

AMENDED IN SENATE AUGUST 11, 2026

AMENDED IN SENATE JUNE 29, 2026

AMENDED IN ASSEMBLY APRIL 15, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 2075

Introduced by Assembly Member Bennett

February 18, 2026

An act to amend Sections 4427, 4428, 4430, 4431, 4442, 4442.5, 4442.6, and 4443 of the Public Resources Code, relating to forestry.

LEGISLATIVE COUNSEL’S DIGEST

AB 2075, as amended, Bennett. Forestry: safety requirements: fire equipment: internal combustion engines.

(1) Under existing law, a person is prohibited from using or operating, on or near specified lands during a time of the year when burning permits are required, a motor engine, boiler, stationary equipment, welding equipment, cutting torches, tarpots, or grinding devices from which a spark, fire, or flame may originate without complying with specified requirements, including the requirement to maintain one serviceable round point shovel and one backpack pump water-type fire extinguisher fully equipped and ready for use at the immediate area during the operation. Existing law prohibits a person, except a member of an emergency crew or except the driver or owner of a service vehicle owned or operated by or for, or operated under contract with, a publicly or privately owned utility, as provided, from using or operating any vehicle, machine, tool, or equipment powered by an internal combustion engine operated on hydrocarbon fuels in an industrial operation located on specified land between April 1 and December 1 of any year, or at

any other time when ground litter and vegetation will sustain combustion permitting the spread of fire, without providing and maintaining, for firefighting purposes only, suitable and serviceable tools in a fire toolbox in specified amounts, manners, and locations. Under existing law, a violation of these provisions is a crime.

This bill would revise and recast those provisions by, among other things, instead requiring a person to maintain at least one backpack pump-type fire extinguisher fully equipped and ready for use, and a sufficient number of serviceable round point shovels so that each person at the operation can be equipped to fight fire, within the operating area, at a point accessible in the event of fire. The bill would require these fire tools to be no farther than 25 feet from the motor, engine, boiler, stationary equipment, welding equipment, cutting torches, tarpots, or grinding devices, ~~and with~~ unrestricted access for the operator. The bill would provide that these requirements do not apply to a person operating a motorized vehicle to work on, clear, or grade any land in or near specified lands during any time of the year when burning permits are required, and would instead require the person to have in or affixed to the motor vehicle and ready for immediate use one serviceable round point shovel and one fully equipped fire extinguisher. The bill would eliminate the above-described exception from these provisions for a member of an emergency crew and the driver and owner a service vehicle owned or operated by or for, or operated under contract with, a publicly or privately owned utility. For these purposes the bill would define a person to mean a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity. By expanding the scope of a crime, this bill would impose a state-mandated local program.

This bill would, for purposes of the above-described requirement to maintain at least one backpack pump-type fire extinguisher and a sufficient number of serviceable round point shovels, require the State Board of Forestry and Fire Protection (board) to define the terms “operating area” and “point accessible in the event of a fire,” and to develop requirements for the provision of suitable firefighting tools, as applied to rangeland operations on rangeland conducted by a rangeland operator, as provided.

This bill would, as applied to timber operations on timberland conducted by a timber operator, require the ~~State Board of Forestry and Fire Protection~~ board to adopt emergency regulations pursuant to the Administrative Procedure Act that ~~define~~ (A) *define* the terms “operating

area” and “point accessible in the event of a fire,” (B) *define* the necessary number and types of tools needed in the fire toolbox, and (C) develop requirements for ~~the creation of any areas to be cleared~~ *clearing areas* around the operation and for the provision of suitable firefighting tools, as provided.

(2) Existing law prohibits a person from using or operating on specified lands an internal combustion engine and a handheld portable, multiposition, internal combustion engine, as provided. Existing law prohibits a person from selling, offering for sale, leasing, or renting to a person an internal combustion engine unless the person provides a written notice to the purchaser or bailee, at the time of sale or at the time of entering into the lease or rental contract, stating that it is violation of law to use or operate the engine on ~~any~~ specified *types of* land unless the engine is equipped with a spark arrester or the engine is constructed, equipped, and maintained for the prevention of fire, as provided. A violation of these provisions is a crime. Existing law also prohibits a person from selling, offering for sale, leasing, or renting any equipment powered by an internal combustion engine unless it has a permanent warning label attached that is in plain view to the operator that includes a specified warning. A violation of this provision is an infraction punishable by a fine of not more \$100.

This bill would, for purposes of the above-described provisions, define “person” to mean a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity. By expanding the scope of a crime, this bill would impose a state-mandated program.

(3) Existing law prohibits a person, during any time of the year when burning permits are required, as provided, from using, operating, or causing to be operated in the area a portable saw, augur, drill, tamper, or other portable tool powered by a gasoline-fueled internal combustion engine on or near specified land within 25 feet of any flammable material, without providing and maintaining at the immediate locations of use or operation of the saw or tool, for firefighting purposes, one serviceable round point shovel or one serviceable fire extinguisher, as specified. Under existing law, a violation of these provisions is a crime.

This bill would define a person for these purposes to mean a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity. By expanding the scope of a crime, this bill would impose a state-mandated local program.

(4) Existing law prohibits, during any time of the year when burning permits are required in specified areas, as provided, a person, copartnership, firm, corporation, or company from using or operating in the area a steam-operated engine, machine equipment, mill, or industrial plant, located on specified lands, without providing one adequate force pump or water under pressure equivalent to a pump, and not less than 200 feet of hose, as provided. Under existing law, a violation of this provision is a crime.

This bill would instead apply the above-described prohibitions to a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity. By expanding the scope of a crime, the bill would impose a state-mandated local program.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(6) *This bill would incorporate additional changes to Section 4442 of the Public Resources Code proposed by SB 1167 to be operative only if this bill and SB 1167 are enacted and this bill is enacted last.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4427 of the Public Resources Code is
2 amended to read:
3 4427. (a) (1) During any time of the year when burning
4 permits are required in an area pursuant to this article, a person
5 shall not use or operate any motor, engine, boiler, stationary
6 equipment, welding equipment, cutting torches, tarpots, or grinding
7 devices from which a spark, fire, or flame may originate, which
8 is located on or near any forest-covered land, brush-covered land,
9 or grass-covered land, without doing both of the following:
10 (A) First clearing away all flammable material, including snags,
11 from the area around that operation for a distance of 10 feet.
12 (B) Maintaining at least one backpack pump-type fire
13 extinguisher fully equipped and ready for use, and a sufficient
14 number of serviceable round point shovels with an overall length
15 of not less than 46 inches so that each person at the operation can

1 be equipped to fight fire, within the operating area, at a point
2 accessible in the event of fire. The required fire tools shall not at
3 any time be farther than 25 feet from the motor, engine, boiler,
4 stationary equipment, welding equipment, cutting torches, tarpots,
5 or grinding devices with unrestricted access for the operator.

6 (2) (A) Paragraph (1) ~~shall~~ *does* not apply while a person
7 operates a motorized vehicle to work on, clear, or grade any land
8 in or near any forest-covered land, brush-covered land, or
9 grass-covered land, during any time of the year when burning
10 permits are required in an area pursuant to this article.

11 (B) A person operating a motorized vehicle to work on, clear,
12 or grade any land in or near any forest-covered land, brush-covered
13 land, or grass-covered land, during any time of the year when
14 burning permits are required in an area pursuant to this article shall
15 have in or affixed to the motor vehicle and ready for immediate
16 use one serviceable round point shovel with an overall length of
17 not less than 46 inches and one fully equipped fire extinguisher.

18 (C) Paragraph (1) shall apply to any person working away from
19 the motorized vehicle described in subparagraph (B), whether or
20 not they were at any time a passenger of the motorized vehicle.

21 (3) (A) *For purposes of subparagraph (B) of paragraph (1),*
22 *for a rangeland operation on rangeland conducted by a rangeland*
23 *operator, the board shall define the terms “operating area” and*
24 *“point accessible in the event of a fire,” and shall develop*
25 *requirements consistent with that subparagraph for the provision*
26 *of suitable firefighting tools, based on the type and scale of the*
27 *rangeland operation, the terrain and topography, the vegetation*
28 *and fuel type, the nature of the equipment or machinery in use,*
29 *and the proximity to the nearest residential dwellings and*
30 *communities.*

31 (B) *Before adopting regulations pursuant to subparagraph (A),*
32 *the board shall consult with the Range Management Advisory*
33 *Committee established pursuant to Section 741 and shall consider*
34 *the committee’s recommendations regarding appropriate*
35 *tool-proximity standards for rangeland operations, including*
36 *standards that account for all of the following:*

37 (i) *The operational characteristics of tractors, graders, and*
38 *other ground-disturbing equipment used in vegetation management*
39 *and land clearing on rangeland.*

1 (ii) Seasonal burning permit periods and fuel conditions typical
2 of California's annual and perennial rangeland types.

3 (iii) The practical limitations on tool access created by terrain,
4 slope, and the distance between equipment operators and vehicles
5 during active rangeland operations.

6 (iv) Existing industry standards, insurance requirements, or
7 voluntary fire safety protocols applicable to rangeland operators.

8 (C) The board shall adopt the regulations described in
9 subparagraph (A) as emergency regulations that the board
10 considers necessary to implement and to obtain compliance with
11 this section. The emergency regulations shall be adopted in
12 accordance with the Administrative Procedure Act (Chapter 3.5
13 (commencing with Section 11340) of Part 1 of Division 3 of Title
14 2 of the Government Code). The adoption of emergency regulations
15 shall be deemed to be an emergency and necessary for the
16 immediate preservation of the public peace, health, and safety, or
17 general welfare.

18 (D) In the period before the finalization of emergency
19 regulations described in subparagraph (A) and adopted pursuant
20 to subparagraph (C), a rangeland operator conducting rangeland
21 operations shall comply with all requirements of paragraphs (1)
22 and (2).

23 (E) For purposes of this paragraph, the following definitions
24 apply:

25 (i) "Rangeland" has the same meaning as defined in Section
26 4789.2.

27 (ii) "Rangeland operation" means the use or operation of any
28 motorized vehicle, machine, tool, or equipment powered by an
29 internal combustion engine for the purposes of vegetation
30 management, land clearing, grading, cultivation, or other
31 agricultural land management activities conducted on rangeland.

32 (iii) "Rangeland operator" means a person, firm, corporation,
33 or company that directs, supervises, or is responsible for a
34 rangeland operation, including any contractor retained to perform
35 those operations.

36 (b) This section does not apply to portable powersaws and other
37 portable tools powered by a gasoline-fueled internal combustion
38 engine.

39 (c) (1) This section does not apply to timber operations on
40 timberland conducted by a timber operator. For those timber

operations exempt from this section pursuant to this subdivision, the board shall define the terms “operating area” and “point accessible in the event of a fire” in the forest practice rules and develop requirements for the creation of any areas to be cleared around the operation and for the provision of suitable firefighting tools, based on the size and complexity of the timber operation, topography, and proximity to the nearest residential dwellings and communities.

(2) The board shall adopt the regulations described in paragraph (1) as emergency regulations that the board considers necessary to implement and to obtain compliance with this section. The emergency regulations shall be adopted in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The adoption of emergency regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health, and safety, or general welfare.

(d) In the period before the finalization of emergency regulations described in subdivision (c), a timber operator conducting timber operations on timberland shall comply with the requirements of this section.

(e) For purposes of this section, the following definitions apply:

(1) “Person” means a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity.

(2) “Timberland” has the same meaning as that term is defined in Section 4526.

(3) “Timber operations” has the same meaning as that term is defined in Section 4527.

(4) “Timber operator” has the same meaning as that term is defined in Section 4526.5.

SEC. 2. Section 4428 of the Public Resources Code is amended to read:

4428. (a) (1) A person shall not use or operate a vehicle, machine, tool, or equipment powered by an internal combustion engine operated on hydrocarbon fuels in an industrial operation located on or near a forest, brush, or grass-covered land between April 1 and December 1 of any year, or at any other time when ground litter and vegetation will sustain combustion permitting the spread of fire, without providing and maintaining, for

1 firefighting purposes only, suitable and serviceable tools in the
2 amounts, manner, and location prescribed in this section.

3 (2) On any operation described in paragraph (1), a sealed box
4 of fire tools shall be located within the operating area at an
5 accessible point for use in the event of fire.

6 (A) Except as provided in subparagraph (B), the fire toolbox
7 shall contain one backpack pump-type fire extinguisher filled with
8 water, two axes, two McLeod fire tools, and a sufficient number
9 of shovels so that each natural person at the operation can be
10 equipped to fight fire.

11 (B) In addition to the items described in subparagraph (A), one
12 or more serviceable chainsaws of three and one-half or more
13 horsepower with a cutting bar 20 inches in length or longer shall
14 be immediately available within the operating area, or, in the
15 alternative, a full set of timber-felling tools shall be located in the
16 fire toolbox described in subparagraph (A), including one crosscut
17 felling saw six feet in length, one double-bit ax with a 36-inch
18 handle, one sledge hammer or maul with a head weight of six or
19 more pounds and handle length of 32 inches or more and not less
20 than two felling wedges.

21 (3) Each rail speeder and passenger vehicle used on the operation
22 shall be equipped with one shovel and one ax, and any other vehicle
23 used on the operation shall be equipped with one shovel. Each
24 tractor used on the operation shall be equipped with one shovel.

25 (b) Subdivision (a) does not apply to a member of an emergency
26 crew or the driver or owner of a service vehicle owned or operated
27 by or for, or operated under contract with, a publicly or privately
28 owned utility, that is used in the construction, operation, removal,
29 or repair of the property or facilities of the utility when engaged
30 in emergency operations.

31 (c) (1) Subdivision (a) does not apply to timber operations on
32 timberland conducted by a timber operator. For those timber
33 operations exempt from subdivision (a) pursuant to this
34 subdivision, the board shall, pursuant to the process described in
35 paragraph (2), define the necessary number and types of tools
36 needed in the fire toolbox based on the application and availability
37 of tools that can be used to extinguish ignitions in an ~~area of~~
38 ~~operation.~~ *operating area*. As applied to timber operations on
39 timberland conducted by a timber operator, the terms “operating
40 area” and “point accessible in the event of a fire” shall have the

1 same meanings as those terms are defined pursuant to the
2 regulatory process described in subdivision (c) of Section 4427.

3 (2) The board shall adopt the regulations described in paragraph
4 (1) as emergency regulations that the board considers necessary
5 to implement and to obtain compliance with this section. The
6 emergency regulations shall be adopted in accordance with the
7 Administrative Procedure Act (Chapter 3.5 (commencing with
8 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
9 Code). The adoption of emergency regulations shall be deemed to
10 be an emergency and necessary for the immediate preservation of
11 the public peace, health, and safety, or general welfare.

12 (3) In the period before the finalization of emergency regulations
13 described in paragraph (1), a timber operator conducting timber
14 operations on timberland shall comply with the requirements of
15 this section.

16 (d) For purposes of this section, the following definitions apply:

17 (1) "Passenger vehicle" means a vehicle that is self-propelled,
18 designed for carrying not more than 10 persons including the
19 driver, and used or maintained for the transportation of persons,
20 but does not include any motortruck or truck tractor.

21 (2) "Person" means a natural person, partnership, firm,
22 association, corporation, limited liability company, or other legal
23 entity.

24 (3) "Timberland" has the same meaning as that term is defined
25 in Section 4526.

26 (4) "Timber operations" has the same meaning as that term is
27 defined in Section 4527.

28 (5) "Timber operator" has the same meaning as that term is
29 defined in Section 4526.5.

30 (6) "Vehicle" means a device by which any person or property
31 may be propelled, moved, or drawn over any land surface,
32 excepting a device moved by human power or used exclusively
33 upon stationary rails or tracks.

34 SEC. 3. Section 4430 of the Public Resources Code is amended
35 to read:

36 4430. (a) During any time of the year when burning permits
37 are required in an area pursuant to this article, a natural person,
38 partnership, firm, association, corporation, limited liability
39 company, or other legal entity shall not use or operate in the area
40 a steam-operated engine, machine equipment, mill, or industrial

1 plant, located on or near forest-covered land or brush-covered land,
2 without providing one adequate force pump or water under pressure
3 equivalent to a pump, and not less than 200 feet of hose not less
4 than one inch in diameter for each steam-operated engine or
5 equipment. The pump or water pressure required pursuant to this
6 section shall be capable of applying a minimum of 40 pounds
7 pressure at the nozzle on 200 feet of hose, such nozzle to be
8 one-fourth inch or larger in diameter. If two steam-operated engines
9 or steam equipment are customarily operated within 100 feet of
10 each other, only one engine or piece of equipment need be equipped
11 with pump and hose.

12 (b) This section does not apply to an internal combustion engine
13 or to a steam or other locomotive that is being used in the business
14 of a common carrier by railroad.

15 SEC. 4. Section 4431 of the Public Resources Code is amended
16 to read:

17 4431. (a) During any time of the year when burning permits
18 are required in an area pursuant to this article, a person shall not
19 use or operate or cause to be operated in the area a portable saw,
20 auger, drill, tamper, or other portable tool powered by a
21 gasoline-fueled internal combustion engine on or near any
22 forest-covered land, brush-covered land, or grass-covered land,
23 within 25 feet of any flammable material, without providing and
24 maintaining at the immediate locations of use or operation of the
25 saw or tool, for firefighting purposes, one serviceable round point
26 shovel, with an overall length of not less than 46 inches, or one
27 serviceable fire extinguisher. The Director of Forestry and Fire
28 Protection shall by administrative regulation specify the type and
29 size of fire extinguisher necessary to provide at least minimum
30 assurance of controlling fire caused by use of portable power tools
31 under various climatic and fuel conditions.

32 (b) The required fire tools shall at no time be farther from the
33 point of operation of the powersaw or tool than 25 feet with
34 unrestricted access for the operator from the point of operation.

35 (c) As used in this section, "person" means a natural person,
36 partnership, firm, association, corporation, limited liability
37 company, or other legal entity.

38 SEC. 5. Section 4442 of the Public Resources Code is amended
39 to read:

4442. (a) Except as otherwise provided in this section, a person shall not use, operate, or allow to be used or operated, an internal combustion engine that uses hydrocarbon fuels on any forest-covered land, brush-covered land, or grass-covered land unless the engine is equipped with a spark arrester, as defined in subdivision (c), maintained in effective working order, or the engine is constructed, equipped, and maintained for the prevention of fire pursuant to Section 4443.

(b) Spark arresters affixed to the exhaust system of engines or vehicles subject to this section shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

(c) A spark arrester is a device constructed of nonflammable materials specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or that is qualified and rated by the United States Forest Service.

(d) Engines used to provide motive power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a ~~muffler~~ *muffler*, as defined in the Vehicle Code.

(e) Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in effective mechanical condition.

(f) ~~Motor-vehicles~~ *vehicles*, when being operated in an organized racing or competitive event upon a ~~closed-course~~ *course*, are not subject to this section if the event is conducted under the auspices of a recognized sanctioning body and by permit issued by the fire protection authority having jurisdiction.

(g) As used in this section, "person" means a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity.

SEC. 5.5. Section 4442 of the Public Resources Code is amended to read:

4442. (a) Except as otherwise provided in this section, ~~no a~~ person shall *not* use, operate, or allow to be used or operated, ~~any~~ an internal combustion engine ~~which~~ *that* uses hydrocarbon fuels on any forest-covered land, brush-covered land, or grass-covered

1 land unless the engine is equipped with a spark arrester, as defined
2 in subdivision (c), maintained in effective working ~~order~~ *order*,
3 or the engine is constructed, equipped, and maintained for the
4 prevention of fire pursuant to Section 4443.

5 (b) Spark arresters affixed to the exhaust system of engines or
6 vehicles subject to this section shall not be placed or mounted in
7 such a manner as to allow flames or heat from the exhaust system
8 to ignite any flammable material.

9 (c) A spark arrester is a device constructed of nonflammable
10 materials specifically for the purpose of removing and retaining
11 carbon and other flammable particles over 0.0232 of an inch in
12 size from the exhaust flow of an internal combustion engine that
13 uses hydrocarbon fuels or ~~which~~ *that* is qualified and rated by the
14 United States Forest Service.

15 (d) Engines used to provide motive power for trucks, truck
16 tractors, buses, and passenger vehicles, except motorcycles, are
17 not subject to this section if the exhaust system is equipped with
18 a ~~muffler~~ *muffler*, as defined in the Vehicle Code.

19 (e) Turbocharged engines are not subject to this section if all
20 exhausted gases pass through the rotating turbine wheel, there is
21 no exhaust bypass to the atmosphere, and the turbocharger is in
22 effective mechanical condition.

23 (f) ~~Motor vehicles~~ *vehicles*, when being operated in an organized
24 racing or competitive event upon a closed ~~course~~ *course*, are not
25 subject to this section if the event is conducted under the auspices
26 of a recognized sanctioning body and by permit issued by the fire
27 protection authority having jurisdiction.

28 (g) *A person shall not use, operate, or allow to be used or*
29 *operated, any off-highway electric motorcycle, or any motorcycle,*
30 *motor-driven cycle, or moped powered by an electric motor, on*
31 *any forest-covered land, brush-covered land, or grass-covered*
32 *land unless the vehicle has been certified by its manufacturer for*
33 *compliance with SAE J2929 or another applicable SAE, ISO,*
34 *UNECE, or IEC electrical safety standard and the name of the*
35 *manufacturer and the test standard used are permanently marked*
36 *on the vehicle or on its drive system.*

37 (h) *As used in this section, "person" means a natural person,*
38 *partnership, firm, association, corporation, limited liability*
39 *company, or other legal entity.*

1 SEC. 6. Section 4442.5 of the Public Resources Code is
2 amended to read:

3 4442.5. (a) A person shall not sell, offer for sale, lease, or rent
4 to a person an internal combustion engine subject to Section 4442
5 or 4443, and not subject to Section 13005 of the Health and Safety
6 Code, unless the person provides a written notice to the purchaser
7 or bailee, at the time of sale or at the time of entering into the lease
8 or rental contract, stating that it is a violation of Section 4442 or
9 4443 to use or operate the engine on any forest-covered,
10 brush-covered, or grass-covered land unless the engine is equipped
11 with a spark arrester, as defined in Section 4442, maintained in
12 effective working order, or the engine is constructed, equipped,
13 and maintained for the prevention of fire pursuant to Section 4443.

14 (b) As used in this section, "person" means a natural person,
15 partnership, firm, association, corporation, limited liability
16 company, or other legal entity.

17 SEC. 7. Section 4442.6 of the Public Resources Code is
18 amended to read:

19 4442.6. (a) A person shall not sell, offer for sale, lease, or
20 rent to a person any equipment that is powered by an internal
21 combustion engine subject to Section 4442 or 4443, and not subject
22 to Section 13005 of the Health and Safety Code, unless that
23 equipment has a permanent warning label attached that is in plain
24 view to the operator that states, "WARNING—Operation of This
25 Equipment May Create Sparks That Can Start Fires Around Dry
26 Vegetation. A Spark Arrester May be Required. The Operator
27 Should Contact Local Fire Agencies For Laws or Regulations
28 Relating to Fire Prevention Requirements."

29 (b) A person who manufactures equipment that is powered by
30 an internal combustion engine described in subdivision (a) shall
31 attach to that equipment a permanent warning label that is in plain
32 view to the operator and that complies with subdivision (a).

33 (c) Notwithstanding Section 4021, a violation of subdivision
34 (a) or (b) is an infraction punishable by a fine of not more than
35 one hundred dollars (\$100).

36 (d) As used in this section, "person" means a natural person,
37 partnership, firm, association, corporation, limited liability
38 company, or other legal entity.

39 SEC. 8. Section 4443 of the Public Resources Code is amended
40 to read:

1 4443. (a) A person shall not use, operate, or cause to be
2 operated on any forest-covered land, brush-covered land, or
3 grass-covered land any handheld portable, multiposition, internal
4 combustion engine manufactured after June 30, 1978, that is
5 operated on hydrocarbon fuels, unless it is constructed and
6 equipped and maintained for the prevention of fire.

7 (b) The board shall, by regulation, specify standards for
8 construction, equipment, and maintenance of such engines for the
9 prevention of fire and shall specify a uniform method of testing
10 to be used by engine and equipment manufacturers, governmental
11 agencies, and equipment users. The regulations shall include
12 specification of exhaust system standards for carbon particle
13 retention or destruction, exposed surface temperature, gas
14 temperature, flammable debris accumulation, durability, and
15 serviceability.

16 (c) A portable powersaw and other portable equipment described
17 in this section that were manufactured before July 1, 1978, shall
18 be subject to fire safety design specifications as prescribed by the
19 board.

20 (d) As used in this section, “person” means a natural person,
21 partnership, firm, association, corporation, limited liability
22 company, or other legal entity.

23 SEC. 9. No reimbursement is required by this act pursuant to
24 Section 6 of Article XIII B of the California Constitution because
25 the only costs that may be incurred by a local agency or school
26 district will be incurred because this act creates a new crime or
27 infraction, eliminates a crime or infraction, or changes the penalty
28 for a crime or infraction, within the meaning of Section 17556 of
29 the Government Code, or changes the definition of a crime within
30 the meaning of Section 6 of Article XIII B of the California
31 Constitution.

32 SEC. 10. *Section 5.5 of this bill incorporates amendments to*
33 *Section 4442 of the Public Resources Code proposed by both this*
34 *bill and Senate Bill 1167. That section of this bill shall become*
35 *operative only if (1) both bills are enacted and become effective*
36 *on or before January 1, 2027, (2) each bill amends Section 4442*
37 *of the Public Resources Code, and (3) this bill is enacted after*

- 1 *Senate Bill 1167, in which case Section 5 of this bill shall not*
- 2 *become operative.*

O