

HOUSE RESEARCH

Bill Summary

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Section

1 [116.07] Subd. 2. Adoption of standards. Requires the Pollution Control Agency to adopt rules to regulate auto emissions identical to those adopted by the state of California , as allowed under the federal Clean Air Act. Minnesota 's rules must not contain:

- emissions standards for zero-emission vehicles;
- the 15-year or 150,000 extended warranty pertaining to partial zero-emission vehicles; or
- fuel standards.

The rules are to be adopted under an expedited rulemaking process; must be amended in a timely fashion to remain identical with California's regulations, as required by federal law, using the same expedited process; and must state that each section of the rules is severable, meaning that if a section is found to be invalid, the remainder continues to be in effect. The agency is to give at least 30 days notice prior to adopting rules under this section to the governor, the commissioners of commerce and agriculture, and the legislature.

If California 's regulations are extended to off-road vehicles, including all-terrain vehicles, snowmobiles, boats, aircraft, lawnmowers, farm or construction machinery, the rules are no longer effective. Minnesota cannot enforce any portion of California 's regulations that have not received a federal waiver, as required by law. (This pertains to the greenhouse gas emissions standards proposed by California in 2002. California is suing the federal EPA on

Section

this issue.)

Annually, beginning January 1, 2009, the commissioner of the pollution control agency must submit a report to the governor, other agencies and the legislature containing data on sales of E85 and number of E85 pumps in each state, and the makes and models of flexible fuel vehicles offered for sale in Minnesota and the percentage engineered to operate optimally on E85.

2 Study. Requires the commissioner of the Pollution Control Agency to contract with an academic institution in the state to complete a study by February 1, 2009 that contains the following information, among other data:

- the differences between California and federal vehicle emissions regulations;
- a comparison of the number of flexible fuel vehicles (FFVs) and amount of E85 sold in states that have adopted California 's vehicle emission standards and those that have not;
- any negative impact California 's vehicle emission standards would have on the availability of FFVs and E85 in Minnesota ;
- analysis of ways E85 use can be documented; and
- the evolution of California 's vehicle emission standards;

3 Adoption. Specifies that the rules in section 1 must be adopted and made effective by September 30, 2009 , and shall be effective for model year 2013 and beyond. Collector vehicles and street rods are not affected by the rules.

4 Appropriation. Appropriates \$134,000 to the agency from the environmental fund for rulemaking and other costs.

5 Duplicate appropriations. Specifies that appropriations made in this act must be implemented only once, even if similar provisions are contained in another act in 2008.