

APPENDIX C

**DRAFT IMPLEMENTATION
MANUAL FOR THE FY
2016-17
CLEAN VEHICLE REBATE PROJECT (CVRP)**

*****This Implementation Manual has not been updated to address recently adopted legislation and is subject to change.*****

California Environmental Protection Agency

 **Air Resources Board**

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A. INTRODUCTION AND OVERVIEW

In 2007, Governor Schwarzenegger signed into law the *California Alternative and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon Reduction Act of 2007* (AB 118, Statutes of 2007, Chapter 750). AB 118 created the Air Quality Improvement Program (AQIP), a voluntary incentive program administered by the Air Resources Board (ARB or Board), to fund clean vehicle and equipment projects, air quality research, and workforce training.

As required in Health and Safety Code (HSC) Section 44274(a), the Board adopted regulatory guidelines in 2009 for AQIP. The Guidelines for the AB 118 Air Quality Improvement Program (Guidelines) define the overall administrative requirements and policies and procedures for program implementation based on the framework established in statute. Central to the Guidelines is the requirement for a Board-approved annual funding plan developed with public input. The funding plan is each year's blueprint for expending AQIP funds appropriated to the ARB in the annual State Budget. The funding plan focuses AQIP on supporting development and deployment of the advanced technologies needed to meet California's longer-term, post 2020 air quality goals.

In 2012, the legislature passed and Governor Brown signed into law 3 bills – AB 1532 (Pérez, Chapter 807), Senate Bill (SB) 535 (de León, Chapter 830), and SB 1018 (Budget and Fiscal Review Committee, Chapter 39) – that established the Greenhouse Gas Reduction Fund (GGRF) to receive Cap-and-Trade auction proceeds and to provide the framework for how the auction proceeds will be administered to further the purposes of AB 32. Cap-and-Trade auction proceeds have been appropriated to the Air Resources Board (ARB) for Low Carbon Transportation projects that reduce greenhouse gas (GHG) emissions, with an emphasis on investments that benefit the State's disadvantaged communities. Per statute these funds must be used to further the purposes of Assembly Bill 32 (AB 32; Nunez, Chapter 488, Statutes of 2006). The Low Carbon Transportation investments build upon and greatly expand existing advanced technology, clean transportation programs, which provide mobile source incentives to reduce criteria pollutant, air toxic, and GHG emissions.

In June 2015, ARB approved the Fiscal Year 2015-16 Funding Plan for Low Carbon Transportation Investments and Air Quality Improvement Program (FY 2015-16 Funding Plan)¹, providing up to \$163 million in funding for CVRP. The \$163 million is comprised of up to \$3 million in AQIP funding and \$160 million in Low Carbon Transportation funding from the Greenhouse Gas Reduction Fund (GGRF) for CVRP.

At the time of the June 2015 Board action, the Legislature had appropriated FY 2015-16 AQIP funds to ARB as part of the Budget Act of 2015, Assembly Bill (AB) 93 (Weber, Chapter 10, Statutes of 2015). However, the Legislature had deferred action on Cap-

¹ The approved FY 2015-16 Funding Plan is available at:
<http://www.arb.ca.gov/msprog/aqip/fundplan/fundplan.htm>

and-Trade auction proceeds, including the \$350 million in Low Carbon Transportation funds for ARB in the Governor's May Revision Budget proposal. Hence, the Low Carbon Transportation elements of the Board-approved FY 2015-16 Funding Plan were contingent on appropriation of these funds.

In September 2015, the Legislature approved an appropriation of \$90 million in Low Carbon Transportation project funding and associated State operations funding to ARB in Senate Bill (SB) 101 (Committee on Budget and Fiscal Review, Chapter 321, Statutes of 2015). The Legislature has deferred action on appropriating the remaining Cap-and-Trade auction proceeds funding, including any additional Low Carbon Transportation funds to ARB, until a later date. At the October 2015 Board meeting, the Board approved \$75 million in Low Carbon Transportation project funding for CVRP.

CVRP is intended to encourage and accelerate zero- and near-zero-emission, on-road light-duty vehicle deployment and technology innovation. This project provides rebates to qualified individuals, businesses, public agencies and entities, and nonprofit organizations for the purchase or lease of eligible vehicles. CVRP benefits the citizens of California by providing immediate air pollution emission reductions while stimulating development and deployment of the next generation of zero-emission and plug-in hybrid electric light-duty vehicles. It is administered and implemented through a partnership between ARB and a Rebate Administrator (Administrator), selected via a competitive ARB grant solicitation. The majority of project funds are for rebates for purchasers or lessees of new, eligible on-road vehicles.

The CVRP Terms and Conditions in conjunction with the Air Quality Guidelines, and the Funding Plan identify the minimum requirements for implementing CVRP. The Implementation Manual for the FY 2015-16 Clean Vehicle Rebate Project (Implementation Manual) provides necessary definitions, explanations, and processes associated with those minimum requirements. The Implementation Manual may be periodically updated as needed to clarify project requirements and improve project effectiveness. The Implementation Manual, including any updates, will be posted on ARB's website at <http://www.arb.ca.gov/msprog/aqip/cvrp.htm> and on the CVRP webpage at cleanvehiclerebate.org.

Note to Applicants: At the time an applicant submits a signed application for a rebate, the most current CVRP Implementation Manual available, as well as the Terms and Conditions signed by the consumer, will apply.

This document constitutes the Implementation Manual for CVRP for FY 2015-16. Definitions of key program parameters are located in Section D of this manual.

1. CVRP Project Overview

CVRP enables the purchaser or lessee of an eligible vehicle to receive a rebate of up to \$6,500 for fuel-cell electric vehicles (FCEVs), up to \$4,000 for all-battery electric vehicles (BEVs), up to \$3,000 for plug-in hybrid electric light-duty vehicles (PHEVs), and

up to \$900 for zero-emission motorcycles (ZEMs) based on income and contingent upon availability of funds. After the purchaser takes possession of and registers the eligible vehicle or, if leased, the lessee has obtained registration on the eligible vehicle, they are qualified to apply for the rebate. Applications are available online via the CVRP website or by contacting the Administrator directly by email at _____ or calling _____.

Information about CVRP is available to the public and other interested parties via the CVRP website. The CVRP website, cleanvehiclerebate.org, is operated and maintained by the Administrator, and includes an up-to-date list of eligible vehicles, rebate amounts for each vehicle, online rebate applications, all supporting documentation and forms applicable to CVRP, a real-time running total of available funds remaining in the program, as well as the amount of rebates approved and issued by vehicle type. This website allows the program to be “user-friendly” while providing project transparency.

Key milestones for CVRP development and implementation for FY 2015-16 are identified in Table 1.

Table 1: CVRP Development and Implementation Timeline for FY 2015-16*

Action Item	Date or Time Period
Selection of Rebate Administrator.	October 2015
Rebate Administrator develops project website and conducts outreach. Implementation Manual and online application finalized.	October 2015 and ongoing
FY 2015-16 vehicle funding becomes available. Online applications available at the CVRP website.	October 2015

*This timeline may be changed at ARB’s sole discretion.

B. VEHICLE ELIGIBILITY

1. Vehicle Categories

This section discusses the categories of vehicles eligible for grant funding under CVRP and the specific criteria that a vehicle model must meet to be considered eligible. Aftermarket PHEV and BEV conversions are not eligible for CVRP funding. Vehicle models will be approved by ARB on a model-year basis and placed on a List of Eligible Vehicle Models for rebates. A continuously updated list of eligible vehicles and rebate amounts will be maintained on the designated CVRP website. Vehicle manufacturers must submit a Vehicle Eligibility Application to ARB to have their vehicles considered for rebate eligibility. The vehicle manufacturer is responsible for providing all the required documentation described on the application. ARB will coordinate with vehicle manufacturers to request any additional documentation needed for eligibility determinations. ARB is responsible for providing the Administrator the current List of Eligible Vehicle Models and the corresponding rebate amounts.

There are four major categories of vehicles eligible for grant funding under CVRP: (a) light-duty zero-emission vehicles, (b) light-duty plug-in hybrid electric vehicles, and (c) zero-emission motorcycles.

a. **Light-Duty Zero-Emission Vehicles (ZEVs)**

Vehicles in the ZEV category include electric-drive, all-battery electric vehicles (BEVs) and fuel-cell electric vehicles (FCEVs) up to 8,500 pounds gross vehicle weight rating (GVWR). For the purposes of CVRP, ZEVs are categorized as defined in the California Zero-Emission Vehicle Regulation sections 1962 and 1962.1, Title 13, California Code of Regulations (CCR). The range-extended battery electric vehicle (BEVx) is a regulatory vehicle category that was approved by the Board in January 2012 and included as a zero-emission vehicle type for CVRP in June 2012 as part of the FY 2012-13 AQIP Funding Plan approval. In the FY 2014-15 Funding Plan, the BEVx continues to be an approved zero-emission vehicle type for CVRP. The funding provided by the California Energy Commission will be used for Light-Duty Zero-Emission vehicles capable of freeway operation and certified for four or more passengers.

b. **Light-Duty Plug-in Hybrid Electric Vehicles (PHEVs)**

PHEVs are hybrid electric vehicles that have zero-emission vehicle range capability, an on-board electrical energy storage device, and an on-board charger, and are rechargeable from an external connection to an off-board electrical source. Rebate-eligible PHEVs include only those meeting Super Ultra Low Emission Vehicle (SULEV) tailpipe-emission standards, have a 15-year 150,000 mile warranty on emission-control components, and have zero evaporative emissions from its fuel system. The funding provided by the California Energy Commission will be used for Light-Duty Plug-in Hybrid Electric vehicles capable of freeway operation and certified for four or more passengers.

c. **Zero-Emission Motorcycles (ZEMs)**

Vehicles in the ZEM category include zero-emission vehicles designed to travel on three wheels and two-wheel electric motorcycles meeting the provisions of CVC section 400 and the ZEM evaluation procedures.

2. **Vehicle Eligibility Criteria**

Vehicles must meet the following criteria to be eligible for a rebate:

a. **Be new:**

With the exception of vehicles described in section 2(a)(i), the vehicle must be a new vehicle as defined in CVC section 430.² The Original Equipment Manufacturer (OEM) or its authorized licensee must manufacture the vehicle. Vehicles considered new vehicles solely for determination of compliance with state emissions standards pursuant to Health and Safety Code, Article 1.5, Prohibited Transactions, (sections 43150-43156) and CVC section 4000.2, Registration of Out-of-State Vehicles, are not eligible vehicles. If the vehicle is

not new, is pre-owned, has been re-leased, is the subject of a lease assumption without prior approval from ARB, or has been transferred into California after previously having been registered out-of-state, the vehicle is not eligible for a rebate through CVRP. If the required supporting documentation does not satisfactorily prove that the vehicle is new, other documentation may be requested to satisfy this requirement, at the Administrator's discretion.

Vehicles previously used as dealership floor models and test drive vehicles are eligible for the rebate only if the vehicles have **not** been previously registered with the California Department of Motor Vehicles (DMV). The Administrator will use specific procedures when processing rebate applications for floor model, test drive, unwind and rollback vehicles.

i. Rollback and Unwind Vehicle Provision

A "rollback" occurs when a buyer purchases or leases a vehicle then returns it shortly after purchase, or when a buyer's financing is disapproved. An "unwind" occurs when an Application for Registration of New Vehicle is completed, but the sale was not consummated and the buyer never took delivery. Vehicles determined by the Administrator to be unrebated rollback or unwind vehicles will be eligible to receive a rebate. However, additional documentation from the dealership may be required.

b. Be ARB approved/certified:

With the exception of ZEMs, the vehicle model must be certified by ARB as a new, zero-emission or plug-in hybrid electric vehicle as defined in the California ZEV Regulation, section 1962.1(d)(5)(A), Title 13, CCR for 2009 and subsequent model years. The manufacturer must also certify that the vehicle model complies with all applicable federal safety standards for new motor vehicles and new motor vehicle equipment issued by the National Highway Traffic Safety Administration (NHTSA). Federal Motor Vehicle Safety Standards are found in Title 49 of the Code of Federal Regulations (CFR) Part 571. If a written statement and documentation have been previously provided to ARB in the course of applying for the ARB certification of the vehicle model, no additional written statement is required.

² Per section 430 of the California Vehicle Code, a "new vehicle" is a vehicle constructed entirely from new parts that have never been the subject of a retail sale, or registered with the California Department of Motor Vehicles, or registered with the appropriate agency or authority of any other state, District of Columbia, territory or possession of the United States, or foreign State, province, or country.

- c. **Meet prescribed performance, emissions, and service thresholds:**
- i. **PHEVs** must meet the Transitional Zero-Emission Vehicle definition in the California ZEV Regulation section 1962.2(c) Title 13, CCR, including SULEV, evaporative emissions, onboard diagnostics, extended warranty, zero-emission Vehicle Miles Traveled (VMT), and advanced componentry Partial Zero-Emission Electric Vehicle (PZEV) allowance standards as defined in section 1962.1(c).
 - ii. **ZEMs** must meet the “Zero-Emission Motorcycle” definition in Section D of this Implementation Manual, successfully complete the Zero-Emission Motorcycle Evaluation Procedure, have sealed batteries (if lead-acid), and be covered by a minimum level of after sales service as described below.
 - a) Successful completion of the Zero-Emission Motorcycle Evaluation Procedure means that a recognized third-party vehicle standards organization has evaluated ZEM using specific procedures and ARB has verified that ZEM meets the specified range and acceleration requirements.
 - b) Each manufacturer must demonstrate to ARB that they have a program to offer convenient and time-sensitive warranty and maintenance service to the vehicle owner. An acceptable service program will have readily available parts, trained service technicians, and the ability to either send a technician to an owner’s home, or pick up and transport the vehicle to an authorized repair facility.
- d. **Warranty Provisions**
- The vehicle drive train, including applicable energy storage system or a battery pack, must be covered by a manufacturer warranty. Prior to approving a vehicle model for addition to the List of Eligible Vehicles, ARB may request that the manufacturer provide copies of representative vehicle and battery warranties and a description of the manufacturer’s plans to provide warranty and routine vehicle service. Warranty provisions must meet the following requirements:
- i. **ZEVs** must have, at a minimum, a warranty of 36 months; the first 12 months of the coverage period shall be a full warranty. If the warranty for the remaining 24 months is prorated, the percentage of the battery pack's original value to be covered or refunded must be at least as high as the percentage of the prorated coverage period still remaining. For the purpose of this computation, the age of the battery pack must be expressed in increments no larger than three months.
 - ii. **PHEVs** must meet the extended warranty requirements applicable to PZEVs as described in section 1962.1(c)(2)(D), Title 13, CCR.
 - iii. **ZEMs** must have, at a minimum, a warranty of 24 months. At least four months of the first 12 months of the ZEM coverage period shall be a full

warranty; the remainder of the first 12 months and all of the second 12 months of the coverage period may be covered under optional (available for purchase) extended warranties and may be prorated. If the extended warranty is prorated, the percentage of the battery pack's original value to be covered or refunded must be at least as high as the percentage of the prorated coverage period still remaining. For the purpose of this computation, the age of the battery pack must be expressed in intervals no larger than three months. Alternatively, a manufacturer may cover 50 percent of the original value of the battery pack for the full period of the extended warranty.

3. Development of List of Eligible Vehicle Models

The CVRP List of Eligible Vehicle Models will be periodically updated as manufacturers submit applications and vehicle models are approved. In order for a vehicle to be eligible for a rebate, the vehicle manufacturer must submit to ARB the Vehicle Eligibility Application and all supporting documentation. ARB will work with the vehicle manufacturer to ensure that all the required documentation is received and request any additional information needed to make an eligibility determination. If the vehicle meets the eligibility requirements set forth in Section B(2) of this Implementation Manual, then ARB will add the vehicle to the List of Eligible Vehicle Models, calculate the rebate amount, and provide the updated list to the Administrator. New model years of vehicles already approved for CVRP eligibility can be rebated prior to the new model year being added to the List of Eligible Vehicle Models. All other new vehicle models purchased before being on the List of Eligible Vehicle Models are not rebate eligible.

4. Eligibility Based on Income

Senate Bill 1275 (2014) (also known as Charge Ahead California) required CVRP to implement eligibility criteria based on income. ARB approved the 2015-16 Funding Plan in late June 2015, which included several changes to CVRP based on income:

- Income cap for higher-income consumers
- Increased rebate levels for low- and moderate-income consumers

Income eligibility requirements will apply to rebate applications for vehicles purchased or leased on or after March 29, 2016.

a. Income Cap for Higher-Income Consumers

The income cap for higher-income consumers is set at the same income thresholds established in Proposition 30, a ballot initiative approved by California voters in 2012. Consumers will not be eligible for CVRP rebates if their gross annual incomes are above the following thresholds:

- \$250,000 for single filers
- \$340,000 for head-of-household filers

- \$500,000 for joint filers

The income cap applies to all eligible vehicle types except fuel-cell electric vehicles.

For the purposes of CVRP, gross annual income is determined by the amount reported on the applicant's federal tax return:

- On IRS Form 1040: Line 22
- On IRS Form 1040A: Line 15
- On IRS Form 1040EZ: Line 4

Gross annual income is determined based on the applicant's most recent federal tax return or other proof of income documentation as determined by the Administrator.

b. Increased Rebate Levels for Low- and Moderate-Income Consumers

Rebate amounts will be increased by \$1,500 per rebate for consumers with household incomes less than or equal to 300 percent of the federal poverty level. Applicants who are claimed as dependents are not eligible for increased rebates regardless of their income. Increased rebate amounts are available for fuel-cell electric vehicles, battery electric vehicles, and plug-in hybrid electric vehicles.

For the purposes of CVRP, a household includes all family members or other unrelated persons, including the rebate applicant, who reside together and share common living expenses.

For the purposes of CVRP, gross annual household income includes that of the applicant and all other individuals in the household, ages 17 years and older, regardless of whether or not they are related to the rebate applicant. Gross income includes, but is not limited to the following:

Wages, unemployment, workers' compensation, Social Security, Supplemental Security Income, public assistance, veterans' payments, survivor benefits, pension or retirement income, interest, dividends, rents, royalties, income from estates, trusts, educational assistance, alimony, child support, assistance from outside the household, and other miscellaneous sources.

The household size and gross annual household income that is reported on the application should reflect the income when the vehicle was purchased or leased.

5. Vehicle Rebate Amounts for Individuals, Businesses, and Public Entities

ARB establishes a rebate amount for each eligible vehicle model up to the maximum rebate amount for that vehicle type listed in Table 2. Specific rebate amounts for each eligible vehicle model will be included in the List of Eligible Vehicle Models and available on the project website.

Table 2 summarizes the maximum per vehicle rebate amount.

Table 2: CVRP Maximum Rebate Amounts

	Filing Status	Gross Annual Income Level	Vehicle Type		
			FCEVs	BEVs	PHEVs
Increased Rebates for Low/Moderate Income	Gross annual household income ≤ 300 percent of the federal poverty level* (FPL)		\$6,500	\$4,000	\$3,000
Standard Rebate	Individual	300% of FPL to \$250K	\$5,000	\$2,500	\$1,500
	Head-of-Household	300% of FPL to \$340K			
	Joint	300% of FPL to \$500K			
Income Cap	Individual	> \$250K	\$5,000	Not Eligible	
	Head-of-Household	> \$340K			
	Joint	> \$500K			

*Federal poverty level is updated annually, usually in the first calendar quarter of the year. CVRP applies the update on July 1 of that year. The current levels can be found at <https://aspe.hhs.gov/poverty-guidelines>.

Combining Vehicle Rebates with Other Incentives

Participation in CVRP does not preclude a vehicle purchaser or lessee from combining CVRP rebates with other incentive opportunities. Rebates could be combined with federal, state, or local agency incentives as well as Administrator match funding, if available, to help further buy-down an eligible vehicle’s cost.

6. Reduced Ownership Period Provisions Specific to Rental and Car Share Fleets

Rental and car share fleets provide a unique opportunity for introducing eligible vehicles to a large consumer base. Because vehicles are typically circulated out of the fleets in less than the 30-month ownership/lease period required under CVRP, provisions are warranted to allow these vehicles to be rebated. Rental and car share vehicles are rebate-eligible if retained in California for a minimum of one year (twelve consecutive months) but less than 30 months. Vehicles must be available for rent from a California rental location for the minimum twelve consecutive month term. Rental fleets and car share fleets are subject to a limit of 20 rebated vehicles per calendar year. See Section B(6) for more detailed information regarding the maximum number of rebates per entity.

Vehicles rebated under the reduced-ownership provision for rental and car share fleets are eligible for the rebate amounts identified in Table 3. Rental or car share fleets that own and operate vehicles in California for a minimum of 30 months are eligible for the vehicle’s maximum rebate amount identified in Table 2.

Table 3: Rebate Amounts for Rental and Car Share Fleets Under the Reduced Ownership Provision

Vehicle Type	Maximum Rebate Amount Under Reduced Ownership
Fuel-Cell Electric Vehicle	\$2,000
All-Battery or Range-Extended Electric Vehicle	\$1,000
Plug-in Hybrid Electric Vehicle	\$600
Zero-Emission Motorcycle	\$360

7. Maximum Rebates per Entity

Except for rental, public, and car share fleets, no single entity is eligible to receive more than two CVRP rebates either via direct purchase and/or lease as of January 1, 2015. All rebates issued prior to this date do **not** count toward the two rebate limit. Traditional rental car fleets and car share fleets are capped at 20 rebates per calendar year. Public fleets are limited to 30 rebates per calendar year. Table 4 summarizes the maximum number of rebates per entity.

Table 4: Maximum Number of Rebates per Entity

Consumer Type	Maximum Number of Rebates
Individual or Business	2 total*
Public Fleet	30 per calendar year
Rental Fleet	20 per calendar year
Car Share Fleet	20 per calendar year

*Individuals or businesses that were previously rebated the maximum number of rebates and wish to upgrade to a FCEV may apply for an additional rebate.

a. Taxpayer Identification Number (TIN) Requirements

For the purposes of CVRP, vehicles under common ownership or fiduciary control of a fleet – including, but not limited to, entities sharing a common Taxpayer Identification Number (TIN) – are considered part of a single fleet even if they are part of different subsidiaries, divisions, or other organizational structure of a company, government agency, or other entity. All entities, other than individuals, are required to disclose their TIN at the time of rebate application. ARB or its designee may seek financial reimbursement and/or civil and criminal penalties from a vehicle purchaser/lessee for non-disclosure or inaccurate disclosure of its TIN or other information relating to common ownership or fiduciary control of the purchasing entity.

b. Unique Identifier for Individuals

All individuals are required to disclose their California driver's license number at the time of rebate application and to provide a legible copy of their California driver's license as part of the supporting documentation. This number is used to uniquely identify an individual and to enforce the maximum rebate limit for individuals as described in Table 4. ARB or its designee may seek financial reimbursement and/or civil and criminal penalties from a vehicle purchaser/lessee for non-disclosure or inaccurate disclosure of their California driver's license number. Individuals who do not have a California driver's license will be required to provide an alternate unique identifier as approved by the Administrator.

8. Distribution of Rebates

The purchaser or lessee must submit a rebate application within 18 months after the date of purchase/lease to be eligible for a rebate. For the purposes of CVRP, the date of purchase is the day of sale. A sale is deemed completed when the purchaser of the vehicle has executed and signed a purchase contract or security agreement. For the purposes of CVRP, a vehicle is deemed to be leased on the date upon which the lease of the vehicle commences, as specified in a signed lease agreement. For Tesla vehicles ordered prior to March 29, 2016, the vehicle order date will be considered the date of purchase or lease. For Tesla vehicles ordered on or after March 29, 2016, the date of first registration with the California DMV will be considered the date of purchase or lease.

Ownership of the vehicle will be demonstrated by providing documentation as approved by the Administrator. With the exception of vehicles purchased under the special provisions of Section B(5), owned and leased vehicles must be operated and registered in California for a minimum of 30 consecutive months from the purchase or lease date (see Section (C)(1) for more information).

Rebates will be distributed on a first-come, first-served basis contingent upon funding availability. Available rebate funds will be reserved by the Administrator following submission of an online application at the CVRP website or upon receipt of a mailed application. Applicants without internet access can contact the Administrator in order to receive a rebate application by mail. After an application is accepted by the Administrator, the required supporting documentation (outlined in Section C(3)) must be submitted by the purchaser or lessee to the Administrator within 14 calendar days (if mailed, submittal date will be determined by U.S. mail postmark). The supporting documentation may be scanned and submitted through the CVRP website or e-mailed to _____. Applicants without internet access may mail the supporting documentation to the Administrator.

The rebate for an eligible vehicle will be issued to the qualified recipient in a single allotment. The distribution of this rebate will be made within 90 calendar days of application approval, contingent upon availability of funds. Rebate checks must be cashed within six months of the date on the check. Checks not cashed within this timeframe will be cancelled, and the rebate amount returned to the project.

9. Waiting List

ARB will review the progress of CVRP as well as development of the Funding Plan to determine if a waiting list is necessary and appropriate. If necessary, ARB will coordinate the development of a waiting list with the Administrator.

C. VEHICLE PURCHASER OR LESSEE DUTIES AND REQUIREMENTS

1. Vehicle Purchaser or Lessee

The vehicle purchaser or lessee is responsible for submitting the rebate application and providing all required documentation to the Administrator. Eligible vehicle purchasers or lessees must accept the rebate directly – CVRP does not provide an option to assign the rebate to a vehicle seller or lessor (i.e. vehicle dealer or manufacturer). To receive a CVRP rebate, a vehicle purchaser or lessee must:

- a. Be an individual, business or government entity that is based in California or has a California-based affiliate at the time the rebated vehicle is purchased or leased. Proof of California DMV registration will be required to complete a CVRP application.
 - i. Eligible vehicles may be purchased or leased out-of-state, but consumers must be California residents at the time of vehicle purchase. All businesses must be licensed to operate in California. Active duty military members stationed in California, but with permanent residency in another state are eligible to apply and may use military orders in lieu of other proof of residence documentation.
- b. Purchase or lease a new, eligible vehicle as specified in Section B of this Implementation Manual. The original lease must be a minimum lease term of 30 months. Lease extensions and lease buy-outs are not eligible for a rebate.
- c. Be a purchaser or lessee of a new, eligible vehicle and submit a CVRP application within 18 months of the vehicle purchase or lease date and prior to exhaustion of available rebate funds.
- d. Purchase or lease an eligible vehicle before applying for a rebate.
- e. Retain ownership of the vehicle in California for a minimum of 30 consecutive months immediately after the vehicle purchase or lease date (only rental and car share vehicles are eligible for a reduced ownership provision if retained in California for a minimum of twelve consecutive months but less than 30 consecutive months).
 - i. Rebate recipients who do not retain the eligible vehicle for the full 30-month ownership or lease period will be required to reimburse ARB all or part of the

original rebate amount. See Section C(4).

- ii. Vehicle purchasers or lessees are required to notify the Administrator, by calling _____ or emailing _____, to arrange for early termination of vehicle ownership in advance of intent to sell or terminate a lease prior to the required 30-month ownership period.

- f. Register the new vehicle with the California DMV for a minimum of 30 consecutive months from the original purchase or lease date for use in California. Any government owned vehicle not registered with the California DMV is still required to operate within California for 30 consecutive months immediately after the vehicle purchase or lease date. Rental and car share purchasers or lessees must register the vehicle with the California DMV and operate the vehicle for a minimum of 12 consecutive months after vehicle purchase or lease date under the reduced-ownership provision or for at least 30 months in order to receive full rebate amounts. Planned non-operation (PNO) registrations are not acceptable. Vehicles that have PNO registrations are not eligible for the rebate.

- g. Submit the signed application form and all required supporting documentation within 14 calendar days of application submittal as specified in Section C(3) of this Implementation Manual.

- h. Not make or allow any modifications to the vehicle's emissions control systems, hardware, software calibrations, or hybrid system (Violation, CVC 27156).

- i. Commit that any emission reductions generated by the purchased vehicle will not be used as marketable emission reduction credits, to offset any emission reduction obligation of any person or entity, or to generate a compliance extension or extra credit for determining regulatory compliance.

- j. Be available for follow-up inspection if requested by the Administrator, ARB, or ARB's designee for the purposes of project oversight and accountability.

- k. Rebate checks must be cashed within six months of the date on the check. Checks not cashed within this timeframe will be cancelled and the rebate amount returned to the project.

The vehicle purchaser or lessee is responsible for ensuring the accuracy of the information on all rebate applications and required documentation submitted to the Administrator. Submission of false information on any required documents may be considered a criminal offense and is punishable under penalty of perjury under the laws of the State of California. ARB or its designee may recoup the CVRP funds which were received based upon misinformation or fraud, or for which the dealership, manufacturer, or vehicle purchaser or lessee is in significant or continual non-compliance with this Implementation Manual or State law. ARB also retains the authority to prohibit any entity from participating in CVRP due to non-compliance with project requirements.

Rebate applications that have been denied or cancelled by the Administrator may be appealed within 10 days of the date of the cancellation. If the only basis for an appeal is that the applicant disagrees with the policies set forth in the CVRP Terms and Conditions and the Implementation Manual, there is no basis for an appeal. A formal letter of appeal must be postmarked within 10 days of a cancelled application and addressed to the following:

CVRP Appeals
MSCD 5th Floor
1001 I St., P.O. Box 2815
Sacramento, CA 95812

2. Research Participation

ARB reserves the right to request participation from rebate recipients in ongoing research efforts that support the CVRP and AQIP goals as well as ARB Research Division efforts. The Administrator shall administer vehicle owner surveys to rebate recipients to collect data and other information pertaining to CVRP-eligible vehicle ownership. ARB will coordinate with the Administrator to identify survey parameters and determine the most effective mechanism for obtaining information.

3. Supporting Documentation

After submitting a rebate application, if the purchaser or lessee does not submit the required supporting documentation within the specified 14 calendar days, the funds will be released back to the project and the purchaser or lessee will be required to submit a new rebate application.

The supporting documentation may be scanned and submitted through the CVRP website. Applicants without internet access may mail the supporting documentation to the Administrator. If mailed, submittal date will be determined by U.S. mail postmark. For security purposes, supporting documents that are sent on removable media (flash drives, CDs, DVDs, etc.) will not be accepted. Because of security and privacy concerns, applicants are strongly discouraged from emailing their supporting documentation. However, applicants may email their supporting documentation to _____ with the understanding that they accept all risk associated with emailing these documents.

Required documentation will include, at a minimum, the following:

- a. For applicants who request applications by phone, a complete application with signature and date. For online applicants, a scanned copy of the submitted application signed by the vehicle purchaser, lessee, or authorized representative.
- b. Proof of temporary or permanent vehicle registration for the vehicle listed in the

application. The applicant's name must be on the registration, and the registration must be current (not expired). Acceptable forms of proof of registration include the following:

- i. A copy of the Application for New Vehicle Registration submitted by the dealer to the DMV if submitted within one year of sale/lease.
- ii. A copy of a temporary operating permit if accompanied by a receipt of payment for DMV registration fees.
- iii. Local, state, and federal agencies and entities may submit other documents with the prior approval of the Administrator.

Unacceptable forms of proof of registration include the following:

- i. A DMV file copy.
 - ii. An expired registration.
 - iii. A PNO registration.
- c. A complete copy of the sales or lease contract. A complete contract is executed and signed. It includes an itemization of credits, discounts, and incentives received, if applicable, and all information needed to process the application.
 - d. For individuals, a legible copy of their current (not expired) California driver's license. This is used to uniquely identify the applicant, prove California residency, and to enforce the maximum rebate limit for individuals (see Section 6, Table 4).
 - i. Individuals who do not have a California driver's license will be required to provide a legible copy of a current alternate unique identifier as approved by the Administrator. They must also provide proof of California residency in the form of a utility or cable bill from within the last 3 months, a copy of the current DMV registration of another vehicle in the name of the purchaser or lessee, a signed, dated, and notarized residential rental agreement, or other valid form of California residency as approved by ARB.
 - e. For businesses, a copy of the formation document filed with the California secretary of state, California business license, California business tax paid certificate, or other documentation as approved by the Administrator. In lieu of the options above, sole proprietorships may submit a DBA form.
 - f. For ZEMs, evidence of maintenance free batteries (and sealed if lead- acid), and a 24-month warranty.

The Administrator will select a subset of applications for income verification. Failure to provide documentation for income verification will result in the application being cancelled and no rebate issued.

Standard applicants selected for income verification must submit IRS Form 4506-T, Request for Transcript of Tax Return as proof of income. Alternate proof of income, such as recent tax returns, may be submitted as approved by the Administrator.

Increased rebate applicants selected for income verification must submit option A or B as proof of household income:

- Option A: A document confirming the applicant's participation in at least one of the public assistance programs on CVRP's Category I Eligibility List.
- Option B: One completed Household Summary Form and a completed IRS Form 4506-T for every household member age 17 and older.

Additional documentation may be requested to provide complete details on household size and income.

Once the Administrator has verified the documentation, a rebate check will be issued to the vehicle purchaser or lessee.

4. Vehicle Ownership Provision

With the exception of vehicles purchased or leased under the special provisions in Section B(5), vehicle purchasers and lessees participating in CVRP are required to keep the vehicle and meet all applicable project requirements for a minimum 30-month period after the vehicle purchase or lease date.

If a manufacturer defect or other unforeseen circumstances require the replacement of a CVRP rebated vehicle with another vehicle of the same technology type (FCEV, BEV, PHEV, etc.) or upgrade (e.g., replace PHEV with BEV), the Administrator, in conjunction with ARB, has discretion to allow updated information to be provided with no return of CVRP rebate funds.

ARB also reserves the right to allow a lease transfer or lease assumption of a rebated vehicle—so long as the vehicle is not returned to the dealership for resale or release—without the return of CVRP rebate funds. The individual or entity assuming the lease will be responsible for compliance with the CVRP Terms and Conditions in effect at the time the rebate was initially issued.

Resale of a vehicle or return of a leased vehicle to a dealer may be allowed within this 30-month period if necessitated by unforeseen or unavoidable circumstances. To employ this provision, contact the Administrator to initiate this process. If the vehicle is resold or returned, the vehicle purchaser or lessee must refund promptly to the Administrator a prorated portion of their rebate, in an amount equivalent to the original rebate amount divided by 30 months and then multiplied by the number of months

remaining in the original 30-month period (rounded to the nearest month):

(Original Rebate Amount ÷ 30 Months) x (30 – months since vehicle purchase or lease date)

The Administrator will follow specific procedures when managing vehicles that received a rebate at the time of original sale or lease and have since been sold or returned to the dealer prior to the 30-month ownership commitment (see Attachment A).

Purchasers or lessees who must resell a vehicle or return a leased vehicle to a dealer due to unforeseen or unavoidable circumstances such as military duty or a totaled vehicle may be exempt from returning the prorated rebate amount. Military duty exemptions will be approved by ARB on a case-by-case basis.

ARB verifies vehicle ownership through periodic checks of Vehicle Identification Numbers (VINs) in the California DMV database. If a vehicle purchaser or lessee sells or returns the rebated vehicle to the dealer and does not receive prior approval, ARB or its designee reserves the right to recoup CVRP funds from the original vehicle purchaser identified on the rebate form and may pursue other remedies available under the law for unauthorized early termination of vehicle ownership.

D. DEFINITIONS

“ARB-certified” means a vehicle that has been certified as a ZEV or a Transitional Zero Emission Vehicle and issued an Executive Order by ARB in accordance with the provisions of the California ZEV Regulation (section 1962(e), Title 13, CCR).

“Battery Electric Vehicle (BEV)” means any vehicle that operates solely by use of a battery, or that is powered primarily through the use of an electric battery but uses a flywheel or capacitor that also stores energy to assist in vehicle operation.

“BEVx” means a vehicle powered predominantly by a zero-emission energy storage device, able to drive the vehicle for more than 75 all-electric miles, and also equipped with a backup APU, which does not operate until the energy storage device is fully depleted, and meeting requirements in subdivision 1962.1(d)(5)(G), Title 13, CCR section 1962.1(i)(12).

“Business” means an enterprise, organization, or association entered into for common purpose. Businesses include, but are not limited to, limited liability companies or partnerships, cooperatives, sole proprietorships, corporations, S corporations, not-for-profit and non-profit organizations, associations, and investor owned utilities. Businesses are delineated by Taxpayer Identification Number (TIN). Vehicles owned by a business are considered part of a single business even if they are part of different subsidiaries, divisions, or other organizational structures. For the purposes of CVRP, franchises, divisions or subsidiaries doing business under a common name will be considered one entity, even if they do not share a TIN, at the discretion of the ARB.

“Car share fleet” is a vehicle fleet solely composed of car sharing vehicles. These vehicles are under common ownership or fiduciary control, including, but not limited to, entities sharing a common Taxpayer Identification Number (TIN). For CVRP purposes, even if a car share fleet is composed of vehicles that are part of different subsidiaries or divisions of an organization, including but not limited to entities sharing a common Taxpayer Identification Number (TIN), it is considered a single fleet. The organization owning the rebated car sharing vehicles must own and operate the car sharing program and use the rebated vehicles exclusively for car sharing purposes.

“Car sharing” means a model of vehicle rental where users can rent vehicles for short periods of time and users are members that have been pre-approved to drive.

“Fleet” means vehicles under common ownership or fiduciary control, including, but not limited to, entities sharing a common Taxpayer Identification Number (TIN). Vehicles are considered part of a single fleet even if they are part of different subsidiaries, divisions, or other organizational structures of a company, government agency, or other entity.

“Floor Model/Test Drive Vehicle” is provided by original equipment manufacturers to car dealerships for the purpose of test drives and other customer interactions. California dealerships may temporarily operate a floor model or test drive vehicle on public roads with “dealer” license plates for the purpose of test drives. Use of floor model or test drive vehicles on public roads with “dealer” license plates does not require vehicle registration with the California Department of Motor Vehicles (DMV).

“Fuel-Cell Electric Vehicle (FCEV)” means a vehicle that is powered by a group of individual fuel cells, known as a fuel-cell stack. The stack is designed to contain enough cells to provide the necessary power for the automotive application. A fuel-cell stack produces power as long as fuel is available, similar to a conventional engine, but does so electrochemically rather than with combustion. The electricity generated by the fuel-cell stack powers the electric motor that propels the vehicle.

“Gross annual household income” includes that of the applicant and all other individuals in the household, ages 17 years and older, regardless of whether or not they are related to the rebate applicant. Gross income includes, but is not limited to the following: wages, unemployment, workers’ compensation, Social Security, Supplemental Security Income, public assistance, veterans’ payments, survivor benefits, pension or retirement income, interest, dividends, rents, royalties, income from estates, trusts, educational assistance, alimony, child support, assistance from outside the household, and other miscellaneous sources.

“Gross annual income” is determined by the amount reported on the applicant’s federal tax return: line 22 on IRS Form 1040, line 15 on IRS Form 1040A, and line 4 on IRS Form 1040EZ.

“Gross Vehicle Weight Rating (GVWR)” means the vehicle weight described on the original manufacturer Line Setting Ticket provided to the vehicle dealer.

“Household” includes all family members or other unrelated persons, including the rebate applicant, who reside together and share common living expenses.

“Plug-in Hybrid Electric Vehicle (PHEV)” (in some cases referred to as an Extended Range Electric Vehicle, Transitional Zero-Emission Vehicle, or E-REV) means a hybrid electric vehicle which:

- has zero-emission vehicle range capability,
- has an on-board electrical energy storage device with useful capacity greater than or equal to ten miles of Urban Dynamometer Driving Schedule (UDDS) range on electricity alone,
- is equipped with an on-board charger, and
- is rechargeable from an external connection to an off-board electrical source.

“Public entity” as defined in California Government Code section 811.2 includes the state, the Regents of the University of California, the Trustees of the California State University and the California State University, a county, city, district, public authority, public agency, and any other political subdivision or public corporation in the State. For non-California public entities (e.g., federal, tribal, international), an analogous definition applies.

“Public fleet” means a fleet under ownership of a public entity.

“Rollback/Unwind Vehicle” is a vehicle returned to a dealership shortly after being purchased and operated by a buyer. Rollbacks can occur if a buyer’s financing is rejected. An unwind occurs when an Application for Registration of New Vehicle is completed, but the sale of the vehicle was not consummated and the buyer never took delivery.

“Rental fleet” means a fleet categorized under the North American Industry Classification System (NAICS) as an establishment engaged in renting passenger cars without drivers, generally for short or long periods of time (2007 NAICS code 532111 and 532112).

“Zero-Emission Motorcycle (ZEM)” means either a fully-enclosed zero-emission vehicle designed to travel on three wheels or a two-wheeled electric motorcycle. ZEMs must meet the provisions of CVC section 400 and be freeway capable.

“Zero-Emission Vehicle (ZEV)” means any vehicle certified to zero-emission standards.

Attachment A

Procedures for Authorizing Early Lease/Ownership Termination of Rebated Vehicles

This document provides the necessary steps involved for the Rebate Administrator (Administrator) and the California Air Resources Board (ARB) to follow if notified of the resale or lease termination of a Clean Vehicle Rebate Project (CVRP) rebated vehicle.

Step One: Notify the Administrator of Vehicle Resale/Lease Termination Request

If ARB is notified of vehicle resale or lease termination request, ARB will contact the Administrator with the applicant's email and contact information and a brief description of the request for processing.

Step Two: The Administrator Documents Vehicle Resale/Lease Termination Request

Once notified by a rebate recipient of interest in reselling/terminating the lease on a CVRP funded vehicle, the Administrator will document the case on a resale/lease termination request form:

1. Applicant contact information
2. Date when the individual applied for CVRP
3. Original rebate amount received
4. Vehicle Identification Number
5. Reason for vehicle resale/lease termination
6. Status of vehicle resale/lease termination
7. Odometer reading on date of resale/lease termination
8. Prorated rebate amount using the formula below:

$(\text{Original Rebate Amount} \div 30 \text{ Months}) \times (30 - \text{months since vehicle purchase or lease date})$

Step Three: Administrator Review and Rule on Vehicle Resale/Lease Termination Request

The Administrator will review the resale/lease termination request and any supporting documentation, and inform the individual of their decision within 10 working days.

Step Four: The Administrator Notifies Applicant Ruling

The Administrator will communicate their decision to the individual requesting resale/lease termination, including instructions for refunding the prorated amount of the rebate to the Administrator if the resale/lease termination request is granted. Refunded rebates will be added back into the rebate funding pool.

Step Five: The Administrator Notifies ARB of Applicant Refund or a Non-

Responsive Rebate Recipient

Once the prorated rebate amount is refunded back to CVRP, the Administrator will inform ARB, through program reporting. Additionally, the Administrator will provide monthly status reports until the refund is received. If a the individual requesting resale/lease termination is unresponsive and fails to return the prorated rebate amount within 30 calendar days of initial ruling notification, the Administrator shall notify ARB and provide the individual's information outlined in Step Two.

Step Six: Coordination with Enforcement of CVRP Ownership Terms

ARB program staff is responsible for coordination with staff conducting periodic VIN checks of the DMV database for ownership compliance. Individuals that received resale/lease termination approval from ARB will not be in violation of the CVRP ownership terms.

SAMPLE

Attachment B

Procedures for Floor Model/Test Drive and Rollback/Unwind Vehicle Eligibility

This document provides the steps necessary for the Administrator and the California Air Resources Board (ARB) to manage Clean Vehicle Rebate Project (CVRP) rebate applications for floor model, test drive, rollback and unwind vehicles.

Step One: Definitions

Floor Model/Test Drive Vehicles

Floor model or test drive vehicles are provided by original equipment manufacturers to car dealerships for the purpose of test drives and other customer interactions. California dealerships may temporarily operate a floor model or test drive vehicle on public roads with “dealer” license plates for the purpose of test drives. Use of floor model or test drive vehicles on public roads with “dealer” license plates does not require vehicle registration with the California Department of Motor Vehicles (DMV).

Rollback/Unwind Vehicles

A rollback is a vehicle returned to a dealership shortly after being purchased or leased and operated by a buyer. Rollbacks can occur if a buyer’s financing is rejected. An unwind occurs when an Application for Registration of New Vehicle is completed, but the sale or lease of the vehicle was not consummated and the buyer never took delivery.

Step Two: Review of Vehicle Supporting Documents

The Administrator will review the supporting documents within the rebate application to ensure the application meets all program requirements. A California vehicle sales or lease contract will indicate if a vehicle is new or used.

2.1 Floor Model/Test Drive Documentation: Per the California DMV’s Vehicle Registration Procedures Manual, a new vehicle operated as a floor model or test drive vehicle (referred to as “demonstrator” vehicles by the California DMV) is classified to be a used vehicle when subsequently sold to a retail buyer. However, when sold to the retail buyer, floor model or test drive vehicles must be registered with the California DMV as a new vehicle through the use of the *Application for Registration of a New Vehicle* (California DMV Form 397). The sale or lease contract and the proof of temporary or permanent vehicle registration should reflect these DMV requirements. The Administrator may require documentation showing that the dealership is attesting to the fact that the car is an unregistered floor model or test drive vehicle (demo vehicle).

2.2 Rollback/Unwind Documentation: Per the California’s DMV’s Vehicle

Registration Procedures Manual, rollback and unwind vehicles occur when they have been registered by the original purchaser through the use of the Application for Registration of New Vehicle (California DMV Form 397). The Administrator requires documentation showing that the dealership is attesting to the fact that the car is either a rollback or unwind vehicle.

Step Three: Determining Vehicle Eligibility

Based on the supporting documents provided with the rebate application, the Administrator, with input from ARB, will determine whether the applicant is eligible for the CVRP rebate.

3.1 Floor Model/Test Drive Eligibility: A floor model or test drive vehicle which was not previously registered with the California DMV, and meets all other CVRP vehicle eligibility criteria, is eligible for the CVRP rebate. Per section 2(a) of the CVRP Implementation Manual, a floor model or test drive vehicle which has previously been registered with the California DMV does not meet the CVRP vehicle eligibility criteria, thus is not eligible for the CVRP rebate.

3.2 Rollback/Unwind Eligibility: A rollback or unwind vehicle has previously been registered with the California DMV; however, the sale or lease was never completed. The vehicle was either returned or never delivered due to financing issues. These vehicles' eligibility will be determined on a case by case basis after reviewing the supporting documentation.

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SAMPLE