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June 12, 2026

VIA ELECTRONIC SUBMISSION AND UNITED STATES MAIL

Clerk's Office
CALIFORNIA AIR RESOURCES BOARD
1001 "I" Street
Sacramento, CA 95814
Email: cotb@arb.ca.gov

Re: Comments on Second Notice of Public Availability of Modified Text for Proposed Amendments to the Advanced Clean Fleets and Low Carbon Fuel Standard Regulations

Dear Clerk to the California Air Resources Board:

On behalf of Western States Trucking Association ("WSTA"), I am submitting the following comments on the Second Notice of Public Availability of Modified Text ("Second 15-Day Modifications") for the Proposed Amendments to the Advanced Clean Fleets and Low Carbon Fuel Standard Regulations (the "Proposed Amendments").

Based on a brief review of the Second 15-Day Modifications and the related documentation, it is plain the edits were performed as a response to Western States Trucking Association's ("WSTA") comments on the initial 15-day modifications, which sought clarification as to whether the Proposed Amendments sought to regular private fleets that contracted with state and local governmental entities. In that letter, WSTA asserted that, to the extent the State and Local Government ("SLG") provisions extended to private fleets, it would result in changes that significantly departed from the original text of the Proposed Amendments such that the changes were inappropriate for a 15-day notice. The fact that staff's edits to the Proposed Amendments overhaul many of the key definitions in the regulation, and provide a sweeping expansion to the

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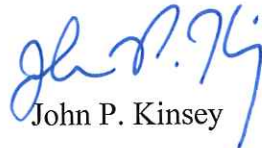
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scope of the entities that would be regulated by the SLG provisions of the Proposed Amendments, further confirm that neither the original modifications nor the Second 15-Day Modifications are "sufficiently related" to the original text of the Proposed Amendments. (*Cf.* Govt. Code, § 11346.8, subd. (c); *Wendz v. State Dept. of Education* (2023) 93 Cal.App.5th 607, 647.)

Due to the fact that the Second 15-Day Modifications now appear to sweep private fleets into the ambit of the Proposed Amendments, it is likewise now clearer that the Proposed Amendments are preempted by Section 209 of the Clean Air Act, for the reasons previously asserted by WSTA.

WSTA therefore continues to object to the Proposed Amendments, and in particular the SLG provisions that extend the Proposed Amendments to private fleets contracting with governmental entities. The Executive Officer should not approve the 15-Day Modifications or the Second 15-Day Modifications. Instead, the Executive Officer should seek direction from the CARB decisionmaking body to repeal the SLG requirements in their entirety. Alternatively, CARB should suspend the rulemaking for the Proposed Amendments pending completion of a full environmental review in accordance with CEQA or, if necessary to ensure compliance with Government Code section 11346.4, subdivision (b), terminate the rulemaking and issue a new Notice of Proposed Regulatory Action to ensure the agency has sufficient time to make the necessary changes. And at a minimum, to satisfy the requirements of its certified regulatory program, CARB must re-notice the 15-Day Modifications and the Second 15-Day Modifications for a public comment period of at least 30 days and present the modifications along with any associated environmental review to the CARB decisionmaking body for final approval.

Respectfully submitted,



John P. Kinsey