City of Artesia (Carmen Zambrano)

The City of Artesia respectfully submits the attached letter commenting on the Second 15-Day Rulemaking Package for the Advanced Clean Fleets and Low Carbon Fuel Standard Regulations. While the City remains committed to transitioning its fleet and achieving carbon neutrality, the proposed amendments substantially expand the scope of the ACF Rules in a manner that lacks clarity and creates significant compliance exposure for local government fleets. The expanded definitions of "fleet owner" and "fleet" to include contracted vehicles raise unanswered questions — for example, it is unclear whether contracts for street sweeping, paratransit, or solid waste collection would trigger compliance obligations, and whether the same contractor vehicle serving multiple cities would be counted across multiple fleets. The City requests that CARB not adopt these amendments, and at a minimum, that CARB proceed under the appropriate 45-day public review period rather than the current 15-day process, so the regulated community has a meaningful opportunity to review and comment on the full scope of the proposed regulations.

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"Service Builds Tomorrow's Progress"

June 15, 2026

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

RE: Comments on the Second 15-Day Rulemaking Package for the Advanced Public Clean Fleets Regulation

Dear California Air Resources Board:

The City of Artesia appreciates the opportunity to comment on the California Air Resources Board's (CARB's) Proposed Amendments to the Advanced Clean Fleets (ACF) and Low Carbon Fuel Standards Regulation, dated June 1, 2026 (the June 2026 15-Day Rulemaking Package) and accompanying guidance documents. The City of Artesia is committed to transitioning its fleet and operational equipment with a goal of achieving carbon neutrality and, accordingly, has been working towards compliance since 2024. As any transition, this requires balancing this worthy goal with the ability of the City of Artesia to provide reliable and efficient public service and immediate responses to emergencies. This new rulemaking package appears to substantially change the scope of application of the ACF Rules to public fleets in such a way that the City of Artesia feels compelled to respectfully submit the following comments.

Following a CARB's September 25, 2025, hearing, drayage, high-priority and federal fleets were relieved of compliance with the CARB ACF rules that became effective in 2024, ostensibly because the United States Environmental Protection Agency (EPA) has not granted the necessary waiver under the Clean Air Act. As a result, only State and Local Government (SLG) fleets remained subject to the ACF Regulation.

On April 2, 2026, CARB released the first 15-Day Rulemaking Package, which added flexibility for SLG. The first 15-Day Rulemaking Package revised the definition of "fleet owner". Many members of the regulated community inquiries whether SLGs that contract with private firms to perform public services (e.g., street sweeping, maintenance, hazardous waste hauling, etc.) would be responsible for their contractors' CARB-compliant vehicles.

On June 1, 2026, CARB issued the Second 15-Day Rulemaking Package and the accompanying "Second Notice of Public Availability." CARB stated that vehicles operated by State and local governments, including those under contractual arrangement, are part of the government entity's fleet for purposes of the regulation. CARB believed that the newly proposed amendments remove the issues raised in public comments. Although the City of Artesia appreciates that CARB's intention was to clarify the issue, the Second 15-Day Rulemaking Package raises many questions, lacks clarity and substantially expands the scope of the original proposed rule. As a result, the City of Artesia respectfully submits the following comments on the Second 15-Day Rulemaking Package.

To provide context to these comments, the City of Artesia provides the following background. The City of Artesia is a small, fully built-out contract city located in Los Angeles County, covering approximately 1.6 square miles with a population of approximately 16,500 residents. As a contract city, the City of Artesia relies heavily on private contractors to deliver essential public services, which is a common and cost-effective model for smaller municipalities. The City of Artesia's own municipal fleet is modest in size, consisting primarily of light and medium-duty vehicles used for administrative and limited public works functions. The City of Artesia has been actively monitoring and working toward compliance and has taken steps to evaluate ZEV options as vehicles in its fleet reach end of useful life.

The City of Artesia has also taken steps to reduce greenhouse gas (GHG) emissions across its operations and is committed to environmental sustainability, including through its compliance with SB 1383 organic waste reduction requirements, which directly intersect with some of the contracted services discussed below. The City of Artesia is also subject to South Coast Air Quality Management District (SCAQMD) rules and regulations applicable to its operations and region.

The City of Artesia contracts with numerous private service providers for essential public services, the vehicles of which the proposed amendments would now appear to subject to ACF requirements. These contractors and their current vehicle practices include:

(1) CR&R Environmental Services for solid waste and recycling collection, using compressed natural gas vehicles powered by renewable natural gas derived from decomposed organic matter, consistent with SB 1383 compliance;

(2) Nationwide Environmental Services for street sweeping;

(3) Fiesta Taxi for dial-a-ride/paratransit services, using electric hybrid vehicles;

(4) Brightview for landscape maintenance services;

(5) Southwest Patrol for security services, using all-electric vehicles; and

(6) HSA (Human Services Association) for senior meal delivery to the City of Artesia's community center.

<u>The Second 15-day Proposed Changes Lack Clarity, Create Many Issues For Compliance Due to Ambiguity And They Expand The ACF requirements Beyond the Initial Rule.</u> Under the Proposed Second 15-Day Rulemaking Package, Section 2013(a)(1) and (b) of the rule have expanded definitions. The original rule contemplated applicability to an SLG that "owns, leases or operates, one or more vehicles specified in section 2013(a)(2) ….". The Proposed Amendments modify it as follows:

> Fleet Applicability. This article applies to any state or local government agency with jurisdiction in California that owns, leases, rents, contracts for the operation of, 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.

Therefore, the definition to vehicles and what constitutes a public fleet has been expanded and this new definition includes "*rents, contracts for the operation of*". In addition, definitions under section 2013(b) have also been changed:

> "Fleet" or "total fleet" means one or more vehicles owned or operated by a fleet owner. It also includes contracted vehicles that are considered owned by the "fleet owner" as defined in section 2013(b).
>
> "Fleet owner" means the person or entity who owns, rents, leases, operates, or contracts for the operation of 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:
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> 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.
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> For vehicle leases or rental agreements for a period of one year or longer with a signed date before January 1, 2027, if the terms of the rental or lease agreement identify the renting operator or lessee of the vehicle as the party responsible for compliance with state laws, then the fleet owner shall be considered the rental or lease business.

The guidance documents accompanying the proposed amendments provide that:

> "The regulation applies to public services performed by a SLG; including functions carried out through contractual arrangements".

Therefore, there is a severe expansion of the applicability of the rule and also a disconnect and ambiguity between the rule and the guidance documents.

This situation creates confusion, generates compliance exposure to the SLGs, and leads to inconsistent implementation. There is no clarification as to what constitutes a contract under the rule triggering its applicability. For example, as described above, the City of Artesia contracts with CR&R Environmental Services for solid waste collection, Nationwide Environmental Services for street sweeping, Fiesta Taxi for paratransit services, Brightview for landscape maintenance, Southwest Patrol for security services, and HSA for senior meal delivery. It is unclear whether these contracts would be subject to the rule, and the proposed amendments provide no guidance on this question. The rule does not address whether short-term, one-time, or emergency contracts trigger compliance obligations, nor does it distinguish between contractors who primarily serve the City of Artesia versus those who serve multiple public entities. This ambiguity creates significant compliance exposure for the City of Artesia. Under a broad interpretation of the new language, the City of Artesia would be required to either renegotiate all service contracts to mandate ZEV use, or offset contractors' non-ZEV vehicles with its own public fleet, neither of which is feasible within the City of Artesia's budget or the current compliance timeframe. Furthermore, private companies also provide service to other SLGs so the same vehicular unit could be providing a service to different public entities in a short period of time. Applying the rule as proposed would lead to counting the same vehicle multiple times for different fleets, thus defeating the purpose and reporting requirements of the original rule. Without clarification, there is not only a risk of non-compliance, but also almost impossibility of monitoring by CARB.

CARB should not Adopt This Amendments Through Government Code Section 11346.8(c). CARB is typically required to provide a 45-day public review period so there is a meaningful opportunity by the stakeholders to review and comment on the full scope of the proposed regulations. CARB, however, has invoked Government Code section 11346.8(c) which allows a 15-day period for notice and comments but only when the proposed changes are "sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action." As described above, the definitions have been changed in such manner that now the rule arguably applies to a number of vehicles never contemplated by the original rule. The number covered now would be exponentially larger when *"contracted for"* vehicles are included. Perhaps that was not CARB's intent and if that is the case, the rule should make clear that it is not.

Rules Must Be Clear, Consistent with Other Laws and Non-Duplicative, But The Proposed Amendments are Not. Government Code § 11349, et seq. require regulations to be clear, consistent with other laws, and non-duplicative. As explained above, the proposed amendments are not clear. Instead they lead to uncertainty in scope, inconsistency, compliance risk and duplicative reporting. Perhaps more problematic, they could be interpreted as inconsistent with CARB's withdrawal of the proposed ACF rules for private fleets and preempted by federal rules. CARB has withdrawn ACF rules for private fleets, but as currently worded, the proposed amendments can be seen as indirectly imposing ACF requirements on private fleet owners who seek to contract with public fleets. This expanded application of ACF is likely to trigger legal challenges under several federal and state laws. Both CARB and SLGs could be the subject of these legal challenges.

In light of the above, while the City of Artesia remains committed to working with CARB to protect the environment, reduce emissions of GHGs and transition public fleets to low or zero emissions vehicles, the City of Artesia requests that CARB do not adopt these newly proposed amendments. At a minimum, the City of Artesia requests that CARB do not proceed under the current 15 day public review process, but instead proceed under the appropriate 45 day public review period so there is a meaningful opportunity by the regulated community to review and comment on the full scope of the proposed regulations.

If you have any questions or need any further information, please do not hesitate to reach out to Abel Avalos, Artesia City Manager, at (562) 865-6262 ext. 278 or via email at aavalos@cityofartesia.us.

Sincerely,

Rene Trevino
Mayor
City of Artesia

CC: The Honorable Tony Strickland, California State Senate
The Honorable Sharon Quirk-Silva, California State Assembly
League of California Cities
California Contract Cities Association
Joe A. Gonsalves & Son