

Los Angeles Department of Water & Power (Ellis Chiu)

September 15, 2025

Mr. Christopher Grundler, Deputy Executive Officer  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Dear Mr. Grundler:

Subject: Los Angeles Department of Water and Power Comments on the Proposed  
Amendments to the Advanced Clean Fleets Regulation

The Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to provide comments on the California Air Resources Board's (CARB) proposed 45-day package to the Advanced Clean Fleets (ACF) Regulation to incorporate the requirements under Assembly Bill (AB) 1594.

LADWP is the nation's largest municipal utility serving more than four million residents of Los Angeles, its businesses, and visitors. LADWP maintains a vast water system with about 7,341 miles of mainlines and trunk lines transporting approximately 140 billion gallons of water annually. LADWP's Power System is the nation's largest municipal electric utility, supplying over 21,600 gigawatt hours annually to customers in Los Angeles and the Owens Valley. In addition, LADWP maintains a diverse power generation, transmission, and distribution system of 15,000 miles of power lines and cables that span five western states. Operating and maintaining these vast systems requires necessary vehicles readily available to quickly restore water and power.

Water and Power crews respond to emergency events such as high winds, heat storms, floods, sabotage, and major system failures, as well as mutual aid requests from local utilities and other water and power utilities throughout the United States. The recent wind-driven wildfires in the Pacific Palisades have highlighted the need for continuous duty fleet vehicles to protect life, property, and worker safety. LADWP's crews work directly with first responders like the police and fire departments during these events or when requested by the City of Los Angeles to assist with other local emergencies.

LADWP appreciates some of the changes CARB has proposed in the 45-day package, specifically, the definition of traditional utility-specialized vehicles and the added provision for early access to exemptions to the Zero-Emissions Vehicles (ZEV) Purchase and Daily Usage exemptions.

However, due to the uncertainty of the medium and heavy-duty vehicle market, Clean Truck Partnership (CTP), and Advanced Clean Trucks (ACT) regulation, LADWP urges CARB to recognize the new landscape and incorporate these significant and necessary recommendations to the ACF regulation. The ACF regulation was intended to work together

with the ACT regulation and CTP to provide an increasing number of ZEVs in the market for both public and private fleets in California. Now that state and local governments are the only entities subject to the ACF regulation, it is more crucial than ever to ensure that the exemption pathways are feasible. As currently proposed, the ACF language will make it extremely challenging and, in some cases, impossible for LADWP to update its fleet to ensure employees can accomplish their specialized functions. It is crucial for this regulation to be workable and serve as a model to support future electrification goals.

As written, the proposed 45-day language is still too restrictive and fails to fully address the major issues of ZEV availability and emergency response. The current exemptions do not provide a sufficient process for large public agency utility fleets to acquire necessary utility vehicles with specifications that meet operational needs. LADWP offers the following recommendations regarding the Mutual Aid Exemption, ZEV Purchase Exemption, Daily Usage Exemption, and additional proposals to make the ACF regulation more feasible. As a Provider of Essential Public Service, these changes are crucial for LADWP to transition to ZEVs while allowing for the continued ability to provide safe and reliable water and power.

### **Mutual Aid**

Earlier this year, the Pacific Palisades Fire (Palisades Fire) provided LADWP with firsthand experience on the vehicle needs during a recent emergency. Over 100 power crews were dispatched to remove damaged power poles, downed lines, and utility equipment to make the area safe for first responders, other agencies, and residents to repopulate the Palisades community. In addition, 21 water crews reported to Pacific Palisades in support of the restoration efforts. These are only estimates, as the actual number of vehicles and crews varies based on the requirements and complexity of each crew's specific job and the complexity of the event. These estimates do not include additional vehicles used by LADWP's Joint System, which provides support for both Water and Power systems, and other mutual aid crews from Pacific Gas & Electric, Navajo Tribal Utility Authority, and contractors who supported the emergency effort. The Palisades Fire was a localized event, but a larger natural disaster, such as an earthquake, could potentially affect the entire service territory and require a much larger number of vehicles to respond.

To make the exemption feasible, LADWP recommends the following revisions:

1. Remove any requirement to meet a minimum threshold before accessing this exemption. Based on the current ZEV market conditions, the minimum proportions of ZEVs make access to this exemption unattainable in the near term, while existing vehicles continually need to be replaced.
2. A 25 percent limit on this exemption would not be sufficient for LADWP to respond to a relatively small, localized event such as the Palisades Fire, let alone a much larger disaster throughout LADWP's service territory. A percentage limit on the number of vehicles for mutual aid is not sufficient due to the diversity in fleet sizes and operations. If a 25 percent limit is required, LADWP recommends that the ACF regulation includes a process where fleets with operations in multiple states or a large service territory may, through discussions with CARB, request exemptions for additional mutual aid vehicles

over the 25 percent limit. LADWP currently has five mutual aid agreements and requires an adequate number of vehicles to have within our service territory as well as additional vehicles that can be relied upon for responding to requests for assistance outside LADWP's service territory.

3. Vehicles exempted by other portions of the regulation should not count against the 25 percent limit. It is burdensome for both fleets and CARB to track, and it reduces the much-needed flexibility provided in this provision.
4. Remove the requirement that new Internal Combustion Engine Vehicles (ICEV) purchased under this exemption must not exceed the total number of ZEVs. This places additional constraints on LADWP's vehicle procurement process.
5. Modify 2013.2(e)(3), which requires documentation from three mobile ZEV fueling providers. This requirement should be delayed until at least 2035, when further evaluation of the technology can be made. Mobile ZEV charging is currently not reliable based on LADWP's recent experiences:
  - a. Many ZEVs are unable to achieve an 80 percent charge within an hour, impacting the ability to respond to emergencies.
  - b. Communication protocol incompatibility issues have been observed between Electric Vehicle chargers and the ZEV manufacturers.
  - c. Newer ZEVs are equipped with higher battery voltages (V) (e.g., 600V, 800V, etc., as opposed to the previously common 400V systems), making them incompatible.

During the Palisades Fire, LADWP relied on mobile diesel fuel trucks. LADWP utilized agreements with fuel vendors to provide additional fuel deliveries along with LADWP's own mobile fuel trucks on a 24-hour continuous basis to refuel the vehicles working during the Palisades event and subsequent restoration efforts. Mobile fuel trucks were used to refuel emergency generators, stationary engines, other equipment for LADWP's water and power infrastructure, and the LAFD stations impacted by the event.

### **ZEV Purchase Exemption**

In addition to mutual aid and emergency response, the other primary issue with the ACF regulation is how vehicle availability is defined. The current language fails to address the necessary criteria that public agency utility fleets have been proposing since the beginning of the rulemaking process. A public agency utility has unique vehicle specification needs that should be considered when determining ZEV availability. Early access to this exemption is meaningless if the exemption process itself is infeasible. Furthermore, ZEV purchase exemptions granted to fleets should be extended to Original Equipment Manufacturers (OEMs) and engine manufacturers for vehicle purchases. Fleets may not be able to utilize a granted exemption under ACF if OEMs are unable to sell ICEVs due to the requirements of the ACT regulation.



LADWP reiterates its previous recommendation to establish defined criteria for vehicle availability rather than simply vehicle configuration. Vehicles need to be capable of doing the work required by a public agency utility. LADWP has deployed ZEVs and participated in pilot programs where issues with weight and payload challenges have impacted operations. Based on LADWP's experience, the ZEVs that they have used are unable to hold the essential tools and equipment that ICEVs can. Additionally, LADWP has new ZEVs that are currently unable to operate due to the delay in service and/or parts availability.

Therefore, LADWP reemphasizes the additional criteria previously proposed in its past comment letters to address these vehicle availability, performance, reliability, and maintenance concerns. LADWP strongly recommends that the following criteria be added to 2013.2(d)(2)(D) to allow fleets and CARB to fully evaluate how the ZEV can be operated and not solely based on whether the configuration is available or not:

1. ZEV or Near-Zero Emission Vehicles (NZEV) payload, towing capacity, off-road capability, and auxiliary functions meet the fleet's operational needs;
2. ZEV or NZEV must satisfy OEM testing and field-testing requirements, including a weight distribution study and gradeability tests based on the fleet owner's specifications;
3. Public agency has solicited responsive bids from at least three manufacturers, within the bid period, with each manufacturer having at least three years of experience selling vehicles in California. No responses received during the bid period should be counted against the minimum number of bids;
4. ZEV or NZEV authorized dealer or manufacturer is able to fulfill the purchase order within 18 months;
5. ZEV or NZEV delivery time does not exceed that of an ICEV by six months;
6. ZEV or NZEV model has at least 25 vehicles placed in service;
7. ZEV or NZEV authorized dealer or manufacturer is able to provide vehicle maintenance support within 50 miles of the delivery point, and guarantee continuous availability of parts; and
8. The replacement of one specialty ICEV should not necessitate the purchase of more than one ZEV or NZEV to meet required technical and operational specifications of the vehicle being replaced.

Furthermore, LADWP recommends removing the requirement in 2013.2(d)(2)(B) where fleet owners are required to consider purchasing a ZEV in the next higher weight class. This requirement does not consider the fleet owner's specifications, work requirements, and weight, height, or width requirements of the final build vehicle.

### **Daily Usage**

Public agency utilities need to be prepared for the most extreme scenarios at all times. LADWP's vehicles are deployed to respond to emergencies of all sizes at any given moment. Crews need to be capable of not only performing routine tasks but also operating around the clock in 16-hour shifts. The daily usage exemption should account for these cases. To make the exemption feasible, LADWP proposes the following recommendations:

1. Remove the ten percent threshold before accessing this exemption. Based on the current ZEV market conditions, the minimum proportions of ZEVs make access to this exemption unattainable in the near term, while existing vehicles continually need to be replaced.
2. Allow additional time for fleet owners to place new vehicle orders. LADWP's normal procurement process takes approximately 18 months to award a contract and up to two years to place a vehicle order.
3. In lieu of calculating the range of a battery-electric vehicle (BEV), allow fleet owners to convert fuel usage to a kilowatt-hour equivalent, which can then be compared to that of a BEV.
4. Instead of compiling daily usage reports of all existing ICEVs of the same weight class and configuration, fleet owners should only have to demonstrate that the vehicle being replaced exceeds the capabilities of a BEV.
5. Instead of compiling data from specific periods of time, fleet owners should have the option of providing example(s) from any period to demonstrate a vehicle's usage need (e.g. a worst-case scenario).
6. Remove the requirement where BEVs that do not meet the daily usage criteria and must be purchased before an exemption for ICEVs can be granted. A vehicle's replacement criteria is approved by the fleet's governing board, chief executive, or the chief executive's designee due to age, maintenance issues, mileage, and other operational needs.

## **Fleet Expansions**

LADWP strongly recommends including new vehicle additions, not just vehicle replacements, in the ZEV Purchase and Daily Usage exemptions to allow for fleet expansions when ZEVs are unavailable. This is essential in supporting the increased infrastructure projects throughout LADWP's service territory.

## **Fleet Owners and Rentals**

The proposed 45-day language considers fleet owners/operators the owners of rental vehicles only when rentals are over a year and it is also specified in the terms of the rental agreement. LADWP has a long-established history of awarding three- to five-year rental vehicle contracts with multiple vendors on an as-needed basis. LADWP requires rental vehicles to supplement its fleet due to long delays in building vehicles or unexpected projects. LADWP asserts that fleet owners with long-term rental agreements should not be considered the owners of rental vehicles because they do not maintain, repair, or perform mandatory regulatory inspections for these vehicles. The rental companies are the legitimate owners because they are responsible for performing the required maintenance and repairs of vehicles, conducting all regulatory compliance inspections, and maintaining the vehicle registration. LADWP recommends keeping the definition as is in the 45-day package.

## **Early ZEV Purchases**

Fleet owners should be given the opportunity to decide when to count early ZEV purchases towards their future purchases. This will continue to incentivize fleets to purchase available

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ZEVs as early as possible while maintaining the flexibility to utilize the credits for necessary utility vehicle purchases.

## **NZEV**

Since no NZEVs currently exist, LADWP recommends expanding the scope of the definition of NZEV to include hybrid vehicles (diesel with electric power take-off), CNG, etc. This will help continue the development of bridge technologies as fleets transition traditional specialty utility vehicles to ZEVs.

## **Enclosure 1: Redlines of proposed rule attached**

The enclosure includes redlines of the proposed State and Local Government Agency's Advanced Clean Fleets rule as discussed above.

Nevertheless, LADWP is committed to continuing its efforts to electrify its fleet and evaluating ZEVs for effectiveness and reliability as they become available. As a public entity, LADWP prioritizes compliance with all federal, state, and local regulations. LADWP encourages CARB to continue working with stakeholders to make significant revisions to the language to successfully implement the requirements of AB1594 and the goals of ACF. LADWP appreciates CARB's collaboration with the stakeholders and consideration of the feedback provided and looks forward to the additional 15-day changes.

If you have any questions regarding these comments, please contact Ms. Andrea Villarin or Mr. Ellis Chiu, of my staff, at (213) 367-0409 or (213) 367-0470, respectively.

Sincerely,

Katherine Rubin  
Director of Corporate Environmental Affairs

EC:ar

Enclosure

c/enc: The Honorable Liane Randolph, Chair, CARB  
The Honorable Dr. Steve Cliff, Executive Director, CARB  
Ms. Michelle Buffington, Division Chief, CARB  
Ms. Andrea Villarin  
Mr. Ellis Chiu

## Appendix A-1.1

### Proposed Regulation Order

# The Proposed Amendments to the Advanced Clean Fleets and Low Carbon Fuel Standards Regulation

[Note: This version of the Proposed Regulation Order is provided in a tracked changes format to improve the accessibility of the regulatory text. This version is not the authoritative version for this proposed rulemaking. The proposed amendments are incorporated into the current regulatory text for ease of readability only. For the authoritative version that complies with Government Code section 11346.2, subdivision (a)(3), please see Appendix A-1. To review this document in a clean format (no underline or strikeout to show changes), please [accept all tracked changes](#). Placeholder text to be updated upon adoption of the proposed amendments is shown in angle brackets (such as <insert date of amendments>).]

Date of Release: July 29, 2025

Date of Hearing: September 25, 2025

## Proposed Regulation Order

Title 13, California Code of Regulations

Amend Chapter 1, Article 3.2, Sections 2013, 2013.1, 2013.2, 2013.3, and 2013.4, and adopt sections 2013.5, 2013.6, and 2013.7, of title 13, California Code of Regulations, to read as follows:

Article 3.2. State and Local Government Agency Fleet Requirements

### **§ 2013. State and Local Government Fleet Applicability, Definitions, and General Requirements.**

(a) Scope and Applicability

- (1) Fleet Applicability. Except for excluded vehicles as specified in section 2013(c) this article applies to any state or local government agency with jurisdiction in California that owns, leases, or operates one or more vehicles specified in section 2013(a)(2) in California on or after January 1, 2024. This article does not apply to federal fleets.
- (2) Vehicle Scope. Except for excluded vehicles as specified in section 2013(c), vehicles subject to this article are vehicles that have a gross vehicle weight rating (GVWR) greater than 8,500 lbs. that are operated in California.

(b) Definitions. For the purposes of this article, the following definitions apply:

“Authorized dealer” means an independent sales, service, or repair facility that is recognized by a motor vehicle manufacturer as a sales representative or is both authorized by a motor vehicle manufacturer to perform repairs on vehicles and is in fact capable of performing repairs needed to maintain vehicles to factory specifications, including performing warranty repair work.

“Backup vehicle” means a vehicle, excluding yard tractors, that is operated infrequently as specified in section 2013.2(a).

“Battery-electric vehicle” or “BEV” has the same definition as “Electric Vehicle” in Title 40, Code of Federal Regulations (CFR), section 1037.801, last amended by the United States Environmental Protection Agency (U.S. EPA) on June 17, 2013, incorporated by reference herein.

“Box truck” means a single-unit vehicle with a fully or partially enclosed space with a roof and at least three sides designed for transporting cargo

or payload, excluding the driver and passengers. Examples include vehicles commonly referred to as step vans, refrigerated vans, dry vans, chipper trucks, and box reefer trucks.

“Broker” means any person who, as a principal or agent, sells, offers for sale, negotiates for, or holds itself out by solicitation, advertisement, or otherwise as selling, providing, or arranging for, transportation by motor carrier for compensation. A motor carrier, or person who is an employee or bona fide agent of a carrier, is not a broker when it arranges or offers to arrange the transportation of shipments which it is authorized to transport and which it has accepted and legally bound itself to transport.

“Bus” means any vehicle designed, used, or maintained for carrying more than ten persons, including the driver, and configured with seats for the primary purpose of transporting persons including the driver.

“California fleet” means the subset of vehicles in the total fleet operated in California by a fleet owner during a calendar year.

“CARB” means the California Air Resources Board.

“Configuration” means the primary intended function for which a complete vehicle is designed, or as determined by the body permanently attached to the chassis of an incomplete vehicle. Examples of configurations include bucket trucks, box trucks, concrete pump trucks, dump trucks, digger derricks, drill rigs, stake bed trucks, flatbed trucks, and tow trucks. The configuration does not include any auxiliary equipment or secondary uses of equipment added to or carried on the vehicle body. Examples of truck-mounted equipment include welding equipment, lift gates, portable tanks, generators, storage cabinets, and winches.

“Declared emergency event” means the time period of an emergency event declared or duly proclaimed by a local governing body, state Governor, or the President of the United States during any of the conditions or degrees of emergency described in California Government Code, section 8558.

“Dedicated snow removal vehicle” means a vehicle that has permanently affixed snow removal equipment such as a snow blower or auger and is operated exclusively to remove snow from public roads, private roads, or other paths to allow on-road vehicle access.

“Designated low population counties” means the counties of Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, Glenn, Humboldt, Inyo, Lake, Lassen, Mariposa, Mendocino, Modoc, Mono, Nevada, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, and Yuba.

“Dispatch” means to provide direction or instruction for routing a specific vehicle, whether owned or under contract, to specified destinations for specific purposes, including delivering cargo, passengers, property or goods, or providing a service.

“Emergency operation” means operation of an emergency support vehicle to help alleviate an immediate threat to public health or safety in response to a declared emergency event. Emergency operation includes emergency support vehicle travel to and from a declared emergency event when dispatched by a local, state, federal, or other responsible emergency management agency. Routine operation to prevent public health risks does not constitute emergency operation.

“Emergency support vehicle” means a vehicle other than an authorized emergency vehicle as defined in California Vehicle Code (CVC) section 165 that has been dispatched by a local, state, federal, or other responsible emergency management agency that is used to provide transport services or supplies in connection with an emergency operation.

“Energy storage system” means a system that is designed to store energy on a ZEV or NZEV, such as the battery pack or hydrogen storage tank.

“ePTO” is an integrated vehicle technology system capable of providing power to auxiliary equipment or accessories, such as hydraulic pumps, compressors, liquid pumps, electrical power generators, or winches, which enables the vehicle (and integrated system) to produce no criteria pollutant, precursor pollutant, or greenhouse gas exhaust emissions while the auxiliary equipment or accessories are being operated.

“Executive Officer” means the Executive Officer of the California Air Resources Board or their delegated representative.

“Federal fleet” means vehicles owned by a department, agency, or instrumentality of the federal government of the United States of America and its departments, divisions, public corporations, or public agencies that operate in California. With respect to the Department of Defense and its service branches, federal fleets may be managed

regionally, locally, or a combination of regional and local management. There may be multiple federal fleets within a branch of military service or an installation.

“Fleet” or “total fleet” means one or more vehicles owned by a fleet owner. It also includes rental or leased vehicles that are considered owned by the “fleet owner” as defined in section 2013(b).

“Fleet owner” means the person or entity who owns the vehicles comprising the fleet. The owner shall be presumed to be either the person or entity registered with the California Department of Motor Vehicles (DMV) as the owner or lessee of a vehicle, or its equivalent in another state, province, or country; vehicle ownership is based on the vehicle registration document or the vehicle title, except as specified below:

- (A) For vehicles that are rented or leased from a business that is regularly engaged in the trade or business of renting or leasing motor vehicles without drivers, including truck leases that are part of a bundled service agreement, the owner shall be presumed to be the rental or leasing entity for purposes of compliance, unless the rental or lease agreement for the vehicle is for a period of one year or longer and the terms of the rental or lease agreement identifies the renting operator or lessee of the vehicle as the party responsible for compliance with state laws.
- (B) A financing company or a person who only provides financing to a third party in the form of “finance leases,” as defined in California Uniform Commercial Code section 10103(a)(7), is not considered to own the vehicles that are financed. Similarly, a financing company or a person who only provides financing to a third party for converting a vehicle to a ZEV is not considered to be the owner of the vehicle.

“Gross vehicle weight rating” or “GVWR” means the same as CVC section 350, as indicated by the characters in the four through eight positions in a standard 17-character Vehicle Identification Number (VIN).

“Historical vehicle” means a vehicle that meets the qualifications for a historical vehicle and has been issued a historical vehicle license plate pursuant to CVC section 5004 and is operated or moved over the highway primarily for the purpose of historical exhibition or other historic vehicle club activities.



“Hubodometer” means a non-resettable device mounted on the axle of a vehicle that measures distance traveled that has a serial number and a lock-out feature that permanently prevents tampering.

“Hydrogen fuel-cell electric vehicle” or “FCEV” means a vehicle with an electric motor where energy for the motor is supplied by an electrochemical cell that produces electricity via the non-combustion reaction of hydrogen.

“Intermittent snow removal vehicle” means a vehicle that is equipped with a snow plow or snow blower mounting attachment and a control system for the plow or blower.

“Internal combustion engine vehicle” or “ICE vehicle” means a vehicle with a powertrain that includes an internal combustion engine that is powered by gasoline, diesel, natural gas, propane, or other fuel where the sole source of power is from the combustion of the on board fuel to provide motive power.

“Lessee” has the same meaning as defined in CVC section 371.

“Manufacturer” means any entity or person who manufactures or assembles new yard tractors or on-road motor vehicles, or imports such yard tractors or on-road motor vehicles for resale, or who acts for and is under the control of any such person in connection with the distribution of yard tractors or new motor vehicles, but shall not include any dealer with respect to yard tractors or new motor vehicles received in commerce. In general, the term “manufacturer” includes any entity or person who manufactures or assembles an on-road vehicle, a yard tractor, a cab and chassis, or other incomplete on-road vehicle for sale in California, or otherwise introduces a yard tractor or new on-road motor vehicle into commerce in California. “Manufacturer” also includes any intermediate- or final-stage manufacturer who completes vehicle assembly prior to first purchase of the vehicle other than for resale. “Manufacturer” does not include entities or persons who supply parts to the importer or vehicle manufacturer of record.

“Mobile ZEV fueling provider” means an entity that provides the service of, or is engaged in the sale, rental, or lease of equipment for the purpose of, delivering hydrogen fuel or electricity directly from a mobile vehicle or portable equipment into another vehicle’s fuel tank or battery for other than the dispenser’s own consumption.

“Model year” means the production period as assigned by the manufacturer when certifying an engine or vehicle for sale, pursuant to title 17, CCR, section 95662(a)(16).

“Motor carrier” means the same as defined in CVC section 408.

“Motor vehicle” means the same as defined in CVC section 415.

“Near-zero-emissions vehicle” or “NZEV” means a vehicle as defined in title 13, CCR, section 1963(c) and achieves a minimum number of miles, or “all-electric range”, as specified in title 13, CCR, section 1963.2(b)(2).

“New vehicle” means a motor vehicle, the equitable or legal title to which has never been transferred to an ultimate purchaser.

“Notice to proceed” means a written direction to a vehicle manufacturer or entity that converts vehicles to ZEVs to commence production or conversion of a vehicle as provided in a contract.

“Pickup truck” means a vehicle originally manufactured as a complete vehicle with an open box-type bed that meets the definition set forth in CVC section 471. A “pickup truck” with a removable bed cover or camper shell installed is considered a “pickup truck” for the purpose of this article.

“Power take-off” or “PTO” is a mechanical component on a vehicle that transfers power from an engine to auxiliary equipment or accessories, such as hydraulic pumps, compressors, liquid pumps, electrical power generators, or winches without requiring a separate power source.

“Public agency utility” means a local publicly owned electric utility, as defined in Section 224.3 of the Public Utilities Code, a community water system, as defined in Section 116275 of the Health and Safety Code, a water district, as defined in Section 20200 of the Water Code, and a wastewater treatment provider, as defined in Section 116773.2 of the Health and Safety Code.

“Rated energy capacity” means the amount of electrical energy, in watt-hours (Wh), that can be extracted from a fully charged energy storage system, based on or derived from the results of testing or analysis procedures specified in section D., “California Standards and Test Procedures for New 2021 and Subsequent Model Heavy-Duty Zero-Emission Powertrains,” adopted June 27, 2019, which is incorporated by reference herein. The rated energy capacity includes the electrical

energy of the battery pack that is not accessible due to a manufacturer-programmed decrease in energy capacity for battery pack protection.

"Removed from the California fleet" means a fleet owner no longer operates a vehicle in California on or after the date the vehicle meets one of the following conditions:

- (A) Is destroyed or scrapped; or
- (B) Is sold out of the fleet or transferred out-of-state.

"Responsible official" means either a principal executive officer, ranking elected official, or delegated representative of the State or local government agency.

"SAE J1667" means SAE Recommended Practice SAE J1667 "Society of Automotive Engineers (SAE) J1667 Recommended Practice Snap Acceleration Smoke Test Procedure for Heavy-Duty Powered Vehicles," as issued February 1996, which is incorporated herein by reference.

"Smoke opacity test" means a test of a vehicle's emissions for smoke opacity level conducted using the procedures specified in "Society of Automotive Engineers (SAE) J1667 Recommended Practice Snap Acceleration Smoke Test Procedure for Heavy-Duty Powered Vehicles.

"Standard rounding convention" means if the calculated value is not equal to a whole number, the value shall round up to the nearest whole number when the fractional part is equal to or greater than 0.5, and round down to the nearest whole number if the fractional part is less than 0.5.

"State or local government agency" means a city, county, public utility, special district, local agency or district, and any department, division, public corporation, or public agency of the State of California.

"Tractor" means an on-road vehicle meeting one of the following:

- (A) The definition of "tractor" in title 17, CCR, section 95662(a)(23); or
- (B) The definition of "vocational tractor" in title 17, CCR, section 95662(a)(27).

"Traditional utility-specialized vehicle" means an ICE vehicle owned and operated by a public agency utility that meets all the following criteria:

- (A) Has a GVWR greater than 10,000 lbs.;
- (B) Has a body configuration that is not designed to primarily carry cargo or passengers;
- (C) Has maximum limits for tongue weight, axle loading, and a gross combination weight rating;
- (D) Is operated greater than 50 percent of the time to maintain reliable public utility services as defined in Section 224.3 of the Public Utilities Code, Section 116275 of the Health and Safety Code, Section 20200 of the Water Code, and Section 116773.2 of the Health and Safety Code; and
- (E) Is either:
  - 1. Equipped with a power take off device that draws power directly from the engine or transmission, or
  - 2. Equipped with four-wheel drive or six-wheel drive capable of providing torque and power to all wheels simultaneously.

“TRUCRS” means Truck Regulations Upload, Compliance, and Reporting System.

“Two-engine vehicle” means a specially constructed on-road mobile vehicle that was designed by the original equipment manufacturer to be equipped with two engines: one engine provides the primary source of motive power of the vehicle while the other engine is an auxiliary engine with 50 brake horsepower or greater that is permanently attached and integrated into the original design of the vehicle to perform a specific function, which may include providing auxiliary power to attachments, performing special job functions, or providing additional motive power. If a vehicle was originally designed with the capability to have an auxiliary engine installed, but the auxiliary engine was installed by a person or entity other than the original equipment manufacturer, the vehicle still qualifies as a two-engine vehicle. Two-engine street sweepers are not included in this definition.

“Van” means a single unit vehicle configured with seats to transport passengers or with an enclosed space for the primary purpose of transporting cargo and equipment.

“Vehicle” means either a device as defined in CVC section 670, or is a yard tractor that is not intended for use on highways.

“Vehicle awaiting sale” means a vehicle in the possession of a dealer, financing company, a private party, or other entity that does not intend to operate the vehicle in California or offer the vehicle for hire for operation in California, and it is operated only to demonstrate functionality to potential buyers, to move short distances to make repairs, or for maintenance or storage. It also includes new vehicles when driven to be delivered to the fleet owner.

“Vehicle Identification Number” or “VIN” means an alphanumeric code that has been permanently assigned by the manufacturer to a vehicle.

“Vehicle purchase” or “purchase” means an action wherein a fleet owner has placed an order to acquire the legal or equitable title to a vehicle or to convert a vehicle to a ZEV; or entered into a lease agreement with a contract term of one year or more. The action taken must be for immediate delivery or installation and the purchaser must have already paid for or entered into a binding agreement with an authorized dealer, entity who converts vehicles to ZEVs, third party, or manufacturer to pay for the vehicle or conversion. A vehicle purchase does not include renewing a lease agreement for a vehicle already in the California fleet. A vehicle purchase includes when the fleet owner has executed any one of the following:

- (A) Identified, committed, and encumbered funds and executed a written notice to proceed to a manufacturer, authorized dealer, or entity who converts vehicles to ZEVs to begin production of the vehicle either:
  - 1. Under a previously entered purchase contract; or
  - 2. To execute a contract option.
- (B) A written purchase agreement between a fleet owner and the manufacturer, authorized dealer, or entity who converts vehicles to ZEVs that specifies the date when the work to manufacture or convert the vehicle is to proceed;
- (C) A written purchase agreement between a fleet owner and another party for the purchase and immediate delivery of a used vehicle;  
or

- (D) A signed, written lease agreement between a fleet owner and the manufacturer or authorized dealer for a new vehicle to be placed in service in the California fleet for a contract term of one year or more.

"Weight class" means the category of a vehicle's GVWR as specified below:

- (A) "Light-duty" means a vehicle with a GVWR less than or equal to 8,500 lbs.
- (B) "Class 2b" means a vehicle with a GVWR greater than 8,500 lbs. and less than or equal to 10,000 lbs.
- (C) "Class 3" means a vehicle with a GVWR greater than 10,000 lbs. and less than or equal to 14,000 lbs.
- (D) "Class 4" means a vehicle with a GVWR greater than 14,000 lbs. and less than or equal to 16,000 lbs.
- (E) "Class 5" means a vehicle with a GVWR greater than 16,000 lbs. and less than or equal to 19,500 lbs.
- (F) "Class 6" means a vehicle with a GVWR greater than 19,500 lbs. and less than or equal to 26,000 lbs.
- (G) "Class 7" means a vehicle with a GVWR greater than 26,000 lbs. and less than or equal to 33,000 lbs.
- (H) "Class 8" means a vehicle with a GVWR greater than 33,000 lbs.

"Yard tractor" means a vehicle that has a movable fifth wheel that can be elevated and is used in moving and spotting trailers and containers at a location or facility. Yard tractors are also commonly known as yard goats, hostlers, yard dogs, trailer spotters, or jockeys.

"Zero-emissions powertrain" has the same definition as title 13, CCR, section 1956.8(j)(27).

"Zero-emissions vehicle" or "ZEV" means a vehicle with a zero-emissions powertrain that produces zero exhaust emission of any criteria pollutant (or precursor pollutant) or greenhouse gas under any possible operational modes or conditions.

“ZEV fueling infrastructure” means a fueling system that provides the appropriate fuel type to power a ZEV (e.g., electric charging infrastructure or cryogenic fueling tank and dispenser).

- (c) Excluded Vehicles. The following vehicles are excluded from the requirements specified in sections 2013 through 2013.6:
  - (1) School buses as defined in CVC section 545(a);
  - (2) Military tactical vehicles as described in title 13, CCR, section 1905;
  - (3) Vehicles awaiting sale;
  - (4) Emergency vehicles as defined in CVC section 165;
  - (5) Historical vehicles;
  - (6) Dedicated snow removal vehicles;
  - (7) Two-engine vehicles;
  - (8) Heavy cranes as defined in title 13, CCR, section 2021(b)(16);
  - (9) Transit vehicles subject to the Innovative Clean Transit regulations commencing with title 13, CCR, section 2023;
  - (10) Except as specified in ZEV Milestones Option of section 2013.6(a)(1), vehicles that are subject to the Zero-Emission Airport Shuttle regulations of title 17, CCR, sections 95690.1, 95690.2, 95690.3, 95690.4, 95690.5, 95690.6, 95690.7, and 95690.8; and
  - (11) Vehicles subject to the regulation for Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards commencing with title 13, CCR, section 2479.
- (d) General Requirements. Beginning January 1, 2024, fleet owners must comply with section 2013.1 or may alternately elect to comply with the ZEV Milestones Option specified in section 2013.6 as described in section 2013(e). Renewing a vehicle lease for a vehicle that is already in the California fleet shall not be considered as a vehicle purchase for the California fleet.
- (e) ZEV Milestones Option Flexibility. Until January 1, 2030, in lieu of complying with the requirements of section 2013.1, fleet owners may instead elect to permanently comply with the ZEV Milestones Option of section 2013.6. The fleet owner must also report their intention to use this option as specified in

section 2013.3(c)(1)(I). After electing to use this option, fleet owners are no longer subject to and may not switch back to the requirements specified in section 2013.1.

- (f) **NZEV Flexibility.** 2035 and earlier model year NZEVs are counted the same as ZEVs for purposes of determining compliance with this article, except as specified in sections 2013.2(b) and 2013.2(d).
- (g) **Joint Compliance Option.** Individual departments, divisions, districts, subsidiaries, or agencies under the same state or local government agency's jurisdiction have the option to comply jointly instead of complying independently if the combined California fleet meets the requirements of this article. The California Department of General Services may comply jointly for all State agency fleets under its jurisdiction and must exclude vehicles in subdivisions that opt to comply separately. If such departments, divisions, districts, subsidiaries, or agencies elect to utilize this compliance option and then subsequently do not fully comply with the applicable requirements of section 2013.1 or 2013.6 each of the participating entities must then demonstrate compliance with the requirements of section 2013.1 or 2013.6 on an individual basis, dependent on whether the fleet owner elects to comply with section 2013.6. Fleet owners choosing to use this option must meet the reporting requirement specified in section 2013.3(d). Fleet owners may comply jointly even if one or more individual subdivisions opt into the ZEV Milestones Option as specified in section 2013.6.
- (h) **Reporting and Recordkeeping Requirement.** Beginning January 1, 2024, fleet owners must meet reporting requirements as specified in section 2013.3 and keep and provide records as specified in section 2013.4.
- (i) **Vehicles Acquired with Incentive Funds.** Beginning January 1, 2024, if a fleet owner receives California State-provided incentive funding for ZEVs or NZEVs and the funding program guidelines specify that any vehicles acquired with such funds cannot be used to determine compliance with the ZEV Purchase Schedule of 2013.1 or ZEV Milestones Option of section 2013.6, any vehicle acquired with such funds will not be counted as a compliant vehicle during the funding contract period. The fleet owner must meet the reporting requirements specified in section 2013.3(c)(2)(M).
- (j) **Certificate of Reported Compliance and Compliant Fleet List.** If the requirements specified in sections 2013 through 2013.6 are met and the required reporting is received to demonstrate compliance, the fleet owner will be provided with a Certificate of Reported Compliance. The CARB Advanced Clean Fleets webpage will list the TRUCRS identification number, motor carrier



number if applicable, fleet name, and whether the fleet is recognized as a “ZEV Fleet” per section 2013(n) for compliant fleets that have received a Certificate of Reported Compliance. Fleets that do not comply will not be listed.

- (k) Sales Disclosure of Regulation Applicability. Any person subject to this article selling a vehicle subject to this article must provide the following disclosure in writing to the purchaser on or with the bill of sale, sales contract addendum, or invoice: “A vehicle operated in California may be subject to the California Air Resources Board Advanced Clean Fleets regulations. It therefore could be subject to requirements to reduce emissions of air pollutants. For more information, please visit the CARB Advanced Clean Fleets webpage at <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets>.”
- (l) ICE Vehicle Purchases. Any new ICE vehicle purchased for the California fleet on or after January 1, 2024, must be certified to the California emissions standards and emissions related requirements applicable to that vehicle. Any used ICE vehicle purchased must have a 2010 or newer model year engine.
- (m) Transit Agency Exemption. Any vehicle that meets the criteria specified in section 2013(m)(1) or (2) below that is owned by transit agencies subject to the Innovative Clean Transit regulations commencing with title 13, CCR, section 2023 is not subject to sections 2013 through 2013.6 until January 1, 2030:
  - (1) Vehicles that directly support and maintain transit service operations a majority of the time; or
  - (2) Vehicles that provide transit passenger transportation services a majority of the time.
- (n) “ZEV Fleet” Recognition. Fleet owners may optionally elect to be recognized as a “ZEV fleet” beginning January 1, 2024. A fleet will be recognized as a “ZEV fleet” on the CARB Advanced Clean Fleets webpage if it meets or exceeds all the following criteria regardless of the compliance path being used:
  - (1) The number of ZEVs in the California fleet meets or exceeds the number of ZEVs as specified in the fleet ZEV Milestones Option in section 2013.6;
  - (2) The California fleet must have at least one ZEV;
  - (3) The California fleet consists of at least five percent ZEVs; and
  - (4) The fleet owner meets the reporting requirements of 2013.3. and record keeping requirements of a section 2013.4.

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104, Health and Safety Code; and section 28500, Vehicle Code.  
Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42410, 43000, 43000.5, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214, Health and Safety Code; and section 28500, Vehicle Code.

### **§ 2013.1. ZEV Purchase Schedule.**

- (a) ZEV Purchase Schedule. Beginning January 1, 2024, annual compliance with the ZEV purchase requirements is determined on January 1 of each calendar year.
  - (1) Except as specified in section 2013.1(a)(2), fleet owners must purchase ZEVs, or NZEVs as specified in section 2013(f), for their California fleet in accordance with the following schedule:
    - (A) Starting January 1, 2024, 50 percent of the total number of vehicle purchases for the California fleet in each calendar year must be ZEVs; and
    - (B) Starting January 1, 2027, 100 percent of the total number of vehicle purchases for the California fleet in each calendar year must be ZEVs.
  - (2) A State or local government agency that meets any one of the following criteria must meet the requirements specified in section 2013.1(a)(1)(B) and are not subject to the requirements specified in section 2013.1(a)(1)(A): its jurisdiction is solely in a designated low population county; it owns, leases, or operates ten or fewer vehicles in the California fleet, as specified in section 2013(g); or its jurisdiction or service area is split between a designated low population county and a non-designated county and at least 90 percent of the service area in square miles is in the designated low population county.
- (b) Rounding. If the calculated required minimum number of ZEV purchases as set forth in section 2013.1(a) does not result in a whole number, then fleet owners must use the “standard rounding convention” as defined in section 2013(b).
- (c) ZEV Accounting. Each ZEV may be counted only once as long as the vehicle remains in the fleet to count towards compliance with the ZEV purchase requirement for a given calendar year.

- (d) Early ZEV Purchases. ZEV purchases for the California fleet made before the deadlines or in excess of the amounts required in section 2013.1(a) count towards future ZEV purchase requirements as long as the ZEV is still active in the fleet. Each early or excess ZEV purchase counts toward a future requirement only once per the accounting requirements in section 2013.1(c).
- (e) Order Cancellations. If a fleet owner cancels a notice to proceed, a purchase agreement, or a leasing contract for a ZEV at any time before the vehicle is delivered, the purchase will not count towards required ZEV purchases for the California fleet. If a vehicle manufacturer cancels a purchase agreement for ZEVs at any time before the vehicle is delivered for reasons beyond the control of the fleet owner, the fleet owner must secure another purchase agreement for ZEVs no later than one year after the cancellation. Fleet owners must submit a copy of the manufacturer cancellation notice within 30 calendar days of the cancellation and must submit the new ZEV purchase agreement within 30 calendar days of placing the order to TRUCRS@arb.ca.gov to maintain compliance. In the event there is no available ZEV of the needed configuration to purchase, the fleet owner may request the ZEV Purchase Exemption specified in section 2013.2(d).
- (f) Exemptions and Extensions. Fleet owners complying with the ZEV Purchase Schedule of section 2013.1 may utilize the following exemptions and extensions if the specified criteria are met:
  - (1) Backup Vehicle Exemption. Fleet owners may purchase a new or used ICE vehicle and exclude it from the ZEV purchase requirement specified in section 2013.1(a) if the vehicle is designated as a backup vehicle as specified in section 2013.2(a).
  - (2) Daily Usage Exemption. Except as provided in section 2013.1(g), fleet owners may request an exemption from the ZEV purchase requirements of section 2013.1(a) to purchase a new ICE vehicle. Fleet owners must request and obtain this exemption pursuant to the criteria specified in section 2013.2(b) no earlier than when the model year of the ICE vehicle being replaced reaches 13 years old. All vehicle purchases other than the vehicles included in the exemption application must be ZEVs during the calendar year until the applicable requirements of 2013.1(a) are met.
  - (3) ZEV Infrastructure Delay Extension. Fleet owners may request a temporary extension to count an ICE vehicle being replaced as a ZEV purchase when determining compliance with the ZEV purchase requirements of section 2013.1(a). The fleet owner must request and

obtain the extension pursuant to the criteria specified in section 2013.2(c).

- (4) ZEV Purchase Exemption. Except as provided in section 2013.1(g), fleet owners must use the exemption in section 2013.2(d)(1) or request the exemption in section 2013.2(d)(2) no earlier than when the model year of the ICE vehicle being replaced reaches 13 years old. All vehicle purchases other than the vehicles included in the exemption application or purchased pursuant to this exemption must be ZEVs during the calendar year until the applicable requirements of 2013.1(a) are met.
  - (A) ZEV Purchase Exemption List. Fleet owners shall receive an exemption from the ZEV purchase requirements specified in section 2013.1(a) to purchase a new ICE vehicle pursuant to the criteria specified in section 2013.2(d)(1).
  - (B) ZEV Purchase Exemption Application. Fleet owners may request and obtain an exemption from the ZEV purchase requirements specified in section 2013.1(a) to purchase a new ICE vehicle pursuant to the criteria specified in section 2013.2(d)(2).
- (5) Mutual Aid Assistance. Fleet owners may request an exemption from the ZEV purchase requirements specified in section 2013.1(a) to purchase new ICE vehicles. Fleet owners must request and obtain this exemption pursuant to the criteria specified in section 2013.2(e). ICE vehicles purchased pursuant to a granted exemption may operate as part of the regular California fleet and are not restricted solely to mutual aid functions.
- (6) Intermittent Snow Removal Vehicles. Fleet owners shall receive an exemption from the ZEV purchase requirements specified in section 2013.1(a) until January 1, 2030, for intermittent snow removal vehicles. Fleet owners may request the Executive Officer designate vehicles purchased prior to January 1, 2030, as intermittent snow removal vehicles pursuant to the criteria in section 2013.3(k).
- (7) Non-recoverable Vehicles. Fleet owners that need to immediately replace a vehicle due to an accident or other onetime event due to circumstances beyond the fleet owner's control, such as fire or catastrophic failure, that damages both the engine and vehicle such that the vehicle is not recoverable; or if the vehicle is stolen and not recoverable; may request and obtain an exemption from the ZEV purchase requirements specified in section 2013.1(a) to purchase a new

or used ICE vehicle of the same configuration and with an engine with the same or newer model year as the non-recoverable vehicle. The replacement vehicle must be purchased no later than 730 calendar days from the date of the accident, theft, or other event.. Fleet owners must report the replacement vehicle within 30 calendar days of adding it to the California fleet as specified in section 2013.3 and keep records for both vehicles as specified in section 2013.4(k). To request the exemption, fleet owners must submit the following information and documentation to TRUCRS@arb.ca.gov prior to reporting the used vehicle as part of the California fleet:

- (A) A copy of a police report, statement from the insurance company, or signed attestation from a fleet owner's governing board indicating the vehicle is non-recoverable;
  - (B) The VIN of the non-recoverable vehicle; and
  - (C) The following clear and legible digital photographs of the replacement used vehicle:
    - 1. VIN/GVWR label (typically located on the driver side door or door jamb);
    - 2. License plate with driver side of the vehicle visible;
    - 3. Entire left side of the vehicle with doors closed showing the vehicle's body configuration; and
    - 4. Entire right side of the vehicle with doors closed showing the vehicle's body configuration.
- (g) Traditional Utility-Specialized Vehicle Early Access. A public agency utility that requests the exemptions in sections 2013.2(b) or 2013.2(d)(2), or uses the exemption in section 2013.2(d)(1), earlier than when the model year of the traditional utility-specialized vehicle being replaced reaches 13 years old must: either meet the criteria specified in section 2013.1(g)(1) or in section 2013.1(g)(2), and if utilizing an exemption pursuant to this section, must meet the criteria specified in sections 2013.2(b)(8) or 2013.2(d)(4). Fleet owners using this provision must keep records as specified in section 2013.4(l).
- (1) A public agency utility that requests the exemptions in sections 2013.2(b) or 2013.2(d)(2) must submit the information specified in section 2013.1(g)(1)(A) to TRUCRS@arb.ca.gov in their exemption application. A public agency utility that uses the exemption in section 2013.2(d)(1), prior

to making the vehicle purchase, must submit to TRUCRS@arb.ca.gov the VIN, TRUCRS ID of the fleet, and an attestation that the thresholds specified in Table A in section 2013.1(g)(1)(A) were met by the existing vehicle being replaced.

- (A) Submit documentation as specified in section 2013.4(c) of the vehicle's current odometer reading showing it meets or exceeds the thresholds specified in Table A, based on the vehicle's weight class. For vehicles equipped with PTOs, in lieu of the odometer reading, the public agency utility may alternatively submit documentation as specified in section 2013.4(l) of the vehicle's current engine hour meter reading showing it meets or exceeds the hour threshold specified in Table A.

**Table A: Usage Thresholds for Traditional Utility-Specialized Vehicles**

Vehicle Class	Vehicle Mileage or Engine Hour Threshold
Class 3 and 4	70,000 miles
Class 5 and 6	115,000 miles
Class 7 and 8	175,000 miles
Trucks with PTO	4,000 hours

- (2) A public agency utility that requests or uses the exemptions in sections 2013.2(b) and 2013.2(d)(2) must submit the information specified in section 2013.1(g)(2)(A) that meets the criteria specified in section 2013.1(g)(2)(B) to TRUCRS@arb.ca.gov in their exemption application. A public agency utility that uses the exemption in section 2013.2(d)(1), prior to making the vehicle purchase, must submit to TRUCRS@arb.ca.gov the VIN of the existing vehicle being replaced, the TRUCRS ID of the fleet, and the information specified in section 2013.1(g)(2)(A) that meets the criteria specified in section 2013.1(g)(2)(B):
  - (A) An attestation signed by the fleet owner that the vehicle meets replacement criteria that includes minimum vehicle age, vehicle miles traveled, or engine hours as criteria to replace the vehicle and was established prior to using or requesting the exemption; and
  - (B) The replacement criteria must have been approved by the fleet owner's governing board, chief executive, or the chief executive's designee in an established written plan, policy, or document.

Note: Authority cited: Sections: 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102 and 43104, Health and Safety Code, and section 28500, Vehicle Code.

Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42410, 43000, 43000.5, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212 and 43214, Health and Safety Code, and section 28500, Vehicle Code.

### **§ 2013.2. State and Local Government Fleet Exemptions.**

Fleet owners may request the following exemptions or extensions if their California fleets comply with all applicable requirements. Exemptions and extensions are only applicable if the fleet owner cannot comply with the requirements of section 2013.1 or section 2013.6 due to circumstances beyond their control. For example, a ZEV Purchase Exemption is not necessary if a sufficient number of ZEVs are available to purchase in the calendar year to meet the requirements of section 2013.1 without an exemption. Fleet owners requesting or utilizing any exemptions or extensions must meet applicable reporting and recordkeeping requirements for each exemption or extension as specified in sections 2013.3. and 2013.4. Any exemptions or extensions granted to a fleet owner are not transferrable to another fleet owner. The Executive Officer will respond to exemption or extension requests as specified in section 2013.3(i).

(a) Backup Vehicle Exemption. Fleet owners may designate vehicles as backup vehicles during the March reporting period as specified in section 2013.3(b) and renew such designations annually only if the criteria in (1) and (2) below are satisfied:

- (1) The vehicle is operated less than 1,000 miles per year excluding any mileage travelled while performing emergency operations in support of a declared emergency event; and
- (2) The fleet owner must report the vehicle as a backup vehicle and must submit odometer readings as specified in section 2013.3(f).
- (3) Backup vehicles that no longer meet the criteria specified in (1) and (2) above cannot be operated in California and must be removed from the California fleet if the fleet is out of compliance with section 2013.1 or section 2013.6.

- (b) Daily Usage Exemption. Fleet owners may request an exemption as specified in section 2013.1(f)(2) or 2013.6(g)(2) to purchase a new ICE vehicle of the same configuration as an ICE vehicle based on the demonstrated daily usage needs of existing vehicles of the same configuration in the fleet, as determined by the criteria specified in section 2013.2(b)(2) through (5). The new ICE vehicle being purchased must be of the same configuration as specified in section 2013.2(b)(1). If approved, fleet owners must place their new ICE vehicle orders within two years from the date the exemption is granted. The Executive Officer will not approve exemption requests for a vehicle configuration that is available to purchase as: an NZEV; an FCEV; a Class 7 or 8 BEV tractor or BEV three-axle bus with a rated energy capacity of at least 1,000 kilowatt-hours; a Class 4 through 6 BEV with a rated energy capacity of at least 325 kilowatt-hours; or a Class 7 or 8 BEV that is not a tractor or three-axle bus with a rated energy capacity of at least 450 kilowatt-hours. The fleet owner must submit the following information by email to TRUCRS@arb.ca.gov to apply:
- (1) Submit the TRUCRS identification number for the fleet, and make, model, weight class, configuration, VIN, and a photograph of each ICE vehicle configuration to be purchased. Until January 1, 2027, if using the ZEV Purchase Schedule of section 2013.1, submit the number of ICE vehicle and number of ZEV and NZEV purchases already placed and planned during the calendar year, and indicate whether any of the ICE vehicle purchases are being purchased with an exemption and include the name of the exemption for which it is eligible or has already been granted.
  - (2) Identify the BEV that is available to purchase in the same weight class and configuration with the highest rated energy capacity available. Submit the make, model, weight class, configuration, and rated energy capacity of the identified BEV.
  - (3) Calculate the range of the vehicle identified in section 2013.2(b)(2) in miles by dividing the rated energy capacity of the identified BEV by the following factors: for Class 2b through 3 vehicles, 0.6 kilowatt-hours per mile; for Class 4 through 6 vehicles, 1.3 kilowatt-hours per mile; for Class 7 and 8 vehicles that are not tractors, 1.8 kilowatt-hours per mile; for Class 7 and 8 tractors, 2.1 kilowatt-hours per mile. Submit the calculation and results. Alternatively, for applications that include vehicles that operate truck-mounted or integrated equipment while stationary, the fleet owner may collect and submit energy usage data as described in section 2013.2(b)(3)(A) to calculate the equivalent needed rated energy capacity of a BEV based on real-world data instead of the calculated



range. In lieu of calculating range as specified in section 2013.2(b)(3), fleet owners may either:

- (A) Submit measured energy use data from a BEV and an ICE vehicle of the same weight class and configuration operated on similar daily assignments to substantiate their exemption request. For each vehicle, the information must include vehicle loading and weight data, route grade, average ambient daily temperature, vehicle miles travelled per day, average cabin temperature if climate control (such as heating or air conditioning) is used while stationary, energy used (for example, diesel gallons or kilowatt-hours) to drive, energy used to operate truck-mounted or integrated equipment while stationary, total hours the vehicle is stationary while the equipment is in use, and total hours of operation including driving for each workday. Information for the comparative test must be collected over at least five consecutive workdays. The comparative average over the five-day period of kilowatt-hours per mile driven and kilowatt-hours consumed per hour while stationary will be calculated from this information for use in section 2013.2(b)(4)(A) and (B). A fleet owner may use test data that meets the above criteria from any source provided the fleet owner's ICE vehicles' operation is similar to those demonstrated in the test when compared based on fuel usage.
  - (B) Or convert fuel usage reported in section 2013.2(b)(4) to the kWh equivalent.
- (4) Submit a daily usage report using telemetry data or other data collection system that tracks daily mileage of the vehicle to be purchased, except as specified in section 2013.2(b)(4)(A). Fleet owners that have a mutual aid agreement to send vehicles to assist other entities during a declared emergency event may alternatively submit this report from within the last 60 months. The report must include the daily miles traveled and needed rated energy capacity as calculated per section 2013.2(b)(4)(A) if applicable, for the vehicle to be purchased. For the exemption to be granted, the mileage number must be greater than the range calculated in 2013.2(b)(3)(A) or 2013.2(b)(3)(B). If using the alternative calculation described in section 2013.2(b)(4)(A) and (B), the highest remaining needed rated energy capacity number must be greater than the rated energy capacity of the BEV submitted in section 2013.2(b)(2).
- (A) For ICE vehicle(s) that operates truck-mounted or integrated equipment while stationary, if test data is collected pursuant to

section 2013.2(b)(3)(A), the daily usage report must also include the total hours the vehicle is stationary while the equipment is in use each workday. In addition, submit the total fuel consumed over the workday period (for example, in gallons of diesel).

- (B) For each ICE vehicle submitted in (A), the equivalent needed rated energy capacity for a BEV will be calculated as follows: first, multiply the miles travelled for each vehicle by the comparable BEV kilowatt-hours per mile; then multiply the hours of stationary operation by the comparable BEV kilowatt-hours consumed per hour; then sum the two products for the total needed rated energy capacity for the comparable BEV submitted in section 2013.2(b)(2).
- (5) Submit a description of the daily assignments or routes used by the existing vehicle with an explanation of why all BEVs available to purchase cannot be charged or fueled during the workday at the depot, within one mile of the routes, or where ZEV fueling infrastructure is available. The explanation must include a description of why charging could not be managed during driver rest periods or breaks during the workday.
- (6) In granting or denying the exemption request, the Executive Officer will rely on the information submitted by the applicant and utilize their good engineering judgement to determine whether the information meets the criteria specified in section 2013.2(b).
- (7) A vehicle being replaced pursuant to the exemption in section 2013.2(b) must be removed from the California fleet within 30 calendar days of receiving the replacement vehicle. Fleet owners must meet the reporting requirements specified in section 2013.3(c)(2)(N).
- (8) A public agency utility that replaces a traditional utility-specialized vehicle using the exemption in section 2013.2(b) and using the early access provision in section 2013.1(g) must consider ePTO in its solicitation of bids for the replacement vehicle if it is configured to perform work that can only be done while the vehicle is stationary.

- (c) ZEV Infrastructure Delay Extension. Fleet owners may request the following extensions as specified in section 2013.1(f)(3) or 2013.6(g)(3) if they experience delays due to circumstances beyond their control on a project to install ZEV fueling infrastructure. Fleet owners may only request the following extensions for ICE vehicles being replaced at the site experiencing the delay. These extensions also apply for locations where the fleet owner has entered into a contract of one year or longer to charge or fuel their ZEVs at a single location prior to beginning the infrastructure project. The fleet owner must request the following extensions at least 45 calendar days prior to the next applicable compliance date for CARB to consider the request.
- (1) ZEV Infrastructure Construction Delays. Fleet owners may request this extension if they experience a construction delay due to circumstances beyond their control. The Executive Officer will grant an extension for up to two years, beginning on the applicable compliance date for the number of vehicles that qualify for the extension, per project, if they determine the fleet owner meets the criteria specified below. The fleet owner must submit the documents specified in subsections (A) through (D) below the following by email to TRUCRS@arb.ca.gov to apply:
- (A) Documentation showing the executed contract for the ZEV fueling infrastructure installation including a construction permit indicating the permit issuance date is at least one year prior to the next applicable compliance deadline.
- (B) Documentation showing the delay is a result of any of the following circumstances that occurred after the fleet owner obtained the construction permit identified in section 2013.2(c)(1)(A): change of a general contractor; delay in manufacture and shipment of ZEV fueling infrastructure equipment; delays obtaining power from a utility; delays due to unexpected safety issues on the project; discovery of archeological, historical, or tribal cultural resources described in the California Environmental Quality Act, Public Resources Code division 13, section 21000 et. seq.; or natural disasters.
- (C) A letter to CARB from the responsible official explaining the reason for the delay, why retail ZEV fueling infrastructure cannot be used, the estimated completion date of the project, and documentation supporting the reason for the delay from the licensed contractor performing the work, related utility, building department, or other organization involved in the project.

- (D) Documentation showing the executed ZEV purchase agreement.
  - (E) In granting or denying the extension request, the Executive Officer will rely on the information submitted by the applicant and utilize their good engineering judgement to determine whether the information meets the criteria in section 2013.2(c)(1).
- (2) ZEV Infrastructure Site Electrification Delays. Until January 1, 2030, fleet owners may request this extension if their electric utility provider determines it cannot provide the requested power to the site where ZEVs will be charged or refueled before the fleet's next ZEV compliance deadline. The Executive Officer will grant an extension for the time-period specified in section 2013.2(c)(2)(A) and number of vehicles specified in section 2013.2(c)(2)(B) if they determine the fleet owner satisfies the criteria for this delay, based on the information submitted below and the exercise of their good engineering judgment. The fleet owner must meet the criteria specified in subsections (A) and (B) and submit the documentation or information specified in subsection (C) below by email to TRUCRS@arb.ca.gov to apply:
- (A) Site Electrification Delay Time Period. Fleet owners may request an initial extension for a period of up to three years to align the estimated ZEV delivery date with the amount of time the utility determines it needs to supply the needed power to the site. Fleet owners can request an additional two-year extension if the utility still cannot supply the needed power by the end of any granted initial extension period. To renew the initial extension, a fleet owner must submit updated supporting documentation at least 45 calendar days prior to the expiration of the initial extension period.
  - (B) Number of Extensions. A fleet owner may request an extension for the number of ZEVs for which, based on information submitted in section 2013.2(c)(2)(C), the utility cannot supply sufficient power. The fleet owner must deploy the maximum number of ZEVs needed to meet its compliance obligations and that can be supported by the utility, and must deploy any additional ZEVs that can be supported by utility upgrades to the site's electrical capacity each calendar year during the delay until the project is complete to maintain the extension.
  - (C) The fleet owner must submit all of the following information by email to TRUCRS@arb.ca.gov to request this extension:

1. A copy of the application submitted to the utility at least one year prior to the next applicable compliance deadline requesting site electrification that is consistent with the number of ZEVs the fleet owner must deploy each calendar year to meet their compliance requirements during the requested extension period.
2. Documentation from the utility indicating the reason for delay and that the utility cannot supply sufficient power to the site to support the number of ZEVs needed to meet the fleet's next compliance deadline.
3. A copy of the executed utility contract that includes an estimated project completion date. If the utility can provide annual incremental power increases as part of the project plan, then the fleet owner must provide an estimate of the available electrical capacity (in kilowatts) the utility can supply to the site within one year of the extension request and for each year of the requested delay.
  - a. If a utility is unable or unwilling to execute a contract the fleet owner must submit a signed attestation from the utility about the proposed project that states the reason why the utility will not proceed with the project.
4. Information about the ZEV fueling infrastructure equipment that can be installed consistent with the utility's capacity estimate and the associated number, configuration, and weight class of the ZEVs that can be supported by such equipment within one year of the extension request and for each year of the requested extension if available. The information must include:
  - a. The number, type, and rated capacity for chargers in kilowatts; or
  - b. For hydrogen stations, dispensing capacity in kilograms per day and the electrical demand in kilowatts.
5. Fleet owners with multiple sites where vehicles are domiciled must submit a copy of each site's infrastructure

capacity evaluation from the utility or a third-party licensed professional electrical engineer with the information required to be submitted in sections 2013.2(c)(2); and

6. Submit the TRUCRS identification number for the fleet, and the VIN of the ICE vehicles being replaced that are domiciled at the site location experiencing the delay. In granting or denying the extension request, the Executive Officer will rely on the information submitted by the applicant and utilize their good engineering judgement to determine whether the information meets the criteria in section 2013.2(c)(2).

(d) ZEV Purchase Exemptions. Fleet owners may request exemptions as specified in section 2013.1(f)(4) or 2013.6(g)(5) to purchase a new ICE vehicle if a needed configuration is not available to purchase as a ZEV or NZEV under either the ZEV Purchase Exemption List of section 2013.2(d)(1) or the ZEV Purchase Exemption Application of section 2013.2(d)(2).

(1) ZEV Purchase Exemption List. The Executive Officer will establish and maintain a list of vehicle configurations on the CARB Advanced Clean Fleets webpage at <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets> no later than January 1, 2025. That list will specify vehicle configurations that are not available to purchase as ZEVs or NZEVs and the date the exemption expires for listed configurations determined to be available to purchase as specified in section 2013.2(d)(2)(G). The list will include the configurations specified in section 2013.2(d)(1)(A). The Executive Officer will rely on the information submitted and gathered in section 2013.2(d)(2) and utilize their good engineering and business judgement to determine if the information establishes that the criteria in sections 2013.2(d)(2)(C) through (G) are met when determining whether to add a vehicle configuration to the list or to identify the expiration date for a vehicle configuration on the list. The list will not include the following configurations: pickups, any buses, box trucks, vans, or any tractors. Fleet owners may purchase a new ICE vehicle of the same configuration and weight class as one on the list as specified in sections 2013.1(f)(4) or 2013.6(g)(5), report the purchase as specified in section 2013.3(g), and keep records as specified in section 2013.4(e), and CARB will recognize that vehicle as having met the criteria for the exemption.

(A) Configurations List. The list will include an evaluation of the following vehicle configurations: Bucket truck, boom truck, dump

truck, flatbed truck, stake bed truck, front-loader refuse compactor truck, side-loader refuse compactor truck, rear-loader refuse compactor truck, refuse roll-off truck, service body truck, street sweeper, tank truck, tow truck, water truck, car carrier truck, concrete mixer truck, concrete pump truck, crane, drill rig, vacuum truck.

- (2) ZEV Purchase Exemption Application. Fleet owners may request an exemption as specified in sections 2013.1(f)(4) or 2013.6(g)(5) to purchase a new ICE vehicle as specified in section 2013.2(d)(2)(A)1. If approved, fleet owners must place their new ICE vehicle orders within 1 year from the date the exemption is granted. The fleet owner must submit information specified in (A) and (B) below by email to TRUCRS@arb.ca.gov. The Executive Officer will rely on the information submitted in sections 2013.2(d)(2)(A) and (B) and their good engineering and business judgement to determine if the information establishes that the criteria specified in sections 2013.2(d)(2)(C) through (G) are met:

- (A) Fleet owners must submit the TRUCRS identification number for the fleet, and the following information about the vehicle configuration. Until January 1, 2027, if using the ZEV Purchase Schedule of section 2013.1, submit the number of ICE vehicle and number of ZEV and NZEV purchases already placed and planned during the calendar year, and indicate whether any of the ICE vehicle purchases are being purchased with an exemption and include the name of the exemption for which it is eligible or has already been granted:
1. Make, model, weight class, body configuration, whether the vehicle has a crew cab, cabover, or all-wheel drive;
  2. A list of any frame attachments other than the body itself necessary to support or perform the primary intended function of the vehicle. Examples of frame attachments include rail wheels and stabilizing outriggers; and
  3. The make and model of the body equipped on the vehicle, if applicable.
- (B) Fleet owners must also submit documentation from two or more manufacturers or authorized dealers that offer for sale a ZEV or NZEV chassis, or a complete ZEV or NZEV, in the same weight class as the ICE vehicle being purchased. The documentation must

state the manufacturer or authorized dealer does not offer for sale a ZEV or a NZEV in the same weight class and of the same body configuration as the ICE vehicle being purchased. If there are no manufacturers or dealers offering ZEV or NZEV chassis of the same weight class, the statements can come from other ICE vehicle manufacturers or dealers.

- (C) After receiving a complete submission, the Executive Officer shall rely on information gathered from fleet owners or manufacturers, including information gathered to comply with other CARB-administered programs, manufacturer websites, manufacturer documentation, authorized dealers, CARB-issued Executive Orders, and their good engineering and business judgement to determine whether the configuration is available for purchase as a ZEV or NZEV from any manufacturer, and whether the identified body submitted in section 2013.2(d)(2)(A)3. or a body from another manufacturer that can perform the same primary intended function can be installed on the offered ZEV or NZEV. If the Executive Officer does not have sufficient information to make the determination, they shall solicit public feedback regarding the information submitted by the fleet owner specified in section 2013.2(d)(2)(A) from vehicle manufacturers and authorized dealers on the CARB Advanced Clean Fleets webpage, available at <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets>, to assist in making the determination.
- (D) The Executive Officer shall consider an offered ZEV or NZEV available to purchase if all of the following criteria are met:
  - 1. If applicable, the manufacturer has certified the ZEV's powertrain with CARB in accordance with the Zero-Emission Powertrain Certification Regulation in tit. 13, CCR, section 1956.8(a)(8) and tit. 17, CCR, section 95663(d);
  - 2. ZEVs or NZEVs offered have a model year 18 months or less from the date the fleet owner submitted the complete exemption request;
  - 3. ZEV or NZEV configuration is not solely for demonstration, test, or experimental purposes;



4. ZEVs or NZEVs are not offered as a temporary placeholder for a vehicle that may or may not be offered for sale in the future;
5. ZEVs or NZEVs do not conflict with safety standards that the fleet owner is subject to, if applicable, as prescribed under title 8, CCR, by the California Department of Industrial Relations, Division of Occupational Safety and Health, comparable federal or state health and safety laws where the vehicle operates, or federal highway safety laws. The fleet owner must identify which of these safety laws or standards would be in conflict and for what reasons in their application.
6. ZEV or NZEV payload, towing capacity, off-road capability, and auxiliary functions meet the fleet's operational needs;
7. ZEV or NZEV satisfies OEM testing and field testing requirements including a weight distribution study and gradeability tests based on the fleet owner's specifications;
8. Public agency has solicited responsive bids from at least three manufacturers, within the bid period, with each manufacturer having at least three years of experience selling vehicles in California. No responses received during the bid period should be counted against the minimum number of bids;
9. ZEV or NZEV authorized dealer or manufacturer is able to fulfill the purchase order within 18 months;
10. ZEV or NZEV delivery time does not exceed that of an ICEV by six months;
11. ZEV or NZEV model has at least 25 vehicles placed in service;
12. ZEV or NZEV authorized dealer or manufacturer is able to provide vehicle maintenance support within 50 miles of the delivery point, and guarantee continuous availability of parts; and
13. The replacement of one specialty ICEV should not necessitate the purchase of more than one ZEV or NZEV to

meet required technical and operational specifications of the vehicle being replaced.

- (E) If the Executive Officer identifies any manufacturer or authorized dealer that offers for sale a ZEV or NZEV chassis, or complete ZEV or NZEV in the same weight class, in the needed configuration, with the needed frame attachments, and on which the identified body submitted in section 2013.2(d)(2)(A) or an equivalent body from another manufacturer or authorized dealer that can perform the same primary intended function can be installed, the Executive Officer will supply the manufacturer or authorized dealer name to the fleet owner applicant, deny the exemption request, and remove the vehicle configuration from the ZEV Purchase Exemption List pursuant to section 2013.2(d)(2)(G).
- (F) If the Executive Officer cannot identify any manufacturer that offers a ZEV or NZEV chassis, or complete ZEV or NZEV for sale in the needed configuration and weight class, the vehicle configuration will be added to the ZEV Purchase Exemption List specified in section 2013.2(d)(1) if the configuration is included in section 2013.2(d)(1)(A).
- (G) The Executive Officer will rely on information gathered from fleet owners or manufacturers, including information gathered to comply with other CARB-administered programs, manufacturer websites, manufacturer documentation, authorized dealers, CARB-issued Executive Orders, and their good engineering and business judgement to determine whether any vehicle configuration listed on the ZEV Purchase Exemption List specified in section 2013.2(d)(1) no longer meets the criteria specified in section 2013.2(d)(2)(C) through (G). If such a determination is made, on the Advanced Clean Fleets website, the Executive Officer will notify the public of the determination by posting the vehicle configuration, weight class, and exemption expiration date on and after which the vehicle will no longer be eligible to purchase as an ICE vehicle from the ZEV Purchase Exemption List, which shall be the first day of the month after 180 calendar days after posting the determination.
- (H) The Executive Officer will notify the fleet owner by email whether the exemption has been approved within 45 calendar days from the date a complete application is

received. If the Executive Officer does not respond within this timeframe, the exemption will be deemed approved.

- (l) Fleet owners whose exemption request has been granted must comply with the reporting and recordkeeping requirements specified in sections 2013.3(g) and 2013.4(e).
  - (3) A vehicle being replaced pursuant to the exemption in section 2013.2(d) must be removed from the California fleet within 30 calendar days of receiving the replacement vehicle. Fleet owners must meet the reporting requirements specified in section 2013.3(c)(2)(N).
  - (4) A public agency utility that replaces a traditional utility-specialized vehicle using the exemptions in section 2013.2(d) and using the early access provision in section 2013.1(g) must consider ePTO in its solicitation of bids for the replacement vehicle if it is configured to perform work that can only be done while the vehicle is stationary.
- (e) Mutual Aid Assistance. Fleet owners may request this exemption as specified in section 2013.1(f)(5) or 2013.6(g)(6) to purchase new ICE vehicles. The total number of new ICE vehicles allowed to be purchased under this exemption must not exceed 25 percent of the total number of vehicles in the fleet owner's California fleet in the calendar year the exemption is approved, less the number of ICE vehicles already in the fleet purchased pursuant to a granted exemption. Fleets with operations in multiple states or a large service territory may, though discussions with CARB, request approval from the Executive Officer for additional vehicles over the 25 percent limitation. Fleet owners must have a mutual aid agreement to send vehicles to assist other entities during a declared emergency event to apply. This exemption does not apply to pickup trucks, buses, box trucks, vans, tractors, or any vehicle configurations available to purchase as NZEVs. The Executive Officer will rely on the information submitted in sections 2013.2(e)(1) through (5) and their good engineering judgment in determining whether the information establishes that the criteria in 2013.2(e)(2) and (3) are met. The fleet owner must submit all of the following by email to TRUCRS@arb.ca.gov to apply:
- (1) The make, model, weight class, configuration, and a photograph of the needed ICE vehicle;
  - (2) Documentation from each manufacturer offering ZEVs for sale of the same configuration and weight class as the ICE vehicle identified in section 2013.2(e)(1) describing the charging or fueling connector and charging or fueling time capability;

- (3) Beginning January 1, 2035 and after CARB is able to evaluate mobile ZEV fueling options, documentation from three mobile ZEV fueling providers, with mobile fueling options that are compatible with the vehicle's charging or hydrogen fueling connector and system identified in section 2013.2(e)(2) to show the ZEV cannot be refueled from 10 to 80 percent of the ZEV's rated energy capacity within one hour. If less than three mobile ZEV fueling providers have compatible mobile fueling options for the ZEV, documentation must be submitted from all mobile ZEV fueling providers that do have compatible mobile fueling options;
- (4) A copy of the mutual aid agreement in effect with other entities to assist with affected vehicles during declared emergency events; and
- (5) A letter to the Executive Officer that has an explanation of the reason for the exemption request.

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104, Health and Safety Code; and section 28500, Vehicle Code.

Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42410, 43000, 43000.5, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214, Health and Safety Code; and section 28500, Vehicle Code.

### **§ 2013.3. State and Local Government Fleet Reporting.**

- (a) Method of Reporting. Reports submitted to comply with sections 2013 through 2013.6 must be submitted online through the CARB Advanced Clean Fleets webpage at <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets> in the TRUCRS reporting system, except exemption or extension requests requiring documentation to be submitted via TRUCRS@arb.ca.gov.
- (b) Reporting Deadline and End Date. Except as specified in section 2013.3(e), no later than April 1 of each year until April 1, 2045, fleet owners must annually submit a compliance report that includes all of the information specified in section 2013.3 for their California fleet as it is composed as of January 1 of the corresponding calendar year. The initial report must be submitted by April 1, 2024. The annual reporting period is during the month of March.
- (c) Fleet Reporting. Fleet owners must report all of the following:

- (1) State or local government agency information.
  - (A) State or local government agency name or, if applicable, subdivision name;
  - (B) State or local government agency's physical and mailing addresses;
  - (C) Designated contact person name;
  - (D) Designated contact person phone number;
  - (E) Designated contact person email;
  - (F) The following operating authority numbers, if applicable: motor carrier identification number, United States Department of Transportation number, California Carrier Identification number, California Public Utilities Commission transportation charter permit number, International Registration Plan number;
  - (G) Identify the jurisdiction (state, county name, city name, or other local government);
  - (H) Name of the responsible official;
  - (I) Whether the fleet owner will permanently opt-in to the ZEV Milestones Option of section 2013.6 as described in section 2013(e);
  - (J) Whether the fleet owner is a public agency utility; and
  - (K) Identify whether the fleet owner is a waste or wastewater fleet owner as defined in section 2013.6(b) if using the ZEV Milestones Option of section 2013.6.
- (2) Vehicle Information. The fleet owner must report the following information for each vehicle in the California fleet:
  - (A) VIN;
  - (B) Vehicle make and model;
  - (C) Vehicle model year;
  - (D) Vehicle license plate number and state or jurisdiction of issuance;

- (E) Vehicle GVWR (Greater than 8,500 lbs. and equal to or less than 14,000 lbs., greater than 14,000 lbs. and equal to or less than 26,000 lbs., or greater than 26,000 lbs.);
  - (F) Vehicle body type;
  - (G) Fuel and powertrain type;
  - (H) Date vehicle purchase was made;
  - (I) Date vehicle was added to or removed from the California fleet;
  - (J) Whether the vehicle will be designated under or was purchased pursuant to any exemption or extension specified in section 2013.2 and if the vehicle meets the definition of a traditional utility-specialized vehicle;
  - (K) Odometer, or if applicable, hubodometer readings for vehicles as specified in section 2013.3(f);
  - (L) Engine family and engine model year for any vehicles added to the California fleet after January 1, 2024;
  - (M) Funding contract's start and end date for vehicles purchased with California State-funding if the vehicle is to be excluded during the funding contract period as specified by the funding program;
  - (N) Exemption Reporting. Fleet owners that are replacing a vehicle pursuant to the exemptions specified in sections 2013.2(b) and (d) must identify which vehicle is being replaced within 30 calendar days of purchasing a vehicle pursuant to these exemptions, and must remove the identified vehicle from the TRUCRS system and the California fleet within 30 calendar days of receiving the replacement vehicle.
  - (O) Identify whether the vehicle is replacing another vehicle that is non-recoverable, if applicable; and
  - (P) Identify whether the vehicle has a heavy front axle as defined in section 2013.6(b) if the fleet owner uses the ZEV Milestones Option of section 2013.6.
- (d) Joint Compliance Reporting. If an agency chooses to comply jointly as specified in section 2013(g), each individual department, division, district, subsidiary, or

agency must report separately, and include the TRUCRS identification number of the primary controlling agency or designated primary entity.

- (e) Changes to an Existing Fleet. Fleet owners must comply with all of the following reporting requirements when adding or removing vehicles from the California fleet:
  - (1) Vehicles added to the California fleet must be reported within 30 calendar days of being added to the fleet;
  - (2) Vehicles that are permanently removed from the California fleet must be reported within 30 calendar days of removal. The report must include the date of removal;
  - (3) If a backup vehicle exceeds the allowable mileage limit the change must be reported within 30 calendar days of the date the mileage limit was exceeded; and
  - (4) ZEV Conversions. Fleet owners that convert a vehicle to a ZEV must report the vehicle's new fuel type within 30 calendar days of being converted.
- (f) Odometer Reading Reporting. This subsection applies to fleet owners that own or operate backup vehicles or tractors that are ICE vehicles purchased pursuant to a granted exemption specified in sections 2013.6(g)(2), 2013.6(g)(5), and 2013.6(g)(7) with a vehicle model year that is 12 years old or older and are owned by fleet owners following the ZEV Milestones Option specified in section 2013.6. Fleet owners meeting the above conditions must comply with the following reporting requirements for the backup vehicle or tractor:
  - (1) Odometer Readings. Report annually the odometer reading from January 1 of the current calendar year and the date the reading was recorded from a properly functioning odometer or hubodometer.
  - (2) Odometer Failure and Replacement. If the vehicle's originally equipped odometer has failed and is replaced, report the following information within 30 calendar days of the date the original odometer failed or was replaced, whichever comes first: the original odometer's final reading, the new odometer's initial reading, and the date of replacement.
    - (A) Hubodometers. If the vehicle's originally equipped odometer has failed and is not being replaced, the fleet owner must equip the vehicle with a hubodometer. Fleet owners must report the serial

number of the hubodometer within 30 calendar days of the date the hubodometer was installed;

- (3) Emergency Mileage. The fleet owner must report the number of miles travelled in support of the emergency for backup vehicles used in emergency operations that would exceed the backup vehicle mileage limit.
- (g) Exemption ICE Purchase Supporting Documentation Reporting. Fleet owners that purchase an ICE vehicle pursuant to the exemptions specified in section 2013.2(b) and (d) must submit an email to TRUCRS@arb.ca.gov within 30 calendar days of receiving the new ICE vehicle with the purchase agreement and the following clear and legible digital photographs of:
  - (1) VIN/GVWR label (typically located on the driver side door or door jamb);
  - (2) License plate with driver's side of the vehicle visible;
  - (3) Entire left side of the vehicle with doors closed showing the vehicle's body configuration; and
  - (4) Entire right side of the vehicle with doors closed showing the vehicle's body configuration.
- (h) Requirement for Signature. All reports submitted to CARB electronically are deemed signed by the responsible official. Hard-copy documentation submitted must be signed by the responsible official.
- (i) Method for Requesting and Approval of Exemptions or Extensions. The Executive Officer will notify the fleet owner by email whether any exemption or extension requests that are required to be submitted to TRUCRS@arb.ca.gov are approved within 45 calendar days from receipt of a complete submission.
- (j) Late Reporting. Until January 1, 2027, fleet owners that submit initial reporting information specified in section 2013.3 after the initial reporting deadline specified in section 2013.3(b) may still establish the vehicles in their California fleet as of January 1, 2024, by reporting the information in the TRUCRS Reporting System and submitting vehicle records specified in section 2013.4(a) to CARB by email to TRUCRS@arb.ca.gov when submitting their late report. Beginning January 1, 2025, fleet owners that submit initial reporting information specified in section 2013.3 after the initial reporting deadline specified in section 2013.3(b) are also subject to penalties specified in section 2013.5(b)(1).



- (k) Intermittent Snow Removal Vehicle Reporting. Fleet owners may request that vehicles be designated by the Executive Officer as intermittent snow removal vehicles by submitting via email to [TRUCRS@arb.ca.gov](mailto:TRUCRS@arb.ca.gov) a copy of the vehicle's specifications sheet from the manufacturer showing the vehicle meets the definition of an intermittent snow removal vehicle, or the following clear and legible digital photographs. The Executive Officer will rely on the information and photos submitted by the fleet owner and their engineering judgement to determine whether vehicle meets the definition of an intermittent snow removal vehicle specified in section 2013(b) and will notify the fleet owner via email within 45 days of receiving a request whether the request is approved. If approved, the Executive Officer will immediately designate the requested vehicles as intermittent snow removal vehicles.
- (1) VIN/GVWR label (typically located on the driver side door or door jamb);
  - (2) License plate with driver side of the vehicle visible;
  - (3) Entire left side of the vehicle with doors closed showing the vehicle's body configuration;
  - (4) Entire right side of the vehicle with doors closed showing the vehicle's body configuration; and
  - (5) The plow mounting attachment and control system; traction material spreader attachment and control system; or the de-icing system attachment and control system.
- (l) Vehicle Delivery Delay Reporting. Fleet owners utilizing the Vehicle Delivery Delay extension will have 30 calendar days to report the delivery of the newly added ZEV and to either remove the ICE vehicle from the California fleet or to designate it as a backup vehicle.

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104, Health and Safety Code; and section 28500, Vehicle Code.

Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42410, 43000, 43000.5, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214, Health and Safety Code; and section 28500, Vehicle Code.

#### **§ 2013.4. State and Local Government Fleet Recordkeeping.**

Fleet owners must keep records of reported information required in reporting section 2013.3 and documentation specified in this section for a period of at least five years. Fleet owners must make such records available in an electronic or paper format to CARB staff within 72 hours of a written or verbal request for audit. The following records are required to be kept and provided upon request for vehicles in the California fleet:

- (a) Entity and Vehicle Documentation.
  - (1) Records of all vehicle information required to be reported as specified in section 2013.3;
  - (2) Vehicle purchase, rental, and leasing documents, such as purchase agreements, orders, notices to proceed, leasing agreements, or rental agreements for the vehicles;
  - (3) The following information about all vehicles that have been removed from the California fleet:
    - (A) If the vehicle is sold, a transfer of liability form filed with DMV, including the date of sale and odometer reading at the time of sale;
    - (B) If the vehicle is transferred out-of-state, but not sold, a copy of the out-of-state registration;
    - (C) If the vehicle is registered with DMV as non-revivable junked or dismantled, a copy of the registration demonstrating it was filed as such with DMV; and
    - (D) If the vehicle is sold or consigned to an auction house, a copy of the contract and the transfer of liability form filed with DMV, if applicable.
  - (4) Backup Vehicle Documentation. Fleet owners with backup vehicles that perform emergency operations must keep records to document dispatch by a local, state, federal or other emergency management agency.
- (b) Operator Documentation. Fleet owners must keep documentation identifying the entity responsible for paying the driver who is not a state or local government agency employee and any applicable shipping documentation or

other documentation that identifies the origin and destination of the cargo and the pick-up and termination destination of the cargo.

- (c) Odometer Reading Documentation. Fleet owners required to report odometer readings must keep records of the vehicle miles traveled. Acceptable records are those that have an odometer reading from the vehicle and are provided in smoke opacity test results, Basic (previously Biennial) Inspection of Terminals inspection forms, California Highway Patrol-Truck and/or Tractor Maintenance and Safety Inspections Forms (108-Form), maintenance or service work orders, invoices or receipts, unaltered photographs of the odometer or hubodometer, driver logs or inspection sheets, or onboard diagnostics system information downloads that include the vehicle miles travelled or odometer information. Fleet owners of backup vehicles used in emergency operations in support of a declared emergency event must keep records to document vehicle mileage accrued under contract in support of an emergency event.
- (d) ZEV Infrastructure Delay Documentation. Fleet owners utilizing the ZEV Infrastructure Delay Extension must keep copies of documents submitted as specified in section 2013.2(c).
- (e) ZEV Purchase Exemption Documentation. Fleet owners utilizing the ZEV Purchase Exemption must keep copies of documents submitted as specified in section 2013.3(g), and copies of documents submitted as specified in section 2013.2(d).
- (f) Documentation for Mutual Aid Assistance. Fleet owners utilizing the Mutual Aid Assistance exemption must keep copies of documents submitted to CARB as specified in section 2013.2(e).
- (g) Daily Usage Exemption Documentation. Fleet owners utilizing the Daily Usage Exemption must keep copies of documents submitted as specified in section 2013.2(b) and 2013.3(g).
- (h) Intermittent Snow Removal Vehicle Documentation. Fleet owners approved to designate vehicles as intermittent snow removal vehicles must keep copies of the vehicle specification sheet from the manufacturer or photographs submitted as specified in section 2013.3(k).
  - (i) Sales Disclosure Documentation. Any person required to submit a sales disclosure as specified in section 2013(k) must keep a copy of the written sales disclosure.

- (j) Non-recoverable Vehicle Documentation. Fleet owners approved to utilize the Non-recoverable Vehicle exemption of section 2013.1(f)(7) must keep records of the police report, insurance statement, or signed attestation, photographs, and information submitted to CARB as specified in section 2013.1(f)(7).
- (k) Vehicle Delivery Delay Documentation. Fleet owners that utilize the Vehicle Delivery Delay extension must keep copies of the purchase agreement used to qualify for the extension and documentation of order cancellations by the manufacturer outside the control of the fleet owner submitted to CARB as specified in section 2013.6(h).
- (l) Traditional Utility-Specialized Vehicle Early Access Documentation. Fleet owners who utilize the Traditional Utility-Specialized Vehicle Early Access of section 2013.1(g)(1) must keep documentation specified in section 2013.4(c) to substantiate the vehicle's odometer readings or must keep records of the vehicle's engine hour meter readings as recorded in maintenance or service work orders, invoices or receipts, unaltered photographs of the vehicle engine hour meter device, driver logs or inspection sheets, or onboard diagnostics system information downloads that include the vehicle's engine hour information to substantiate the vehicle's engine hour meter readings. Fleet owners who utilize the Traditional Utility-Specialized Vehicle Early Access of section 2013.1(g)(2) must keep records of the attestation submitted and the written replacement criteria plan, policy or document established by the fleet owner's governing board, chief executive, or the chief executive's designee. Fleet owners approved to utilize the Traditional Utility-Specialized Vehicle Early Access of section 2013.1(g) must keep the solicitation of bids for the replacement traditional utility-specialized vehicle specified in section 2013.1(g)(3).
- (m) Waste and Wastewater Fleet Option Documentation. Fleet owners utilizing the Waste and Wastewater Fleet Option specified in section 2013.6(f) must keep the following evidence of eligibility for the option:
  - (1) Documentation to show a waste fleet owner's eligibility must have provisions requiring the collection, hauling, and/or processing of diverted in-state organic waste. Documentation must include a copy of the local ordinance, regulation, or code that includes the above eligibility provisions.
  - (2) Documentation to show a waste fleet's tractors are exclusively used as transfer trucks for transferring waste are a copy of the waste fleet's internal database identifying which tractors are exclusively used as transfer trucks within the fleet.

- (3) Documentation to show a wastewater fleet's eligibility are a copy of a permit or license to operate, or proof of ownership of, a wastewater treatment facility.
- (4) Documentation to show vehicles are fueled exclusively using biomethane are records of all fuel contracts in effect for affected vehicles as of January 1, 2024, and all fuel contracts that are executed on and after January 1, 2024.
- (5) Documentation to show wastewater vehicles are owned or exclusively assigned to the wastewater entity are a copy of the vehicle registration identifying the wastewater fleet as the owner, or documentation showing the vehicle was purchased with an account indicating expenses incurred by the wastewater entity and assigned to the wastewater fleet.

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104 Health and Safety Code; and section 28500, Vehicle Code.

Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42410, 43000, 43000.5, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214 Health and Safety Code; and section 28500, Vehicle Code.

### **§ 2013.5. State and Local Government Agency Fleet Enforcement.**

- (a) Severability. If any subsection, paragraph, subparagraph, sentence, clause, phrase, or portion of this article is, for any reason, held invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this article.
- (b) Penalties. Any person who fails to comply with the requirements of this article, who fails to submit any information, report, or statement required by this article, or who knowingly submits any false statement or representation in any application, report, statement, or other document filed, maintained, or used for the purposes of compliance with this article may be subject to penalties.
  - (1) Late Reporting Penalties. Beginning January 1, 2025, and until January 1, 2027, failure to submit any information as specified in section 2013.3 shall constitute a single, separate violation for each vehicle and each month the information is not submitted past the initial reporting period specified in section 2013.3(b).

- (c) Right of Entry. An agent or employee of CARB, upon presentation of proper credentials, has the right to enter any motor carrier, broker, or hiring entity facility (with any necessary safety clearances) where vehicles are located or vehicle records, including hiring and brokering records, are kept to verify compliance.
- (d) Fleet Owner Enforcement. For purposes of enforcement, if the vehicle is inspected and cited for noncompliance with this article and neither the operator of the vehicle nor the rental or leasing entity can produce evidence, as specified in the "Fleet owner" definition of section 2013(b), of the party responsible for compliance with state laws, the owner shall be presumed to be both the rental or leasing entity and the renting operator or lessee of the vehicle.

Note: Authority cited: Sections: 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104, Health and Safety Code; and section 28500, Vehicle Code.

Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42410, 43000, 43000.5, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214, Health and Safety Code; and section 28500, Vehicle Code.

#### **§ 2013.6. ZEV Milestones Option.**

- (a) If a vehicle is operated in California at any time during a calendar year, it will be considered part of the California fleet for the entire calendar year for purposes of calculating the ZEV Milestone of section 2013.6(c) and (d). By using this option, fleet owners must acknowledge that they are knowingly and voluntarily waiving the provisions of Health and Safety Code section 43021(a) that would otherwise apply to commercial motor vehicles as defined in California Vehicle Code section 34601 in their California fleet, except for new ICE vehicles purchased pursuant to a granted exemption specified in sections 2013.6(g)(2), 2013.6(g)(5), and 2013.6(g)(7) that are guaranteed a minimum useful life.
  - (1) Fleet owners that are subject to the Zero-Emission Airport Shuttle regulations in title 17, CCR, sections 95690.1, 95690.2, 95690.3, 95690.4, 95690.5, 95690.6, 95690.7, and 95690.8 that elect to use the ZEV Milestones Option of 2013.6 may exclude vehicles in their California fleet that are subject to the Zero-Emission Airport Shuttle regulations from the requirements of sections 2013 and 2013.2 through 2013.6 until January 1, 2027.

(b) Definitions. For the purposes of this section, the following definitions apply:

"Day cab tractor" means an on-road tractor without a berth designed for resting or sleeping at the back of the cab and that is not a yard tractor.

"Heavy front axle" means any front steering axle whose gross weight imposed upon the highway by the wheels is rated to exceed 12,500 lbs. The axle weight rating is typically found on the manufacturer's affixed certification label which contains the gross axle weight ratings and the gross vehicle weight rating. "Milestone Group 1" means box trucks, vans, buses with two axles and yard tractors in the California fleet.

"Milestone Group 2" means the work trucks, day cab tractors, pickup trucks, and buses with three axles in the California fleet.

"Milestone Group 3" means the sleeper cab tractors and specialty vehicles within the California fleet.

"Minimum useful life" means the minimum time period a vehicle may remain in the California fleet. It is the later of the dates specified in subsection (A) or (B) below, as modified by subsection (C):

- (A) Thirteen years commencing from the model year that the engine and emissions control system in a vehicle was first certified for use by CARB or United States Environmental Protection Agency (U.S. EPA); or
- (B) The date that the vehicle exceeded 800,000 vehicle miles traveled or 18 years from the model year that the engine and emissions control system of that vehicle was first certified for use by CARB or U.S. EPA (whichever is earlier).
- (C) If the vehicle no longer has its originally equipped engine, or the model year of the originally equipped engine is not able to be determined, the model year of the vehicle less one year must be used to determine when the thresholds described in subsections (A) and (B) above are met.

"Sleeper cab tractor" means a tractor with a berth designed for resting or sleeping at the back of the cab.

"Specialty vehicle" means one of the following:

- (A) A vehicle with a GVWR greater than 33,000 lbs. and with a heavy front axle; or
- (B) A vehicle with a GVWR greater than 33,000 lbs. that is not designed to carry cargo and is configured to perform work that can only be done while the vehicle is stationary and the auxiliary mechanism to perform that work is an integral part of the vehicle design. Examples include vehicles commonly known as vacuum trucks, digger derricks, drilling rigs, and concrete pump trucks.

“Waste fleet” means the vehicles owned and operated by a municipality that is mandated to support the hauling, transfer, and processing of diverted in-state organic waste to produce biomethane via franchise agreement or long-term contract, with either a minimum length of ten years or more, or with a minimum length of three years but includes a renewal provision when satisfying the contract terms.

“Wastewater fleet” means the vehicles owned and operated by a government agency or subdivision that owns and operates a wastewater treatment facility, and whose primary purpose is the collection, treatment, and recycling of wastewater and biosolids.

“Work truck” means a vehicle that does not meet any of the definitions of box truck, van, bus, pickup truck, day cab tractor, sleeper cab tractor, or specialty vehicle.

- (c) ZEV Milestones. Beginning January 1, 2025, fleet owners must continuously meet or exceed the ZEV Milestone percentage requirements set forth below in Table B: ZEV Milestones by Milestone Group and Year for their California fleets. The ZEV Milestone percentages must be maintained each year until the next compliance milestone year; for example, Milestone Group 1 vehicles must comprise at least ten percent of the California fleet each year beginning January 1, 2025, until December 31, 2027.
  - (1) NZEV Flexibility. 2035 and earlier model year NZEVs are counted the same as ZEVs for purposes of determining compliance with section 2013.6, except as specified in sections 2013.2(b) and 2013.2(d).

**Table B: ZEV Milestones by Milestone Group and Year**

Percentage of vehicles that must be ZEVs	10%	25%	50%	75%	100%
Milestone Group 1: Box trucks, vans, buses	2025	2028	2031	2033	2035 and beyond



with two axles, yard tractors					
Milestone Group 2: Work trucks, day cab tractors, pickup trucks, buses with three axles	2027	2030	2033	2036	2039 and beyond
Milestone Group 3: Sleeper cab tractors and specialty vehicles	2030	2033	2036	2039	2042 and beyond

- (d) ZEV Milestone Calculation. The annual ZEV Milestone is calculated by counting the vehicles in the California fleet for each of the three Milestone Groups listed in Table B, then multiplying the number of vehicles in each Milestone Group by the ZEV percentage requirement for that year as shown in Equation 1: ZEV Milestone Equation. If the sum of the ZEV Milestones is not a whole number, the value must be rounded using standard rounding convention.

$$\text{Equation 1: } ([\text{Milestone Group 1 Vehicle Count}] \times [\text{Milestone Group 1 Percentage Requirement}]) + ([\text{Milestone Group 2 Vehicle Count}] \times [\text{Milestone Group 2 Percentage Requirement}]) + ([\text{Milestone Group 3 Vehicle Count}] \times [\text{Milestone Group 3 Percentage Requirement}]) = \text{ZEV Milestone}$$

The following example shows how the ZEV Milestone is calculated for the 2031 calendar year for a fleet owner that has 100 Milestone Group 1 vehicles and 50 Milestone Group 2 vehicles and two backup vehicles that are excluded from the calculation:

Milestone Group 1: 100 vehicles x 50% = 50 ZEVs

Milestone Group 2: 50 vehicles x 25% = 12.5 ZEVs

Total ZEV Milestone = 62.5 (rounds up to 63 ZEVs)

- (e) Any ZEVs Count for Compliance. Any ZEV from any Milestone Group can be used to count toward the fleet's ZEV Milestone requirement. For example, a fleet with box trucks and day cab tractors can meet the total ZEV Milestone requirement with ZEV day cab tractors instead of ZEV box trucks.
- (f) Waste and Wastewater Fleet Option. Waste and Wastewater fleet owners may delay compliance with the ZEV Milestones Option as specified in section 2013.6(d) for the vehicles in the California fleet as of January 1, 2024, that meet the criteria specified in (1) through (3) below:
- (1) Must exclusively be fueled with biomethane.

- (2) Eligible garbage vehicle configurations are rear-, side-, and front-loader compactor trucks, tractors exclusively used as transfer trucks, and roll-off trucks.
  - (3) Eligible wastewater vehicle configurations are all vehicles that directly support the operation of facilities that collect and process diverted in-state organic waste to produce biomethane.
  - (4) Each vehicle that no longer meets the criteria specified in section 2013.6(f)(1) through (3) will reduce the number of eligible vehicles from each originally designated Milestone Group by one, unless the vehicle is replaced with a ZEV or another eligible ICE vehicle that is exclusively fueled with biomethane.
  - (5) Fleet owners utilizing this option must report fleet and vehicle information as specified in section 2013.3(c)(1)(I) and keep records as specified in section 2013.4(m).
  - (6) ZEV Milestone Calculation Adjustment. For vehicles that meet the criteria, each year the count of eligible waste and wastewater fleet vehicles in Milestone Group 1 will be subtracted from the count of vehicles in Milestone Group 1 and added to Milestone Group 3, and the count of eligible waste and wastewater fleet vehicles in Milestone Group 2 will be subtracted from the count of vehicles in Milestone Group 2 and added to Milestone Group 3, as specified in section 2013.6(d). No adjustment will be made for eligible waste and wastewater vehicles that already are designated in Milestone Group 3.
- (g) Exemptions and Extensions. Fleet owners complying with the ZEV Milestones Option specified in section 2013.6 may utilize the following exemptions and extensions if the specified criteria are met:
- (1) Backup Vehicle Exemption. Fleet owners may exclude designated backup vehicles from the vehicle count for each Milestone Group when determining the ZEV Milestone Calculation specified in section 2013.6(d) if it is designated as a backup vehicle as specified in section 2013.2(a).
  - (2) Daily Usage Exemption. Fleet owners may request an exemption to purchase a new ICE vehicle and exclude it from the ZEV Milestone Calculation specified in section 2013.6(d). Fleet owners must request and obtain this exemption pursuant to the criteria specified in section 2013.2(b) no later than one year and no earlier than two years before the next applicable upcoming ZEV Milestone compliance date specified in section 2013.6(c). The Executive Officer will grant this exemption only if

the fleet owner demonstrates their next applicable upcoming ZEV Milestone cannot be reached without exemptions by requesting and obtaining exemptions for all other ICE vehicles in their California fleet.

- (3) ZEV Infrastructure Delay Extension. Fleet owners may request an extension to count an ICE vehicle being replaced as a ZEV when determining compliance with the ZEV Milestone Calculation specified in section 2013.6(d). The fleet owner must request and obtain the extension pursuant to the applicable criteria specified in section 2013.2(c) no later than 45 calendar days before the next applicable upcoming ZEV Milestone compliance date specified in section 2013.6(c).
- (4) Vehicle Delivery Delay Extension. Fleet owners may request an extension to count an ICE vehicle as a ZEV when determining compliance with the ZEV Milestone Calculation specified in section 2013.6(d). Fleet owners must request and obtain this extension pursuant to the criteria specified in section 2013.6(h). Fleet owners must request this extension no later than April 1 of the same calendar year as the next applicable ZEV Milestone compliance date specified in section 2013.6(c). The fleet owner may transfer the extension to another vehicle in the fleet if the criteria specified in section 2013.6(h)(2) are met.
- (5) ZEV Purchase Exemption. Fleet owners must use the exemption in section 2013.2(d)(1) or request the exemption in section 2013.2(d)(2) no later than one year and no earlier than two years before the next applicable upcoming ZEV Milestone compliance date specified in section 2013.6(c). The Executive Officer will grant the following exemptions only if the fleet owner demonstrates their next applicable upcoming ZEV Milestone cannot be reached without exemptions by requesting and obtaining exemptions for all other ICE vehicles in their California fleet.
  - (A) ZEV Purchase Exemption List. Fleet owners shall receive an exemption to purchase a new ICE vehicle and exclude it from the ZEV Milestone Calculation specified in section 2013.6(d) pursuant to the criteria specified in section 2013.2(d)(1).
  - (B) ZEV Purchase Exemption Application. Fleet owners may request and obtain an exemption to purchase a new ICE vehicle and exclude it from the ZEV Milestone Calculation specified in section 2013.6(d) pursuant to the criteria specified in section 2013.2(d)(2).
- (6) Mutual Aid Assistance. Fleet owners may request an exemption to purchase new ICE vehicles and exclude them from the ZEV Milestone

Calculations specified in section 2013.6(d). Fleet owners must request and obtain this exemption pursuant to the criteria specified in section 2013.2(e). ICE vehicles purchased pursuant to a granted exemption may operate as part of the regular California fleet and are not restricted solely to mutual aid functions.

- (7) Intermittent Snow Removal Vehicles. Fleet owners shall receive an exemption to exclude intermittent snow removal vehicles from the ZEV Milestone Calculation specified in section 2013.6(d) until January 1, 2030, if the Executive Officer designates the vehicle as an intermittent snow removal vehicle pursuant to the criteria in section 2013.3(k).
- (h) Vehicle Delivery Delay Extension. Fleet owners may request an extension as specified in section 2013.6(g)(4) until a ZEV they have ordered is received if they have placed an order for a ZEV prior to the fleet owner's next applicable compliance date as specified in section 2013.6(h)(1)(B) but the ZEV cannot be delivered to the fleet owner by the next applicable compliance date due to circumstances beyond the fleet owner's control. The fleet owner must meet the following criteria:
  - (1) Fleet owners must email the following information to TRUCRS@arb.ca.gov during the annual reporting period specified in section 2013.3(b):
    - (A) VIN of the ICE vehicle for which the extension is being requested.
    - (B) A purchase agreement that meets the following criteria:
      - 1. It is a written, signed, and dated legally binding contract. The extension cannot be claimed if the purchase agreement is modified by the fleet owner within one year of the compliance deadline. Letters of intent or other agreements that are not binding, or that are contingent upon other decisions that remain unresolved within one year of the upcoming deadline, are not sufficient to qualify for the extension;
      - 2. It identifies the specific ZEV that the fleet owner committed to purchase, the date of the purchase, and that the purchase is for immediate delivery to the fleet owner in California; and

3. It shows the new ZEV was ordered at least one year prior to the next upcoming ZEV Milestone specified in section 2013.6(c).
- (2) **Manufacturer Cancellation.** If a vehicle manufacturer cancels a purchase agreement for ZEVs used to qualify for this extension due to circumstances beyond the control of the fleet owner, the fleet owner must secure another purchase agreement for ZEVs within one year of the cancellation. Fleet owners must submit a copy of the manufacturer cancellation notice within 30 calendar days of the cancellation and must submit the new ZEV purchase agreement within 30 calendar days of placing the order to TRUCRS@arb.ca.gov to maintain the extension. If no ZEV is available to purchase, the fleet owner may request the ZEV Purchase Exemption specified in section 2013.2(d).
- (3) **Fleet Owner Cancellation.** If a fleet owner cancels a purchase agreement used to qualify for this extension, the claim for the extension will be treated as invalid and the agreement will be treated as if it were never executed.
- (4) In granting or denying the exemption request, the Executive Officer will rely on the information submitted by the applicant and utilize their good engineering judgement to determine whether the information meets the criteria in section 2013.6(h).

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104, Health and Safety Code; and section 28500, Vehicle Code.

Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42410, 43000, 43000.5, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214, Health and Safety Code; and section 28500, Vehicle Code.

### **§ 2013.7. Hiring Compliant Fleets.**

- (a) **Scope and Applicability.**
  - (1) **Hiring Entities.** The requirements specified in this section apply to any motor carrier, broker, governmental agency, person, or entity that hires and dispatches vehicles in California that are subject to:
    - (A) Title 13, California Code of Regulations (CCR) sections 2013 through 2013.6.

(b) Definitions. For the purposes of this section, the following definitions apply:

“Broker” means any person who, as a principal or agent, sells, offers for sale, negotiates for, or holds itself out by solicitation, advertisement, or otherwise as selling, providing, or arranging for, transportation by motor carrier for compensation. A motor carrier, or person who is an employee or bona fide agent of a carrier, is not a broker when it arranges or offers to arrange the transportation of shipments which it is authorized to transport and which it has accepted and legally bound itself to transport.

“Dispatch” means to provide direction or instruction for routing a specific vehicle, whether owned or under contract, to specified destinations for specific purposes, including delivering cargo, passengers, property or goods, or providing a service.

“Motor carrier” means the same as defined in California Vehicle Code section 408.

“Vehicle” means either a device as defined in California Vehicle Code section 670, or is a yard tractor that is not intended for use on highways.

(c) Requirement to Hire Compliant Fleets. Any hiring entity must:

- (1) Verification of Compliance. For each calendar year, verify that each fleet it hires or dispatches to operate in California is listed on the California Air Resources Board Advanced Clean Fleets webpage as a compliant fleet. Alternatively, for each calendar year that an entity hires a fleet to operate in California that is not listed on the California Air Resources Board Advanced Clean Fleets webpage as a compliant fleet, it must obtain a signed statement from the fleet owner stating their fleet is not subject to the regulations listed in section 2013.7(a)(1).
- (2) Disclosure of Regulation Applicability. Provide the following disclosure in writing to the hired fleet either in the hiring contract or agreement or as an addendum to the hiring contract or agreement: “Vehicles with a GVWR greater than 8,500 lbs. operated in California may be subject to California Air Resources Board regulations. Such vehicles may therefore be subject to requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board Advanced Clean Fleets webpage at <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets>.”
- (3) Comply with the recordkeeping requirements specified in section 2013.7(d).

- (d) Hiring Entity Documentation. Hiring entities must keep documentation as specified in sections 2013.7(d)(1), (2), or (3). Additionally, hiring entities must keep copies of contracts or addendums to contracts with hired fleets that include the disclosure of regulation applicability as specified in section 2013.7(c)(2). Hiring entities must keep records of documentation specified in this section for a period of at least five years. Hiring entities must make such records available in an electronic or paper format to CARB staff within 72 hours of a written or verbal request for audit.
- (1) A certificate of reported compliance;
  - (2) A photograph or screenshot of the hired fleet listed on the CARB ACF webpage as a compliant fleet; or
  - (3) A signed statement received from the hired fleet used to verify that the hired fleet is compliant with the applicable regulations listed in section 2013.7(a)(1).

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104, Health and Safety Code; and section 28500, Vehicle Code.

Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42410, 43000, 43000.5, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214, Health and Safety Code; and section 28500, Vehicle Code.