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SB-30 Diesel-powered on-track equipment: decommissioning: resale and transfer restrictions. (2025-2026)

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AMENDED IN SENATE FEBRUARY 11, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL**NO. 30**

Introduced by Senator Cortese

December 02, 2024

An act *to add Section 99153.5 to the Public Utilities Code*, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 30, as amended, Cortese. ~~Transportation: diesel trains and rolling stock:~~ *Diesel-powered on-track equipment: decommissioning:* resale *and transfer* restrictions.

Existing law provides various provisions applicable to all public transit and transit ~~districts:~~ *districts and includes specific requirements applicable to public entities that operate commuter rail or rail transit systems.*

This bill would ~~state the intent of the Legislature to enact subsequent legislation to restrict the resale of decommissioned diesel trains and rolling stock for continued use:~~ *prohibit a public entity that owns diesel-powered on-track equipment from selling, donating, or otherwise transferring that equipment for continued use after the public entity decommissions the equipment.*

Vote: majority Appropriation: no Fiscal Committee: ~~no~~yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *The Legislature finds and declares all of the following:*

(a) *Diesel-powered locomotives emit multiple air pollutants, including diesel particulate matter, fine particulate matter, oxides of nitrogen, and greenhouse gases.*

(b) *Locomotives travel throughout the state to seaports, railyards, and other locations that are near where people work and live.*

(c) Exposure to toxic and harmful diesel emissions is known to lead to cancer and increases in asthma, cardiopulmonary illness, hospitalizations, and premature mortality.

(d) Communities near rail operations bear a disproportionate health burden due to their proximity to harmful emissions.

(e) In 2023, the State Air Resources Board approved the In-Use Locomotive Regulation (Sections 2478 to 2478.17, inclusive, of Title 13 of the California Code of Regulations) to achieve emission reductions from diesel-powered locomotives and increase the use of zero-emission technology.

(f) In 2023, the California Senate passed Senate Resolution 34 to formally recognize the obligation to future generations to restore a safe climate, and declare climate restoration, along with achieving net-zero and net-negative carbon dioxide emissions, a climate policy priority.

(g) The state has made significant investments in efforts to reduce greenhouse gas emissions. It has an obligation to continue contributing to global goals regarding the reduction of greenhouse gas emissions.

SEC. 2. Section 99153.5 is added to the Public Utilities Code, to read:

99153.5. (a) For purposes of this section, the following definitions apply:

(1) "Continued use" means the continued operation of the diesel engine from the diesel-powered on-track equipment as an internal combustion engine to provide power for on-track equipment or any other purpose.

(2) "Decommission" means to permanently cease the service of on-track equipment when the public entity owning that on-track equipment replaces it with lower emission on-track equipment.

(3) "Diesel-powered on-track equipment" means any locomotive or any other car, rolling stock, equipment, or other device that, alone or coupled to others, is operated on stationary rails and has a diesel engine.

(b) A public entity that owns diesel-powered on-track equipment shall not sell, donate, or otherwise transfer that diesel-powered on-track equipment for continued use after the public entity decommissions the diesel-powered on-track equipment.

~~SECTION 1. It is the intent of the Legislature to enact subsequent legislation to restrict the resale of decommissioned diesel trains and rolling stock for continued use.~~