



April 16, 2026

The Honorable Lauren Sanchez
Chair, California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Advanced Clean Fleets 15-Day Comment Period Response

MAYOR

Frank J. Navarro

Dear Chair Lauren Sanchez and the Members of the California Air Resources Board,

The City of Colton appreciates the Board's continued efforts to refine the Advanced Clean Fleets (ACF) regulation and the opportunity for us to comment on the 15-day proposed modifications.

COUNCIL MEMBERS

David J. Toro
Mayor Pro Tem Emeritus
District 1

Cities across the state are pursuing robust, environmentally sound strategies to decarbonize their communities. However, cities must also ensure the uninterrupted delivery of critical public services. As currently structured, the proposed modifications do not adequately account for the operational realities of local government fleets, particularly those that support emergency response and essential infrastructure.

Kelly J. Chastain
Mayor Pro Tem
District 2

Cities serve diverse and often expansive communities, providing vital services that protect public health, safety, and welfare. During emergencies, city fleet vehicles must operate continuously for extended periods, often in extreme conditions, to support fire prevention and response, search and rescue, medical response, and the delivery and maintenance of essential utilities such as water, wastewater, stormwater, and electricity. Without appropriate and durable exemptions, ACF strict requirements risk constraining cities' ability to respond effectively to disasters, maintain critical infrastructure, and safeguard the communities we serve.

Dr. Luis S. González
District 3

John R. Echevarria
District 4

The proposed amendments to the ACF regulations significantly expand the scope of local government responsibility by extending compliance obligations beyond publicly owned fleets to include private contractors operating under municipal agreements. By redefining "waste fleets" to include contracted service providers, cities can no longer rely on outsourcing to manage fleet compliance and are instead indirectly responsible for ensuring that contracted operations meet state mandates. This shift effectively converts municipal procurement and service delivery into a vehicle for state enforcement, exposing cities to increased costs, reduced contractor availability, and diminished flexibility in negotiating long-term service agreements, particularly for essential services like waste hauling, street sweeping, construction, and public works.

CITY MANAGER

William R. Smith

This expansion of responsibility is particularly problematic because cities lack the statutory authority, technical capacity, and legal standing to fulfill this role. Local governments are not equipped to interpret or enforce complex emissions regulations governing private fleets, nor are they positioned to adjudicate compliance disputes between CARB and contractors. The result is a fundamental misalignment of responsibility — one where CARB retains regulatory authority,

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private fleets bear compliance obligations, and municipalities assume the administrative burden and legal risk.

Compounding this concern is the significant ambiguity embedded in the proposed modifications. The rule does not clearly define what constitutes sufficient verification of contractor compliance, nor does it establish the extent of municipal liability if a contractor is later found non-compliant by CARB. This absence of a clearly articulated standard of care places cities in an untenable position, forcing a conservative and resource intensive approach to compliance in order to mitigate potential risk. Without clear guidance, implementation will be inconsistent across jurisdictions, contractual disputes will increase, and cities' legal exposure will grow.

In addition, the proposal imposes substantial new administrative and legal burdens on cities by requiring ongoing verification of contractor compliance, mandatory contract disclosures, and extensive recordkeeping subject to rapid state audit. These requirements transform routine contracting functions into compliance oversight roles, requiring cities to annually validate contractor status, maintain auditable documentation for multiple years, and respond to CARB inquiries within tight timeframes. Collectively, these changes create significant unfunded mandates, increase administrative complexity, and elevate legal and procurement risks across multiple municipal functions including procurement, public works, utilities, legal, and finance with no corresponding funding, staffing support, or implementation guidance provided.

These burdens also carry a direct and measurable impact on affordability. Contractors will necessarily incorporate compliance risk and administrative costs into their pricing, while reduced market participation, particularly among small and mid-sized operators will further constrain competition. The resulting cost increases will ultimately be borne by residents and ratepayers, disproportionately affecting low- and fixed-income households. At a time when communities across California are grappling with a well-documented affordability crisis, this proposal introduces additional upward pressure on costs that local governments cannot absorb without consequence.

Furthermore, the proposed modifications appear inconsistent with the legislative intent of AB 1594, which directed CARB to provide flexibility for public agency utility fleets. Rather than reducing burden, the proposal expands it by extending compliance-related responsibilities beyond municipal fleets to include third-party contractors. This indirect expansion of regulatory reach through contractual mechanisms was not contemplated in the statute and undermines the objective of providing operational flexibility to public agencies.

While the proposed amendments significantly increase obligations on local municipalities, we appreciate the amendments to provide increased compliance flexibility by delaying the 100 percent zero-emission vehicle purchase requirement from 2027 to 2030 and expanding eligibility for exemptions and extensions related to infrastructure constraints, operational limitations, and emergency response needs.

However, to prevent unintended consequences that could jeopardize life, property, and essential services, we respectfully urge the Board to reject these newly proposed mandates on cities. At a minimum, the regulation should clearly maintain emissions compliance responsibility with fleet owners and operators, explicitly limit municipal liability, and provide safe harbor provisions that allow cities to rely on contractor self-certification without independent verification obligations. CARB should also conduct a comprehensive fiscal impact analysis to fully account

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for the administrative and ratepayer costs associated with the proposal and ensure alignment with the intent of AB 1594. Additionally, we request that CARB establish clear, categorical exemptions — consistent with those in Section 2013(c) of Title 13 of the California Code of Regulations — for city vehicles that respond to, support, and recover from emergencies and disasters.

Again, thank you for allowing us the opportunity to provide written responses to the proposed Advanced Clean Fleets Regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank J. Navarro". The signature is fluid and cursive, with a large loop at the end of the last name.

Frank J. Navarro
Mayor

cc. Senator Eloise Gómez Reyes
Senator Rosilicie Ochoa Bogh
Assemblymember Robert Garcia
Laura Varela, Cal Cities Regional Public Affairs Manager
League of California Cities