
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1025

Session of
2005

INTRODUCED BY MADIGAN, M. WHITE, BRIGHTBILL, STOUT, PICCOLA,
PUNT, PILEGGI, LAVALLE, EARLL, THOMPSON, ORIE, WOZNIAK,
SCARNATI, CORMAN, WAUGH, RHOADES, ROBBINS, LEMMOND, WENGER
AND KASUNIC, NOVEMBER 23, 2005

REFERRED TO TRANSPORTATION, NOVEMBER 23, 2005

AN ACT

1 Limiting the authority of the Environmental Quality Board over
2 the Pennsylvania Clean Vehicles Program; and abrogating a
3 regulation.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pennsylvania
8 Clean Vehicles Program Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Board." The Environmental Quality Board.

14 "Department." The Department of Environmental Protection of
15 the Commonwealth.

16 Section 3. Establishment of vehicle standard.

17 The Commonwealth hereby establishes a low emission vehicle

1 program standard which is wholly consistent with the
2 Environmental Protection Agency standard entitled Control of Air
3 Pollution From New Motor Vehicles: Tier 2 Motor Vehicle
4 Emissions Standards and Gasoline Sulfur Control Requirements and
5 set forth at 40 CFR Pts. 80 (relating to regulation of fuels and
6 fuel additives), 85 (relating to control of air pollution from
7 mobile sources) and 86 (relating to control of emissions from
8 new and in-use highway vehicles and engines).

9 Section 4. Prohibition.

10 The department and the board shall not adopt the low emission
11 vehicle standard established by the State of California.

12 Section 5. Abrogation of regulation.

13 The provisions of 25 Pa. Code Ch. 126 Subch. D (relating to
14 new motor vehicle emissions control program) are abrogated to
15 the extent they are inconsistent with this act.

16 Section 6. Federal approval.

17 The board, the department and all appropriate executive
18 authorities shall, as expeditiously as possible, seek and obtain
19 necessary approvals by the Environmental Protection Agency for a
20 State implementation plan revision. Upon receipt of all of the
21 necessary approvals, the Secretary of the Commonwealth shall
22 transmit notice of the receipt to the Legislative Reference
23 Bureau for publication in the Pennsylvania Bulletin.

24 Section 10. Effective date.

25 This act shall take effect as follows:

26 (1) The following sections shall take effect
27 immediately:

28 (i) Section 5.

29 (ii) This section.

30 (2) The remainder of this act shall take effect upon

1 publication of the notice under section 6.