

BILL NUMBER: AB 48
VETOED DATE: 10/13/2007

To the Members of the California State Assembly:

I am returning Assembly Bill 48 without my signature.

This bill exponentially expands the scope of electrical and electronic equipment subject to the Restriction on the use of Hazardous Substances (RoHS) provisions under the California Waste Recycling Act. Unfortunately, the approach taken in this bill is largely unworkable and instead of the benefits it seeks to accomplish, could ultimately result in unintended and potentially more harmful consequences.

This bill purports to impose restrictions similar to those already in place in the European Union, but the deviations it takes from the European Union approach are fatally flawed. For example, the exemption language for spare parts and refurbished products, as currently written in this bill, will make many electronic products prematurely obsolete and force their retirement years earlier than necessary. The European Union RoHS Directive includes a specific exemption for spare and refurbished products to promote and extend the lives of electronic products and keep them out of the waste stream.

Additionally, this bill significantly expands the list of products subject to California's restriction on the use of specified hazardous metals. Existing law covers nine categories of video display devices. This bill is overly broad in its scope because it would prohibit the sale of potentially tens of thousands of electrical and electronic products for California's consumers and businesses.

Sincerely,

Arnold Schwarzenegger