAQS as nonattainment, allows only California to set emissions standards stricter than the federal government, and allows other states to adopt either the federal or California emissions standards. (42 U.S.C. §7401 et seq.)

2) Prohibits states from adopting emission standards that would affect new nonroad engines which are used in farm or construction equipment or vehicles and which are smaller than 175 horsepower. (42 U.S.C. §7543)

3) Dictates the conditions and requirements for the payment, receipt, and reporting (on tax form 1099) of incomes greater than $2,000 in a year, including the name and address of the recipient (26 U.S.C. §6041 et seq.)

Existing state law:

1) Establishes the Air Resources Board (CARB) as the air pollution control agency in California and requires the CARB, among other things, to control emissions from a wide array of mobile sources and implement the FCAA. (Health and Safety Code (HSC) §39500 et seq.)

2) Describes what is meant by “Small off-road engine” (SORE) by:

   a) Defining SORE to mean any engine that produces a gross horsepower less than 25 horsepower (at or below 19 kilowatts for 2005 and later model year), or is designed (e.g., through fuel feed, valve timing, etc.) to produce less than 25 horsepower (at or below 19 kilowatts for 2005 and later model year), that is not used to propel a licensed on-road motor vehicle, an off-road motorcycle, an all-terrain vehicle, a marine vessel, a snowmobile, a model airplane, a model car, or a model boat;

   b) Stating that SORE uses include, but are not limited to, applications such as lawn mowers, weed trimmers, chain saws, golf carts, specialty vehicles, generators, and pumps; and

3) Stating that all engines and equipment that fall within the scope of the preemption of Section 209(e)(1)(A) of the FCAA, as amended, and as defined by regulation of the Environmental Protection Agency, are specifically not included within this category. (13 CCR §2401)

4) Requires, pursuant to AB 1346 (Berman, Chapter 753, Statutes of 2021), CARB to:

a) Develop cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new SORE, effective on or after January 1, 2024.

b) Identify and, to the extent feasible make available, funding for commercial rebates or similar incentive funding as part of any updates to existing applicable funding program guidelines for air districts to implement to support the transition to zero-emission (ZE) SORE operations.

This bill:

1) Requires medium and large air districts to, no later than January 1, 2028 and to the extent that funding is appropriated by the Legislature in the budget, implement and maintain a commercial voucher program to support transitioning to ZE SORE. Further requires air districts:

   a) Recognize and accept alternative forms of documentation instead of a business license to verify eligibility; Not require a minimum length of time for a business to hold a license; Establish low-burden procedures to review and verify any required documentation in a manner that is equitable for landscapers; Provide language assistance for the five most common languages spoken in the district's service area when requested; Not inquire into or collect information about an individual's immigration or citizenship status or place of birth; Not inquire into or collect information about an individual's criminal history or other forms of background check; Ensure that any existing district incentive funds for SORE vouchers be cost effective compared to other allowable uses of those funds; Not provide—except where otherwise required by state or federal law—voluntary consent to access the records of program participants that include personally identifiable information; and not disclose nor provide in writing, verbally, or in any other manner, any personally identifiable information of any voucher participant;

2) Applies some or all of the above requirements to any small rural air district, local government, or nonpublic program administers.

3) Dictates that local governments:

   a) Cannot punish any violation of a local government ordinance as an infraction or misdemeanor, nor by arrest. States that a violation shall be deemed to occur no more than once per job per day, and multiple persons or observations of the same conduct shall not constitute separate violations.

Instead provides a system of a warning, $100 or less administrative fine, and $200 or less administrative as acceptable punishments for violations;

b) Must take into consideration a person's ability to pay and provide certain notices regarding services;

c) Cannot impose more than 20% of penalty amounts to anyone receiving public benefits or whose monthly income is 200% or less of the current poverty guidelines;

d) Must offer community service in lieu of paying the administrative fine, or provide other alternatives as specified.

Background

Carl Moyer Program. The Moyer Program provides grants to private companies and public agencies to clean up polluting engines beyond what is required by law through retrofitting, repowering or replacing their engines with newer and cleaner ones. These grants are issued locally by air districts. Moyer's primary objective is to obtain cost-effective and surplus emission reductions to be credited toward California's obligations in the State Implementation Plan (SIP) – California's road map for attaining health-based national ambient air quality standards. Covered pollutants include oxides of nitrogen (NOx), reactive organic gases (ROG), and particulate matter (PM). Moyer is implemented as a partnership between CARB and California's 35 air districts working collaboratively with stakeholders to set guidelines and ensure the program reduces pollution and provides cleaner air for Californians.

The Moyer Program is funded through a variety of fees that go into the Air Pollution Control Fund (APCF). Specifically, vehicle registration surcharges adopted by local air districts in non-attainment areas, a $0.75 fee on new tires, and a $2 surcharge for local air districts on vehicle registrations are the primary sources of funding for the program.

SORE emissions in California. SORE emissions have been regulated since 1990, when exhaust and evaporative emission standards for SORE were first adopted by CARB. Following passage of AB 1346 (Berman, Chapter 753, Statutes of 2021), CARB adopted zero emission standards for SORE. It is important to note that CARB's emission standards apply only to manufacture of new equipment for sale or import into California. These regulations do not regulate the use of existing SORE equipment.

On a separate track, local governments in California have adopted ordinances to ban or restrict the use of lawn and garden equipment, primarily leaf blowers, dating back to the 1970s, based on local concerns about noise, but also air pollution, including exhaust and evaporative emissions associated with gas equipment, as well as fugitive dust created by all mechanical leaf blowers, gas and electric.

At least 16 of the 35 air districts in California offer SORE rebates for commercial equipment. These 16 districts include the largest districts, which together comprise at least 85% of the state's population. These existing rebate programs likely would require updates to meet the requirements of this bill. By adding administrative complexity and costs, this bill may reduce the number of SORE equipment deployed via rebates or vouchers. The bill provides no funding to match its mandate. If districts are forced to turn to existing funding sources, they could use Moyer Program funds.

Comments

Purpose of Bill. According to the author, "California has set ambitious clean air goals, but we must also be clear about what compliance means for the workers whose livelihoods are at stake. Landscapers are essential to our communities, yet many are low-wage workers being asked to transition to costly new equipment without consistent or accessible support. In some areas, incentive programs are not available, and in others, requirements such as business licenses can exclude informal workers. At the same time, local bans are imposing fines that can escalate quickly, even when workers lack the resources to comply. AB 2635 is intended to make this transition more equitable. It requires air districts to provide voucher programs for zero-emission equipment, removes barriers that limit access to those programs, and ensures enforcement does not outpace available support. It also establishes a clear, time-limited transition framework that provides workers with a realistic path to compliance. This approach aligns the state's clean air goals with the realities workers face as they are asked to transition to costly alternatives within a short timeframe."

Patchwork of policies. The issues raised by this bill highlight an unfortunate consequence of how several different policies at different levels of California government have interacted in unanticipated and undesirable ways.

State-level policies. When the Legislature passed AB 1346 in 2021 and CARB subsequently adopted their SORE regulations, neither policy directly targeted landscapers. Californians through 2024 and beyond can continue to operate their current CARB-compliant gasoline-powered SORE equipment; there is no state-level “ban” on using older models or used equipment purchased in the future. Older models on store shelves can also be purchased even if they are gasoline-powered. Rather, by imposing technology-forcing regulations to move the industry towards necessarily buying ZE lawncare equipment from 2024 onward, AB 1346 and CARB’s regulations attempted to change behavior by shifting the market.

Furthermore, in 2021 the Legislature appropriated $30 million in the Budget Act to provide incentives to small-business professional landscapers. Incentive funding was administered through the Clean Off-Road Equipment Voucher Incentive Project (CORE), with 1,906 products from 23 manufacturers in a dozen equipment categories available for point-of-sale vouchers. On July 29, 2025, funding for the CORE project was closed, and none has been available since.

All of these state-level approaches attempted to either shift the market of equipment available in California or provide incentives to help Californians make the switch. They did not penalize the use of gas-powered equipment.

Air district-level policies. California is split into 35 distinct air districts, which range significantly in terms of geographic area, population, and air district resources. As a result, there is tremendous heterogeneity in terms of what regulations and incentives might apply. According to CARB’s website, of the 35 air districts, some offer only commercial rebates, some offer only residential rebates, some offer both, and some offer neither.[1] As air districts’ regulatory authority is largely constrained to stationary sources of air pollution, administering incentive programs is the primary way air districts support the accelerated adoption of clean offroad equipment. In other words, they generally do not penalize the use of gas-powered equipment.[2]

Local-level policies. Many California cities have taken myriad approaches to addressing the use of gas-powered leaf blowers and other lawncare equipment, both for noise-related and pollution-motivated reasons. As a few examples, as of 2024, Los Angeles bans their use within 500 feet of residences. Davis limits use to a maximum of 10 minutes at a time. Newport and San Diego regulate the noise level, banning the use of blowers that are louder than vacuum cleaners at a distance of 20 paces. Burlingame limits their use in different areas of the city to specific

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[1] Zero-Emission Landscaping Equipment Incentive Programs. **https://ww2.arb.ca.gov/our-work/programs/zero-emission-landscaping-equipment/zero-emission-landscaping-equipment-incentive**
[2] Regulatory Authority of the Sacramento Metropolitan AQMD Over Leaf Blowers. May 2017. **https://www.airquality.org/StationarySources/Documents/Regulatory%20authority%20over%20leaf%20blowers%20final.pdf**

days.[3]

This wide range of policies reflects the wide range of political and practical considerations that are at play in the wide range of California cities and counties.

Putting it all together. In summary, California has, through legislation and regulation, created a market where all new lawncare equipment must be ZE (which is still more expensive than traditional combustion-powered options). The state budget provided $30 million in grants five years ago to ease this transition (which has long since been exhausted). Some air districts provide incentives funded by other sources for commercial and/or residential ZE lawncare equipment (although they are resource limited and cannot generally regulate the use of lawncare equipment). Many local governments have enacted a variety of different policies all aimed at achieving a similar outcome: reduced use of gas-powered lawncare equipment in cities.

The result of this for lawncare businesses (particularly sole proprietor or small businesses) is a complex thicket of differing requirements, an inability to buy new gas-powered equipment, and an unclear suite of incentives available from varying sources in varying amounts. It is little wonder affected lawncare professionals have sought a legislative remedy, given how no single part of the patchwork of policies is individually responsible for the present situation.

Dictates or directions? As written, this bill would enshrine in state law a number of specific requirements that apply to a variety of programs administered by air districts and local governments. At least for the air districts, much of the funding currently eligible to go to ZE SORE incentives comes from the Moyer Program. The Moyer Program is ultimately shaped by CARB through Guidelines. The Moyer Program Guidelines—including as they pertain to funds used for ZE lawn and garden equipment—were updated recently.[4] Recent Moyer Program Guideline updates directly address one of the core issues raised by this bill. CARB described the updates to the Lawn and Garden Equipment Guidelines as, "Broadens eligibility by allowing districts to determine acceptable verification documents for commercial lawn and garden businesses, addressing concerns that strict business license requirements may exclude informal landscaping companies." It may be worth considering if, rather than statutorily dictate how air districts may or may not

[3] Leaf Blower Regulation. Sustainable San Mateo County – Sustainability Ideas Bank. **https://sustainablesanmateo.org/wp-content/uploads/2024/01/Leaf-Blower-Regulation_202401.pdf**

[4] Carl Moyer Program Guidelines. Chapter 9: Lawn and Garden Equipment Replacement. CARB June 12, 2026 **https://ww2.arb.ca.gov/sites/default/files/2026-06/Chapter_9_Lawn%26Garden_Equipment_Replacement_.pdf**

administer their ZE SORE incentive programs, requiring CARB to update the Moyer Program Guidelines to direct air districts to implement said requirements as permissible under state and federal law could be an effective way to carry out the goals of this bill.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- This bill would create significant ongoing cost pressures (General Fund or special fund) on CARB, perhaps in the hundreds of thousands or millions of dollars annually.

    - If the Legislature makes an appropriation pursuant to AB 2635, CARB assumes that it would be provided the funding for dissemination to the districts. For example, CARB has been designated as the State agency for funding distribution to the local air districts to support their air pollution control programs pursuant to HSC 39800 et al, which is the subvention program. Additionally, CARB distributes Carl Moyer funding to the air districts, as well as other incentive funding. CARB could incur resource impacts from the bill due to potential grant agreements, grant oversight, fiscal tracking, and reporting.

- To the extent the Commission on State Mandates determines that the provisions of this bill create a new program or impose a higher level of service on local agencies, local agencies could claim reimbursement of those costs, which could have a General Fund impact. Local air districts could incur unknown but potentially significant costs developing and implementing the program due to the bill's program requirements such as language assistance to applicants as well as implementing the business verification provisions while still meeting requirements for transparency of public funds and accountability. These local costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates. The magnitude of these costs is unknown but could be in the hundreds of thousands to millions of dollars annually (General Fund)

SUPPORT: (Verified 8/13/2026)

California Immigrant Policy Center (co-source)

Inclusive Action (co-source)

Alliance for a Better Community
Alliance San Diego
Altcap California
Asociacion De Emprendedor@s
Border Angels
Buen Vecino
California Electric Transportation Coalition
California Environmental Justice Alliance Action
Cameo Network
Central American Resource Center of California
Central Valley Immigrant Integration Collaborative
Centro Community Hispanic Association (centro Cha Inc.)
Centro Laboral De Graton
Cielo
Coalition for Humane Immigrant Rights
First Community Capital, INC.
Five Rivers Loan Fund, INC.
Immigrants Rising
Inclusive Action
Inclusive Action for the City
Inland Coalition for Immigrant Justice
Innercity Struggle
Kiwa
LA Forward Institute
Latino Coalition for a Healthy California
Lift
Los Angeles Alliance for a New Economy
Los Angeles Economic Equity & Access Forward
Moreno Seeds Foundation
Multicultural Institute
National Day Laborer Organizing Network
Nuevo Sol Day Labor & Domestic Worker Center
Orale: Organizing Rooted in Abolition, Liberation, and Empowerment
Our Future Los Angeles
Pacific Community Ventures
Pasadena Community Job Center
Pilipino Workers Center of Southern California
Pomona Economic Opportunity Center
Public Counsel
Salva

San Diego Immigrant Rights Consortium
Somos Familia Valle
South Asian Network
St. John's Community Health
Street Level Health Project
T.r.u.s.t. South LA
Thai Community Development Center
The Los Angeles Tool Library
The Translatin@ Coalition
Urban Visionaries
Vera California
Worksafe

OPPOSITION: (Verified 8/13/2026)

350 Humboldt
7th Generation Advisors
Ban Gas Leaf Blowers San Jose
Bay Area Air Quality Management District
California Air Pollution Control Officers Association
Coalition for Clean Air
Quiet Clean Alliance
Tri-valley Air Quality Climate Alliance
Union of Concerned Scientists
1 Individual

ASSEMBLY FLOOR: 62-12, 5/27/26
AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Castillo, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Johnson, Macedo, Sanchez, Tangipa
NO VOTE RECORDED: Chen, Krell, Lackey, Patterson, Celeste Rodriguez, Ta

Prepared by: Heather Walters / E.Q. / (916) 651-4108
8/17/26 9:53:48

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