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CHAPTER 3, DIVISION 20 OF THE HEALTH AND SAFETY CODE OF CALIFORNIA

Article 1. Application

24378. The Legislature finds and declares:

(a) That the emission of pollutants from motor vehicles is a major contributor to air pollution in many portions of the State;

(b) That the control and elimination of such pollutants is of prime importance for the protection and preservation of the public health and well-being, and for the prevention of irritation to the senses, interference with visibility, and damage to vegetation and property.

(c) That, as the Department of Public Health has established standards for air quality and for emissions of contaminants from motor vehicles pursuant to Section 426.1 and 426.5, the State has a responsibility to establish uniform procedures for compliance with these standards.

24379. (a) As used in this chapter the following terms shall be construed as defined in the Vehicle Code:

- (1) Commercial vehicle
- (2) Implement of husbandry
- (3) Motor vehicle
- (4) Motor-driven cycle
- (5) Used vehicle
- (6) Passenger vehicle

(b) As used in this chapter, "motor vehicle pollution control device" means equipment designed for installation on a motor vehicle for the purpose of reducing the pollutants emitted from the vehicle, or a system or engine modification on a motor vehicle which causes a reduction of pollutants emitted from the vehicle.

(c) As used in this chapter, "certified device" means a motor vehicle pollution control device for the control of emissions of pollutants from a vehicle, including, but not limited to, the exhaust system, the crankcase, the carburetor, and the fuel tank, for which standards have been set by the state department under Section 426.5 and for which a certificate of approval has been issued by the Motor Vehicle Pollution Control Board. Whenever under this chapter or any other law a motor vehicle is required to be equipped with a certified device, such requirement refers to the certified device for the control of the specified pollutants from the particular source involved.

24381. The provisions of this chapter shall not apply to any motor vehicle manufactured in the year 1938 or prior thereto, if such motor vehicle is operated or moved over the highway solely for the purpose of taking it to a place for historical exhibition or other similar purpose.

Article 2. Motor Vehicle Pollution Control Board

24383. There is in the State Department of Public Health a Motor Vehicle Pollution Control Board. The board shall be responsible directly to the Governor. Administrative services for the board shall be provided by the State Department of Public Health. The board shall consist of 13 members, nine of whom shall be appointed by the Governor with the consent of the Senate, and four shall be the following officers of the State, or their nominees: Director of Public Health, Director of Agriculture, Commissioner of the California Highway Patrol, and Director of Motor Vehicles.

24384. (a) Of the nine members originally appointed by the Governor, three shall be appointed to serve until July 1, 1962, three shall be appointed to serve until July 1, 1963, and three shall be appointed to serve until July 1, 1964.

Thereafter, all members shall be appointed for a term of four years. All members shall hold office until the appointment of their successors. Any vacancies shall be immediately filled by the Governor for the unexpired portion of the terms in which they occur.

(b) Members of the Motor Vehicle Pollution Control Board shall serve without compensation, but each member shall be reimbursed for his necessary traveling and other expenses incurred in the performance of his official duties.

(c) The members of the board appointed by the Governor shall be selected in such a fashion that the interests of various affected groups throughout the State, including agriculture, labor, organizations of motor vehicle users, the motor vehicle industry, science, air pollution control officials and the general public are represented to the fullest extent possible.