City of Sacramento (Consuelo Hernandez)

Attached please find comments from the City of Sacramento in opposition to the Proposed Second 15-Day Amendments to the Advanced Clean Fleets Regulation.

City of
SACRAMENTO
Office of the City Manager

Maraskeshia Smith
City Manager

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June 16, 2026

Dr. Steven Cliff
Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: OPPOSITION TO THE PROPOSED SECOND 15-DAY AMENDMENTS TO THE ADVANCED CLEAN FLEETS REGULATION

Dear Dr. Cliff,

On behalf of the City of Sacramento (City), I write to express our opposition to the California Air Resources Board's (CARB) proposed second 15-day amendments to the Advanced Clean Fleets (ACF) Regulation.

The City supports California's efforts to improve air quality, reduce greenhouse gas emissions, and advance the transition to cleaner transportation technologies. However, the proposed amendments would significantly expand the practical reach of the ACF Regulation and create substantial operational, financial, administrative, procurement, and legal burdens for local governments without providing corresponding funding or flexibility.

Throughout this rulemaking process, local governments, public utilities, contractors, and other regulated entities have consistently raised concerns regarding whether the ACF Regulation was intended to apply to private companies performing services under contract, franchise, permit, or similar agreements with public agencies. Many stakeholders reasonably understood the regulation to focus on fleet owners and operators rather than extending compliance obligations through municipal contracting relationships.

The proposed amendments substantially broaden that interpretation by requiring cities to ensure that private contractors providing services on behalf of local governments comply with State fleet requirements. While the amendments are directed at contractor operations, cities would effectively become responsible for monitoring, documenting, and verifying contractor compliance throughout the duration of public contracts.

This approach creates a significant unfunded mandate for local governments. The proposed amendments shift regulatory compliance responsibilities from the State to local agencies. To meet these requirements, local governments would be required to dedicate additional staff resources, expand procurement and contract administration functions, develop new compliance tracking systems, retain auditable records, and respond to state audits and enforcement inquiries. These activities create ongoing costs and liabilities that are not currently funded and divert limited local resources away from core public services, infrastructure maintenance, public safety operations, and other community priorities.

The impacts on public works operations are particularly concerning. Cities rely heavily on private contractors to construct, maintain, repair, and improve critical public infrastructure. Contractors providing construction, maintenance, fleet, utility, transportation, and other essential public works services will face significant costs associated with vehicle replacement, charging infrastructure, reporting requirements, and regulatory compliance. These costs will inevitably be passed on to local governments through higher contract prices, increasing the cost of delivering public services and maintaining public infrastructure.

The proposed amendments may also reduce contractor availability and competition. Many small and medium-sized contractors may be unable or unwilling to absorb the financial and operational costs associated with compliance, particularly within the implementation timelines contemplated by the regulation. Reduced competition can increase project costs, limit available service providers, delay critical infrastructure projects, and reduce local governments' ability to obtain best value for taxpayers.

In addition, the proposed amendments create substantial legal and operational risks for local governments. If a contractor falls out of compliance during the term of an agreement, cities could be forced to suspend work, terminate contracts, rebid projects, or address disputes regarding responsibility for compliance. These circumstances create uncertainty for public agencies and contractors alike and could jeopardize the timely delivery of critical public services and infrastructure improvements.

The cumulative effect of these requirements extends well beyond fleet compliance. Vehicle procurement costs, charging infrastructure investments, contractor compliance costs, administrative oversight, contract monitoring, record retention, procurement delays, legal exposure, and increased contractor pricing will ultimately be borne by local governments and taxpayers. At a time when cities are facing growing demands for infrastructure investment, pavement preservation, traffic safety improvements, bridge rehabilitation, public facilities, and other essential municipal services, the proposed amendments would require local governments to redirect scarce resources toward regulatory compliance activities that were previously the responsibility of the State.

The City is particularly concerned about the impacts on emergency response, disaster recovery, and critical infrastructure operations. Local governments must retain the ability to rapidly procure and deploy the vehicles, equipment, and contracted services necessary to respond to emergencies, natural disasters, severe weather events, utility failures, public health emergencies, and other unforeseen circumstances. Any regulatory framework that limits contractor availability or creates uncertainty regarding emergency service delivery could have significant consequences for public safety and community resilience.

The City is concerned that the proposed amendments do not provide broader exemptions for vehicles supporting emergency response and critical infrastructure operations. Cities, counties, utilities, and special districts have consistently raised concerns that zero-emission alternatives are not yet available or operationally suitable for many specialized vehicle applications essential to public safety and community resilience.

Emergency preparedness requires maintaining vehicles that can respond immediately to wildfires, floods, power outages, public health emergencies, and other unforeseen events. At a minimum, CARB should establish clear and categorical exemptions for vehicles and contracted services supporting water, wastewater, electric utility, flood control, fire prevention and protection, search and rescue, vector control, emergency response, disaster recovery, critical infrastructure maintenance, public safety operations, and other essential municipal functions.

Accordingly, the City respectfully urges CARB to reject the proposed amendments that expand local government responsibility for contractor fleet compliance. These exemptions and revisions are necessary to ensure that cities can continue providing critical services without interruption while maintaining flexibility to respond to emergencies and protect public health and safety.

The City remains committed to California's climate and air quality goals and looks forward to working collaboratively with CARB on practical, achievable solutions that reduce emissions without imposing significant unfunded mandates on local governments or compromising the delivery of essential public services.
Thank you for your consideration of these comments.

Sincerely,

Maraskeshia Smith
Maraskeshia Smith (Jun 16, 2026 11:05:34 PDT)

Maraskeshia Smith
City Manager
City of Sacramento