



# Potential Amendments to the In-Use Off-Road Diesel Regulation Workgroup

Potential Contractor and Public Works Requirements  
September 21, 2021

# Goals of these Potential Requirements

---

CARB's air quality goals are the main driving factor and improving compliance is critical to ensuring California reaches those goals

---

These potential requirements will help ensure only compliant fleets and equipment operate on construction projects, especially public works projects

---

CARB also needs to be able to determine ownership at the job site if equipment is unlabeled, unregistered, or otherwise noncompliant

---

# Potential Applicability – Contractors

## Prime Contractors

- The prime contractor is the entity who is required to obtain a license pursuant to Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code
- The prime contractor means the original contractor on any construction, project, improvement, work or other activity

# Potential Applicability – Public Works

## Public Works Awarding Bodies (PWAB)

- An awarding body is the entity that awards a contract for public works and is sometimes known as the project owner. The awarding body can be any kind of public agency or official (state, county, city, school board, water district, etc.) or a private entity using public funds.

# Potential CARB Off-Road Diesel Vehicle Certificates

## CARB would issue vehicle-level certificates

- EIN, basic vehicle information (TBD)
- Fleet compliance status
- Basic fleet information (such as fleet name)


## Process to issue vehicle certificates

- Issued immediately when vehicle is first registered in DOORS
- Issued annually for all vehicles on March 1
- Accessed through DOORS and issued similarly to the Certificate of Reported Compliance
- Vehicle certificates will not be provided to non-compliant fleets

# Potential Requirements Vehicle Certificates



Must obtain a copy of the vehicle certificate and retain these certificates for all vehicles operating at the job site



Duty to disclose to CARB any vehicles that do not have a vehicle certificate or do not have an EIN



If a vehicle does not have a CARB vehicle certificate, the vehicle cannot be used on the job site

# Potential Requirements

## Record Keeping and Review



Prior to hiring, must request and review Certificate of Reported Compliance for any fleet on the project, including subcontractors



Prior to allowing vehicles on the job site, must request and review vehicle level certificates



Keep records for 3 years after project completion

# Other Potential Requirements

Upon request by CARB, duty to disclose ownership of vehicles at job site

Upon request by CARB, must provide records within 5 business days

Electronic or paper records are acceptable

Must report noncompliance to CARB immediately after discovery and must include owner, vehicle, and location information

For multi-year projects, compliance must be verified annually



# Potential Timing of Implementation

Potentially March 1, 2024

- Vehicle Certificates issued March 1, 2024
- Question: How long would it take for Prime Contractors/PWABs to receive the documentation?
- This includes all projects, including currently ongoing projects

# Potential Implications and Costs

Want to understand if there will be potential ongoing costs due to these requirements

- Updating contract language
- Collection and review of vehicle certificates
- Reporting to CARB on noncompliant vehicles and fleets
- Digital storage of certificates
- Others?

# Questions For Stakeholders

- What information should be on the vehicle certificate?
- If vehicle certificates are issued to the fleet on March 1, 2024, how long would it take prime contractors/PWABs to comply with the other provisions?
- Are there any other costs not mentioned that we should be thinking about?

# Questions or Comments???

Here is a brief overview of your webinar controls.

Hide/Un-Hide the Controls →

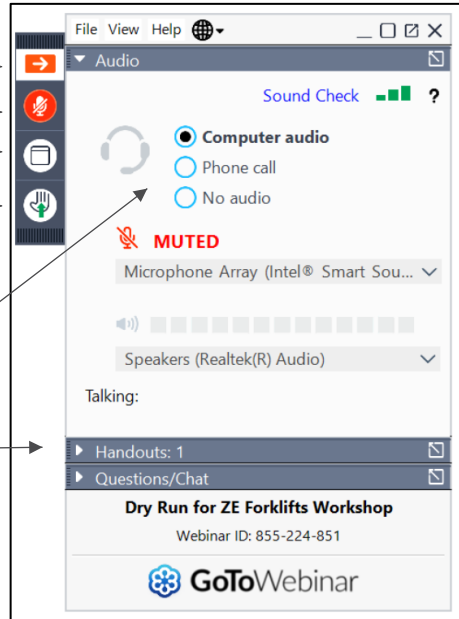
Mute/Un-Mute →

View in Full Screen →

Raise/Lower Hand →

Choose the Computer Audio or Phone Call Option →

Handouts →



Questions: May be typed in this section. We will respond to questions and comments after the presentation.

If you wish to comment through audio instead, please raise your hand. Please keep your hand raised until we call on you to speak. When called, please state your name and organization.

# Contacts

## Rulemaking

- Lead: Nathan Dean, Air Pollution Specialist
- Johanna Levine, Manager, Off-Road Implementation Section  
[ordamendments@arb.ca.gov](mailto:ordamendments@arb.ca.gov)

## Enforcement

- Erin Shields, Manager, Diesel Equipment Enforcement Section  
[Erin.Shields@arb.ca.gov](mailto:Erin.Shields@arb.ca.gov)