

August 29, 2025

To: Clerks' Office

California Air Resources Board

1001 I Street, Sacramento, California 95814

Via electronic submittal at <https://ww2.arb.ca.gov/lispub/comm/bclist.php>

Re: Comments for Proposed Amendment to Advance Clean Fleet Rule

Dear CARB Members,

We appreciate your efforts and the opportunity to comment on proposed amendment of the Advance Clean Fleet (ACF) rule. Our comments are meant to identify unintended consequences of the rule's evolution and help CARB avoid creating an unfair impact on certain local jurisdictions. These issues should be considered by CARB since a bullet point on page 51 of the public workshop slide dated 2/12/20 said **"Ensure level playing field" and "Avoid unintended consequences"**.

We understand the need for amendments stated in the staff report for the September 25, 2025 public meeting. However, for the solid waste and recycling field, the proposed amendments create two significant issues described in sections below. These are inequity within the solid waste field and the need for a revised economic analysis. A third section identifies factors to be considered for a realistic impact analysis.

1. Inequity in the public/private solid waste field.

The proposed amendment would effectively bifurcate the rule to apply to municipal fleets and not private fleets. Relieving private fleets of the capital and operating cost burdens of conversion to zero emission vehicles (ZEVs) and infrastructure without relief to public fleets creates an uneven playing field. Ironically, this could be self-defeating for CARB's mission since it may result in many municipal waste operations turning to private fleets for lower costs.

Considering the foregoing, it seems prudent for CARB to relieve public solid waste collection fleets from the rule requirements, to be equitable with privately owned solid waste fleets relieved within the drayage category of the rule.

The following points are made to illustrate how significant the newly created inequity would be:

- A. Higher unit prices for public fleet ZEV purchases since manufacturers will have a smaller market due to bifurcation.

- B. Limited ZEV parts and technical support in a smaller market due to bifurcation.
- C. Increased cost for backup ZEV charging infrastructure serving public agencies since private fleets will not necessarily have charging stations to share if needed. Notice that backup fueling infrastructure shared among users has been a key part of California's previous success in conversion to natural gas fleets.

2. Need for a Revised Economic Analysis

The proposed amendment significantly changes some of the premises on which the rule's economic analysis was made. The changes warrant a revision of the economics for both the inequity described in section 1 above, as well as concerns previously expressed by the State Department of Finance. During the rulemaking process, the Finance Department issued a letter on June 17, 2022 reviewing CARB's standard regulatory impact assessment (SRIA) form and said:

- A. "If any significant changes to the proposed regulations result in economic impacts not discussed in the SRIA, please note that the revised economic impacts must be reflected on the Standard Form 399 for the rulemaking file submittal to the Office of Administrative Law." - Note that the proposed amendments are significant changes to the regulation which result in shifting economic impacts.
- B. "Finance generally concurs with the methodology used to estimate impacts of the proposed regulations, with the following exception: The SRIA must include comprehensive estimates of disparate impacts, including on identifiable government entities if some state and local government entities own a larger share of the government fleets and are therefore expected to bear a disproportionate share of the government ownership costs. The SRIA currently reports statewide costs for state and local government but does not discuss fleet costs for disproportionately impacted agencies." - Note that although the CARB replied to this letter that they did not have data for individual local agencies, CARB's published Cost of Ownership Document presents data for diesel and natural gas fleets. The document indicates much greater incremental savings for ZEVs vs. diesel than ZEVs vs. natural gas. Since many major public agency solid waste fleets use natural gas and therefore would not realize savings purported in the original SRIA, this should be accounted for in the rule amendment.

3. Realistic Impact Analysis Factors

A realistic assessment of impacts must account for the fact that ZEV waste collection trucks do not have comparable payload capacity. They have been found to be significantly heavier than state of the art internal combustion units. The weight difference reduces legal payload capacity by 25 to 40 percent. As a result, ZEV waste collection fleets must increase the number of trucks to handle the normal workload.

It is important to make a distinction between waste collection trucks and other types of freight or service trucks regarding load capacity. Some truck applications may not reach legal weight limits when all cargo space is used, depending on the cargo density. Thus, CARB studies have determined the extra weight of ZEVs in those applications to be acceptable. In contrast, solid waste collection trucks routinely reach legal weight limits, leaving no extra weight capacity for heavy batteries. Therefore, a realistic assessment of impacts would include more factors than found in CARB's prior analysis, such as:

- A. Capital cost of additional units to make up lost payload.
- B. Capital costs to enlarge existing depots, or in many cases acquire new ones since many municipal yards have no spare room.
- C. Additional staffing cost to operate additional units to make up lost payload.
- D. Additional operating and maintenance costs for additional units to make up lost payload.
- E. Increased traffic congestion and risk exposure from additional units to make up lost payload.
- F. Asphalt and roadway impacts from more trucks needed to do the same job.

CARB should account for these operational realities when developing regulations for public agency fleets. A phased-in approach, combined with increased investment in battery technology, charging infrastructure, and allowances for duty cycles unique to solid waste operations, is essential. Without these considerations, the mandate risks creating more vehicles, more congestion, more asphalt damage, and higher costs, with questionable net environmental benefit.

Prior to the currently proposed ACF rule amendment, the legislature addressed special needs for public agency utility fleets under assembly Bill 1594. The reasons were different than the current situation. However, the potential negative impact on the public warrants special attention to the issues described above. We suggest that CARB consider public solid waste and recycling collection fleets to be a special case and avoid subjecting them to the ACF rule.

Thank you for your consideration.

James Leonard
Solid Waste Director
City of Bakersfield
4101 Truxtun Ave.
Bakersfield, CA 93307