EXECUTIVE ORDER N-54-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, COVID-19 continues to spread and is impacting nearly all sectors of California; and

WHEREAS the COVID-19 pandemic and the necessary physical distancing measures implemented to combat it have had widespread impacts on state and local governments, California Native American tribes, and on members of the public, making it impossible or impractical to adhere to certain statutory and regulatory deadlines; and

WHEREAS due to physical distancing protocols, it may be impossible or impracticable for lead agencies, responsible agencies, and project applicants to adhere to certain public filing and notice requirements under the California Environmental Quality Act; and

WHEREAS it is critical to protect the public health and safety and minimize the risk of COVID-19 exposure for workers engaged in essential activities, such as those handling reusable grocery bags or recyclable containers where recycling centers are not available; and

WHEREAS contact exposure at retail establishments, beverage dealers, and recycling centers could spread COVID-19, necessitating precautions to reduce the risk of exposure to COVID-19; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) The provisions of Vehicle Code section 34620, subdivisions (a) and (b), and California Code of Regulations, Title 13, sections 220.00, subdivision (i) and 220.04, requiring current Motor Carrier Property Permits, are suspended through June 30, 2020. This suspension is applicable to permits that expired on March, 31, 2020, through June 30, 2020.

2) The timeframe set forth in Vehicle Code section 13002, and accompanying regulations, pertaining to the expiration of identification cards, is suspended for a period of 60 days. This

suspension is applicable to identification cards that expired on or after March 4, 2020, or will expire within 60 days from the date of this Order.

3) The timeframe set forth in Vehicle Code section 4156, subdivision (b), pertaining to temporary permits, is suspended for a period of 60 days. This suspension is applicable to temporary permits that expired on or after March 4, 2020, or will expire within 60 days from the date of this Order.

4) For vehicle registrations that expire between the dates of March 16, 2020, and May 31, 2020, the requirements in Vehicle Code sections 4603, 9552, 9553, and 9554, and any accompanying regulations, pertaining to the timing and imposition of late fees or other penalties that may accrue as a result of a registrant's failure to timely submit an application for renewal of vehicle registration, are waived provided the applicant timely submits an application for renewal accompanied by payment within 60 days following the original date of expiration.

5) The provisions of Vehicle Code sections 4000(a)(1) and 5204(a) pertaining to the registration and registration display requirements for vehicles operated upon a highway are hereby suspended until June 30, 2020. This suspension is applicable to registrations expired on or after March 4, 2020 and before June 30, 2020. Additionally, until June 30, 2020, vehicles with registration expiring between September 4, 2019, and January 1, 2020, are exempt from the associated storage authority outlined in Vehicle Code section 22651(o)(1)(a).

6) The timeframe set forth in Vehicle Code section 5902, within which a transferee of a vehicle must forward a certificate of ownership and apply for a transfer of registration, is suspended for a period of 60 days from the date of this Order. This suspension is applicable to transfers that occurred on or after March 4, 2020.

7) The timeframe set forth in Vehicle Code section 4152.5, governing the registration of vehicles previously registered in a foreign jurisdiction, is suspended for a period of 60 days.

8) The public filing, posting, notice, and public access requirements set forth in Public Resources Code sections 21092.3 and 21152, and California Code of Regulations, Title 14, sections 15062(c)(2) and (c)(4); 15072(d); 15075 (a),(d), and (e); 15087(d); and 15094(a), (d), and (e), for projects undergoing, or deemed exempt from, California Environmental Quality Act review, are suspended for a period of 60 days. This suspension does not apply to provisions governing the time for public review.

   In the event that any lead agency, responsible agency, or project applicant is operating under any of these suspensions, and the lead agency, responsible agency, or project applicant would otherwise have been required to publicly post or file materials concerning the project with any county clerk, or otherwise make such materials available to the public, the lead agency, responsible agency, or project applicant (as applicable) shall do all of the following:

a) Post such materials on the relevant agency's or applicant's public-facing website for the same period of time that physical posting would otherwise be required;

b) Submit all materials electronically to the State Clearinghouse CEQAnet Web Portal; and

c) Engage in outreach to any individuals and entities known by the lead agency, responsible agency, or project applicant to be parties interested in the project in the manner contemplated by the Public Resources Code sections 21100 et seq. and California Code of Regulations, Title 14, sections 15000 et seq.

In addition to the foregoing, lead agencies, responsible agencies, and project applicants are also encouraged to pursue additional methods of public notice and outreach as appropriate for particular projects and communities.

9) The timeframes set forth in Public Resources Code sections 21080.3.1 and 21082.3, within which a California Native American tribe must request consultation and the lead agency must begin the consultation process relating to an Environmental Impact Report, Negative Declaration, or Mitigated Negative Declaration under the California Environmental Quality Act, are suspended for 60 days.

10) Public Resources Code section 14571.6, subdivisions (a) and (b), is suspended for a period of 60 days.

11) Public Resources Code section 14585, and California Code of Regulations, Title 14, section 2500, are suspended for a period of 60 days to the extent that either requires a recycling center to operate a minimum number of hours per week or remain open during specific periods of time, and recycling centers shall be permitted to receive handling fees in accordance with guidelines for weekly hours and times of operation developed and issued by the Department of Resources Recycling and Recovery. The Department of Resources Recycling and Recovery shall develop and issue such guidelines no later than April 27, 2020.

12) Public Resources Code section 42283 is suspended for a period of 60 days to the extent that it prohibits retail establishments from (a) providing without charge reusable grocery bags or recycled paper bags to customers at point of sale, or (b) where it is not possible to provide reusable grocery bags or recycled paper bags, providing single-use carryout bags to customers at point of sale.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, apply to retail establishments in local jurisdictions with ordinances governing the use of single-use carryout bags in effect before January 1, 2015. Public Resources Code section 42287 continues to allow those jurisdictions to apply ordinances in effect before January 1, 2015 restricting the use of single-use carryout bags as well as any emergency rules established by those jurisdictions and their respective health departments.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 22nd day of April 2020.

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GAVIN NEWSOM
Governor of California

ATTEST:

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ALEX PADILLA
Secretary of State