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June 15, 2026

Clerks' Office
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Turlock Irrigation District Comments on Proposed Second 15-Day Changes to the Advanced Clean Fleets Regulation State and Local Government Agency Fleet Requirements, Posted June 1, 2026

To Dr. Cliff:

Turlock Irrigation District ("TID") respectfully submits the following comments on the California Air Resources Board's ("CARB") Proposed Second 15-Day Changes to the Advanced Clean Fleets ("ACF") amendments released on June 1, 2026.[1] TID's comments are focused on the new contract-related language applicable to state and local government agencies and the resulting impacts on public utility fleet administration, procurement planning, and costs. These comments are directed to the modifications identified in the June 1 notice.

I. Executive Summary

TID urges CARB to revise or formally clarify the June 1 contract language before adoption. The Second 15-Day package adds "rents" and "contracts for the operation of" to proposed § 2013(a)(1); expands the definitions of "fleet," "fleet owner," "removed from the California fleet," and "vehicle purchase" in proposed § 2013(b); adds contract-focused recordkeeping language to proposed § 2013.4(b); and revises proposed § 2049. CARB states that these changes are intended to make explicit that vehicles operated by or for state and local governments through contractual arrangements are part of the governmental fleet, while private fleets themselves are not subject to the State and Local Government ACF requirements. For TID, however, the new language leaves critical implementation questions unanswered. TID therefore respectfully requests: an express exclusion for incidental contractor and vendor vehicles; a clear duration or dedication threshold before a covered contract vehicle is considered added to a public agency fleet; a contract-level documentation safe harbor for TRUCRS reporting; clear confirmation that hiring a contractor does not create an automatic one-for-one public-agency ZEV procurement obligation; and alignment of any verification framework with the annual

[1] Attachment A-2: Proposed 15-Day Changes to Proposed Regulation Order (Proposed Sections for Adoption). Attachment A-2 was posted on June 1, 2026, and updated on June 3, 2026, to ensure accessibility by minor corrections to the "Note" description, and made no alterations to the regulation text of this attachment. This update reflects a correction of an alternative format posting error.

certification and statement approach already used by CARB under the Truck and Bus program. The Advanced Clean Fleets rule will be unworkable if the following scenario is true:

> TID purchases 10 vehicles and contracts another 10. So, to comply with 50% we need all 10 purchases must be ZEV not just 5 due to 20 vehicles now considered to be a part of our fleet.

II. Introduction

TID has consistently supported practical, durable policies to reduce greenhouse gas and criteria-pollutant emissions from transportation while preserving the reliability and affordability of essential public services. In its prior ACF comments to CARB, TID repeatedly emphasized the need for workable timelines, realistic capital planning, infrastructure lead time, affordability, operational reliability, and flexible exemptions for public agencies with critical service responsibilities. TID's role as a publicly owned irrigation district and balancing authority makes those considerations especially important because fleet readiness directly affects electric reliability, water service, emergency response, and restoration operations. The contract language now proposed in the second 15-day package raises those same public-service concerns in a new setting: not only for vehicles TID owns, but for work that TID must sometimes perform through outside contractors and vendors.

Although CARB explains that the June 1 changes are intended to "remove any apparent ambiguity," the clarifications have made the practical compliance boundaries less clear for local agencies and if taken at face value unworkable for government fleets. That is particularly true because CARB's separate June 1 ACF guidance simultaneously recognizes that, during the first reporting cycles of the amended rule, CARB will focus on case-by-case compliance support, good-faith efforts, reporting obligations, and flexibility provisions for agencies making progress toward compliance. TID appreciates that guidance. However, guidance alone is not enough where the operative regulatory text will control procurement decisions, annual reporting, contract administration, and audits. The public agency community needs the contract boundary to be clear in the regulation itself.

III. Fleet applicability and the meaning of "operation of" under § 2013(a)(1).

Proposed § 2013(a)(1) now provides that Article 3.2 applies to any state or local government agency that "owns, leases, rents, contracts for the operation of, or operates" one or more covered vehicles in California, and proposed § 2013(a)(2) limits the vehicle scope to vehicles with a GVWR greater than 8,500 pounds. The June 1 notice further explains that the purpose of these changes is to make explicit the applicability of the regulation to vehicles "being operated by or for government entities," including vehicles under contract. The modified definitions of "fleet" and "fleet owner" likewise expand the concept of the public-agency fleet to include vehicles

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operated by or for the agency through contractual arrangements. Yet the regulation still does not define "operation of" or "contracts for the operation of," and that omission is the source of the most serious implementation problem for TID and similarly situated public agencies.

That missing definition matters because a public agency may buy a service result without procuring the operation of a specific vehicle. TID routinely engages outside firms for facility services, construction support, maintenance, specialized repairs, and emergency-related work. If a private vendor comes to a TID facility to service an HVAC unit and arrives in a ¾-ton pickup, TID has hired a service, not the dedicated operation of that pickup. In addition, whether the pickup is even covered depends on whether its GVWR exceeds 8,500 pounds. TID respectfully submits that a covered vehicle should not become part of a public agency's fleet merely because a contractor happened to use it to travel to a jobsite while performing a broader service contract. TID would ask CARB to clarify a situation where the District contracts out with a vegetation management service to assist with tree trimming for multiple months. The contractor in this scenario utilizes ACF compliant vehicles. Would these vehicles be considered as part of TID's fleet? CARB already applies a workable functional distinction in its Truck and Bus hired-fleet guidance: when an entity hires a company to perform a non-transportation service and is not actively involved in determining what trucks will be used, verification is not required; by contrast, when the entity hires a specific truck-based service such as a dump truck company, crane, or similar equipment-based transportation or hauling service, the verification obligation applies.[2] ACF should adopt the same distinction for public-agency contract vehicles.

TID therefore requests that CARB revise § 2013(a)(1), or add a companion definition in § 2013(b), to state that "contracts for the operation of" means a written agreement under which a State or local government agency procures the dedicated use or dispatch of one or more covered vehicles to perform transportation or field services on behalf of the agency in California. TID further requests that CARB expressly state that the term does not include incidental contractor travel to or from a jobsite, one-time service calls, or the transport of a contractor's own employees, tools, materials, or supplies where the agency does not specify or control the vehicles used. This revision would preserve CARB's stated objective of covering truly dedicated contract fleet operations while preventing the overbroad result of sweeping ordinary vendor traffic into a public agency's fleet.

The same section should also establish an objective trigger for when a contract vehicle is considered added to a public agency's California fleet. The notice explains that "vehicle

[2] Verify Form Truck and Bus Regulation

purchase" now means when the agency "adds a vehicle to its California fleet," and that renewing a service contract for a vehicle already in the California fleet does not constitute a new purchase. The modified definition of "removed from the California fleet" also now includes vehicles that are "removed from a contract." Those revisions clarify that contract entry and contract exit matter, but they do not explain what event causes the vehicle to enter the public-agency fleet in the first place. TID asks CARB to confirm that a one-day service visit or similarly incidental appearance by a contractor vehicle does not do so. At minimum, CARB should adopt a de minimis safe harbor or an objective threshold, such as a contract term of one year or more or a stated dedication threshold based on cumulative days or assignment to the agency. Absent that clarification, local agencies will have no administrable way to distinguish an incidental vendor visit from a true contract fleet vehicle.

IV. Operator contract documentation and TRUCRS.

Proposed § 2013.4(b) now requires a fleet owner to retain "copies of any agreement contracting for vehicles or services using vehicles." CARB's notice states that this language was added to conform to the expanded fleet applicability language in § 2013(a)(1). At the same time, CARB's existing TRUCRS reporting architecture is built around individual vehicle records. The current TRUCRS reporting guide explains that for each reported vehicle the system requires, at minimum, the VIN, vehicle model year, vehicle type, fuel type, GVWR class, license plate, purchase date, date added to the California fleet, engine family name, and engine year; it also states that TRUCRS will not save vehicle information without a VIN. TRUCRS further instructs that the VIN must match DMV information and that engine updates may require photos of the emission control label. For agency-owned or long-term dedicated vehicles, TID can understand how that framework operates. For rotating contractor fleets, however, it is exceedingly difficult, and sometimes impossible, for the hiring public agency to administer.

A construction-support or hauling contractor may use a pool of vehicles that changes daily or weekly depending on scheduling, maintenance, weather, and project sequencing. Ten trucks may arrive on one day, while a different set of trucks appears the next day. TID often will not know, at the time of contracting, which precise VINs will be used throughout the life of the project, much less possess the engine family number, emission-control-label information, or other vehicle-specific data for each unit. Requiring a public agency to collect and continuously update that level of information for non-dedicated private contractor fleets would create a major compliance burden with little practical value and would effectively regulate private service providers through the public agency, even though CARB's June 1 guidance states that private fleets themselves are not subject to the State and local government ACF provisions. TID respectfully requests that CARB recognize this difference in the final text.

TID recommends that CARB adopt a contract-level documentation safe harbor for non-dedicated contractor fleets. Under that safe harbor, a public agency should satisfy § 2013.4(b) if it retains: the written contract, master service agreement, or task order; the contractor's TRUCRS identification number; a copy or screenshot of the contractor's Certificate of Reported Compliance or compliant-fleet listing, or a signed statement that the contractor is not subject to the applicable rule; and an annual attestation describing the maximum number and general types of covered vehicles that may be used under the contract. Vehicle-specific data such as VIN, engine year, and engine family name should be required from the public agency only for vehicles that are specifically assigned or dedicated to the agency above the applicable threshold. This would appropriately place the burden of maintaining granular vehicle data on the entity that owns and controls those vehicles, while still giving CARB auditable contract records at the public-agency level.

TID also requests clarity on the reporting interval for contractor fleet changes. CARB's TRUCRS guide states that State and local government agencies file an annual compliance report for their California fleet "as it is composed of January 1" of the corresponding calendar year, and that the "Vehicle Purchases" tab allows agencies to report planned ZEV and ICE purchases during the year if plans change. The modified contract language does not explain how this annual reporting construct applies to contractor vehicles that rotate after January 1, or whether a public agency would be expected to amend its records every time a contractor substitutes one covered truck for another. TID submits that annual true-up should be sufficient for non-dedicated contract fleets, and that CARB should expressly say so.

V. Fleet procurement plan

CARB's June 1 guidance states that state and local government agencies may place contracted vehicles on one compliance pathway and directly owned vehicles on another, and the 2025 proposed text for § 2013.6 indicates that under the ZEV Milestones Option CARB determines compliance by counting vehicles in each milestone group and applying the corresponding yearly percentages. The same proposed text also states that any ZEV from any milestone group may count toward satisfying the total milestone requirement. TID appreciates those flexibilities. They are directionally helpful. They do not, however, answer the central planning question created by the new contract language: when a public-agency capital project or temporary operational need increases the number of contractor vehicles associated with the agency, how and when does that affect the agency's procurement obligations?

This concern is not theoretical. A public utility's engineering or operations division may begin a project that temporarily requires additional contractor dump trucks, work trucks, pickup trucks, or tractors. If those contractor vehicles are counted as part of TID's California fleet immediately upon association with the project, then the denominator used for ZEV milestone compliance may increase even though TID has not purchased or replaced any of its own vehicles. In other words, a temporary project decision could create an unplanned ACF consequence for the District's procurement plan. That result would be difficult to reconcile with CARB's own ACF program description, which says the rule requires State and local government fleets to reduce emissions by increasing the use of ZEVs as vehicles are normally replaced. TID respectfully submits that a rule intended to follow normal replacement cycles should not create immediate procurement pressure because a temporary outside contractor is performing project work.

TID therefore requests three clarifications. First, CARB should state that short-term project-related contractor vehicles do not create immediate mid-year procurement obligations for the hiring public agency. Second, if CARB intends certain contract vehicles to count, it should allow those vehicles to be reported as a separate contracted subfleet or subdivision under the existing split-pathway and joint-compliance framework, with that contract-vehicle count fixed as of January 1 for that reporting year. Third, CARB should consider allowing in Article 3.2 excluded light-duty vehicles or off-road equipment to substitute for covered on-road vehicles. Proposed § 2013(a)(2) applies only to vehicles over 8,500 pounds GVWR, and the weight-class definitions distinguish light-duty vehicles as 8,500 pounds GVWR or below. CARB should allow light-duty or off-road credits to offset covered contract vehicles to ease the compliance burden for government fleets. That flexibility needs to be stated expressly in the regulation; it should not be left to implication.

TID also requests greater clarity regarding any vendor-verification mechanism. CARB's June 1 notice expressly says revised § 2049(a)(1) is intended to apply to agreements between a hiring entity and a State or local government agency and not to agreements with nongovernmental entities. If that is CARB's intent, then § 2049 does not obviously provide the compliance framework for a public agency such as TID when it hires a private contractor. If CARB instead expects public agencies to verify contractor compliance in a manner parallel to the Truck and Bus program, CARB should say so clearly and provide a model form or contract clause. It is not workable for public agencies to infer vendor-verification duties from a section that CARB's own notice describes as being directed at agreements involving the State or local government agency itself.

VI. Cost issues

The cost implications of the unresolved contract language are significant. Under one possible reading of the Second 15-Day text, a public agency that is not otherwise replacing any vehicles in a given year could appear to incur additional ZEV obligations, reporting burdens, and internal procurement pressure simply because a project requires the use of contractor ICE vehicles. TID respectfully requests that CARB expressly confirm scenarios such as the hiring of a contractor with ten covered ICE vehicles does not, by itself, compel TID to purchase ten public-agency ZEVs in that same year. Compliance should remain annual and aggregate, tied to clearly defined covered fleet obligations and objective applicability triggers, not to transient jobsite vehicle counts. TID further requests confirmation that any contract-related verification burden aligns with the annual Certificate of Reported Compliance or signed-statement structure familiar from the Truck and Bus program, rather than a vehicle-by-vehicle engine-family audit imposed on the hiring public agency.

These issues have direct cost consequences for publicly owned utilities and the communities they serve. If local agencies must collect VIN, engine-family, and other emissions information for each rotating contract truck, the resulting compliance expense will be borne through rates, public-project costs, administrative overhead, delayed contracting, and reduced budget flexibility. Those burdens are especially difficult to justify where CARB's June 1 guidance says the agency's near-term compliance emphasis will be on reporting, case-by-case support, education, and flexibility for agencies making good-faith efforts to comply. The cost of a Chevy Silverado, the primary vehicle government agencies will be using to meet compliance obligations under ACF is about $80,000. Under the contract language in this iteration of the regulation government agency fleet managers will not be able to adequately forecast when vehicle purchases will be necessary. This reality will then disrupt utilities and local government capital budgets placing further downward pressure on utility ratepayers. TID strongly supports clear, enforceable rules that move California toward its air-quality and climate goals. But those rules must be precise enough to distinguish a true contract fleet from incidental contractor travel, and practical enough for public agencies to administer without impairing reliability, affordability, or the timely delivery of essential utility services.

VII. Conclusion

For all of these reasons, TID respectfully requests that CARB revise or formally clarify the Second 15-Day language before adoption to: expressly exclude incidental contractor and vendor vehicles from a public agency's fleet; define "contracts for the operation of" to cover only dedicated or agency-directed covered vehicles; create a de minimis or objective duration trigger for when a contract vehicle is added to the California fleet; allow contract-level documentation and annual TRUCRS-based verification for non-dedicated contractors; allow light-duty or off-road assets to count as substitutes for compliance with ACF for additional flexibility; and confirm that hiring a contractor does not create an automatic one-for-one public-agency ZEV procurement obligation. TID appreciates the opportunity to provide these comments and looks forward to continued engagement with CARB on a rule that is both environmentally effective and workable for California's public agencies.

Respectfully submitted,

Austin Avery