



CITY OF VACAVILLE

PUBLIC WORKS DEPARTMENT

650 Merchant Street • Vacaville, CA 95688 • CityofVacaville.gov • 707.449.5170

April 16, 2026

California Air Resources Board
Clerk of the Board
1001 I Street
Sacramento, CA 95814

RE: Comments on Proposed Modified Text – Advanced Clean Fleets and Low Carbon Fuel Standard Regulations (ACF/LCFS Regulatory Proposal)

Dear Members of the Board:

The City of Vacaville Public Works Department appreciates the opportunity to provide input on the California Air Resources Board's proposed modified text for the Advanced Clean Fleets and Low Carbon Fuel Standard Regulations. We submit the following comments in good faith to assist CARB in developing regulatory language that is clear, workable, and equitable for public agency fleets.

1. **§ 2013(b)** *“Good engineering judgement’ is using commonly believed scientific and mathematical principles when making a decision that seeks to maximize public benefit and minimize public harm.”*
 - a. **The City urges CARB to supplement this definition with exemption-specific criteria, particularly for the equivalent body determination under § 2013.2(d)(2), or publish guidance identifying the factors CARB will weigh when applying good engineering judgement to each exemption type.** As written, the definition provides no meaningful constraint on CARB's discretion. It does not specify what information CARB must consider, what factors are relevant to each exemption type, or how a fleet owner could demonstrate that a determination was inconsistent with the standard.
 - b. **The City requests that CARB explicitly recognize price disparity between a ZEV and its ICE equivalent as a factor within the good engineering judgement standard and establish a published threshold beyond which cost disparity is a relevant consideration.** Public agencies operate under fixed budgets approved by elected governing boards. When the cost of a ZEV significantly exceeds its ICE equivalent, the excess expenditure is diverted from other essential public services — road maintenance, public safety, and other programs that directly benefit the community. Requiring a public agency to absorb an unreasonable cost premium at the expense of those services is inconsistent with the principle of maximizing public benefit and minimizing public harm.
2. **§ 2013.1(f)(3)** *“ZEV Infrastructure Delay Extension. Fleet owners may request a temporary extension to count an ICE vehicle as a ZEV purchase when determining compliance with the ZEV purchase requirements of section 2013.1(a). Fleet owners may delay the purchase of ZEV's during the extension period, but shall be required to be in full compliance with the ZEV Purchase Schedule at the end of the extension period. ZEVs purchased under this extension during the delay count toward the compliance for the calendar year of the original compliance requirement. The fleet owner shall request and obtain the extension pursuant to the criteria specified in section 2013.2(c).”*



- a. **The City requests that CARB clarify that this section means prospective compliance with the ZEV purchase percentage applicable to the calendar year in which the extension ends, not retroactive compliance requiring catch-up purchases for years covered by the extension.** As written, the phrase "full compliance with the ZEV Purchase Schedule" could be interpreted to require a fleet owner to retroactively meet every year's ZEV purchase percentage that was deferred during the extension period.

3. **§ 2013.1(g)(1-3)** *"ZEV Purchase, Daily Usage, and Fleet Resiliency Exemptions Expected Vehicle Purchase Information. Until January 1, 2030, the fleet owner shall submit the following information with the exemption application for vehicle purchases being made during the same calendar year as the exemption request: (1) the number of ICE vehicles being purchased by weight class and configuration; (2) the number of ZEVs being purchased by weight class and configuration; and (3) which exemption each ICE vehicle being purchased qualifies for."*
 - a. As written, this implies that every ICE vehicle purchase requires an exemption designation. **The City recommends that CARB clarify that exemption designation is required only for ICE vehicles that would otherwise cause the fleet owner to fall below the required ZEV purchase percentage.**
 - b. Public agency purchase decisions are subject to board approval and budget adoption and may change throughout the calendar year. **The City recommends that CARB clarify that good-faith projections satisfy this requirement and that exemptions will not be voided solely because actual purchases differ from projected figures due to normal government procurement processes.** One approach would be to allow agencies to submit good-faith projections at the time of application and report actual ICE, ZEV, and exempted purchase totals during the annual reporting period specified in § 2013.3(b) without penalty.

4. **§ 2013.2(d)(2)(D) (6-8)** *"(D)The Executive Officer shall consider an offered ZEV or NZEV available to purchase if all of the following criteria are met...(6) The chassis or complete vehicle manufacturer shall have been issued an Executive Order to certify vehicles or chassis that can be sold in California for one or more chassis or complete vehicles for at least 3 model years of the previous 5 model years; (7) The manufacturer is not in bankruptcy or in bankruptcy proceedings; and (8) The manufacturer offers a powertrain warranty period for at least three years or 50,000 miles, whichever occurs first, for zero-emission powertrain components."*
 - a. **The City recommends that CARB publish and maintain a current list of qualifying ZEV manufacturers on the Advanced Clean Fleets webpage so that fleet owners can direct their outreach efficiently and avoid submitting manufacturer statements that CARB might disregard.** This would also help keep the streamlined exemption list updated.
 - b. **The City requests that CARB expand these criteria to address the viability of the battery or energy storage system supplier used by the manufacturer.** A ZEV manufacturer may satisfy all three stated criteria while sourcing its energy storage system from a supplier that is in financial distress, subject to active recalls, or has since exited the market, leaving fleet owners with vehicles they cannot maintain or repair through no fault of their own. Public agencies have experienced exactly this scenario with electric vehicle purchases where the vehicle manufacturer remained solvent but the battery supplier failed, rendering the vehicles inoperable with no available remedy.



- c. **The City requests that CARB amend § 2013.2(d)(2)(D) to require a minimum of two qualifying manufacturers (per D. 1-8) offering a ZEV in the needed configuration before that configuration is deemed available for purchase.** The criteria of this section is intended to establish genuine market availability, not merely that a configuration exists. A single manufacturer is not a functional market and leaves public agencies without competitive options.

5. **§ 2013.2(e) "Fleet Resiliency Exemption. Fleet owners may either request this exemption to purchase a new ICE vehicle or use this exemption to designate an existing ICE vehicle to address any fleet resiliency concerns such as emergency response support, towing, or range limitations for any ICE vehicle in the fleet as specified in section 2013.1(f)(5) or 2013.6(f)(6)..."**
 - a. **The City requests that CARB explicitly include flood, fire, earthquake and other emergency response and water infrastructure emergency operations as recognized fleet resiliency concerns under this exemption to eliminate any ambiguity in its application.** Public Works employees are recognized federally as first responders, as they help maintain essential infrastructure and support public safety functions during emergencies. Public Works vehicles are routinely utilized in response to flooding, water main failures, and creek and drainage emergencies that do not constitute formally declared emergency events but are critical public safety functions. Electric vehicles present documented safety risks in flooded or heavily saturated conditions due to water intrusion into high-voltage battery systems, creating unacceptable risk to both personnel and equipment. The examples provided in the proposed language do not clearly encompass this operational reality.

6. **§ 2013.2(e)(1)(A) "Fleet owners shall have a mutual aid agreement to send vehicles to assist other entities during a declared emergency event to be eligible."**
 - a. **The City requests that CARB remove or broaden this language.** Requiring a mutual aid agreement tied to declared emergency events directly contradicts the exemption's stated purpose of addressing "any fleet resiliency concerns." Public agencies respond daily to infrastructure emergencies such as flooding, water main failures, drainage failures, downed trees and power lines, etc., that are critical public safety functions but are not formally declared emergency events and are not covered by mutual aid agreements.

The City of Vacaville thanks CARB for its consideration of these comments and respectfully requests that CARB address the concerns raised above in the final regulatory text or accompanying guidance. If you have any questions, please contact the City of Vacaville Public Works Department.

Sincerely,

Brian Oxley
Director of Public Works