

# Truck and Bus Regulation

## Emergency Use Exemption

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This summary describes how trucks that are subject to the Trucks and Bus Regulation (regulation) can operate in California to support emergency events when dispatched by a Federal, State or local government agency, including under a Governor's State of Emergency Declaration. The regulation can be found at California Code of Regulations, title 13, section 2025.

### **What vehicles are affected by the Truck and Bus Regulation?**

The regulation applies to nearly all diesel fueled trucks and buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds that are privately or federally owned, and it applies to privately and publicly owned school buses.

### **Do I need an exemption if my truck complies with the regulation?**

No, trucks with a 2007 or newer model year engine comply with the regulation until 2023 and do not need an exemption to operate in California. Lighter trucks with a GVWR of 14,001 – 26,000 lbs. with engine model years that are less than 20 years old comply until 2020. Heavier trucks with a GVWR over 26,000 lbs must have 1996 or newer model year engines with retrofit PM filters installed. All others trucks subject to the regulation must have reported to the California Air Resources Board to use compliance options or must be under contract with a public agency to support an emergency operation.

### **When is a vehicle used for purposes of responding to an emergency exempt from the regulation?**

A vehicle that meets the definition of authorized emergency vehicle in Vehicle Code section 165 is exempt from the regulation. Vehicle Code section 165 identifies types of federal or state-owned emergency vehicles and that any vehicle with an authorized emergency vehicle permit issued by the Commissioner of the California Highway Patrol is exempt from the regulation. Additionally, a vehicle that is used in an emergency operation or is an emergency support vehicle is exempt from the regulation when operating under a Governor's executive order, even if it does not meet the definition of an authorized emergency vehicle.

### **How is an emergency operation defined?**

The regulation defines emergency operations as the operation of an authorized emergency vehicle or emergency support vehicle to help alleviate an immediate threat to public health or safety. Examples of emergency operation include vehicles used at an emergency event to repair or prevent damage to roads, buildings, terrain, and infrastructure because of terrorism, or an earthquake, flood, storm, fire, or other infrequent acts of nature. Emergency operation includes authorized emergency vehicle and emergency support vehicle travel to and from an emergency event when dispatched by a local, state, or federal agency. Routine operation to prevent public health risks does not constitute emergency operation.

### **What is an emergency support vehicle?**

The regulation defines an emergency support vehicle as a vehicle, other than an authorized emergency vehicle that has been dispatched by a local, state, or federal agency that is used to provide transport services or supplies in connection with an emergency operation.

### **Do emergency events include executive orders and emergency declarations issued by the Governor?**

Yes. Executive orders and Emergency Declarations issued by the Governor describe details about specific emergency events and are available at [www.gov.ca.gov/s\\_executiveorders.php](http://www.gov.ca.gov/s_executiveorders.php) or [www.gov.ca.gov/s\\_proclamations.php](http://www.gov.ca.gov/s_proclamations.php). Trucks that support these emergency events are dispatched under contract with public agencies such as the Federal Emergency Management Agency (FEMA), California Governor's Office of Emergency Services, or California Department of Forestry and Fire Protection (CAL FIRE). Trucks that are dispatched to support a Governor's executive order are exempt from the clean-up requirements of the regulation during the contract period. Truck owners that come into California under such a contract must keep the dispatch records (or contract) with the public agency

*While this document is intended to assist fleet owners with their compliance efforts, it does not supercede the regulation. It is the sole responsibility of fleet owners to ensure compliance with the Truck and Bus Regulation.*

agreement number. A copy of the records must be kept in the cab of the vehicle in a place known to the driver and made available to California Air Resources Board staff or appropriate California official, such as a California Highway Patrol Officer, upon request.

**Can I exclude emergency miles if I am using the Low-Use Exemption?**

Yes, vehicles that have been reported in the Truck Regulations Upload and Compliance System (TRUCRS) and are using a mileage-based flexibility option may exclude mileage during an emergency operation. Each January, vehicle owners must report odometer readings and the total miles the vehicle was used during an emergency operation in the prior year. Emergency use mileage includes mileage to and from the emergency event work site. For information on how to report please see the TRUCRS user guide at [www.arb.ca.gov/msprog/onrdiesel/documents/reportingguide.pdf](http://www.arb.ca.gov/msprog/onrdiesel/documents/reportingguide.pdf).

**What recordkeeping or proof of supporting an emergency event is required?**

Vehicle owners that are dispatched directly under contract with local, state, or federal agencies must keep dispatch records with the emergency event agreement number and keep track of the odometer readings at the beginning and end of each emergency event. Any sub-contractor will need to keep documentation showing how the subcontract relates to the primary contract with the public agency. A copy of the documentation must be kept in the cab of the vehicle in a place known to the driver and it must be made available to California Air Resources Board staff or the appropriate California official, such as a California Highway Patrol Officer, upon request.

**Can I get a temporary pass to operate in California?**

Vehicles newly entering California may request to use a Three Day Pass if they do not meet the requirements of the regulation for any reason. The Three Day Pass is a temporary permit that allows a truck owner to operate one vehicle per calendar year for three (3) days in California without complying with the regulation. The request must be made online or using a paper form before the vehicle enters California. If you report online to request a Three Day Pass it can be approved instantly and printed for you to enter California the next day. For more information on how to claim a Three Day Pass, go to [www.arb.ca.gov/msprog/onrdiesel/documents/3daypassuserguide.pdf](http://www.arb.ca.gov/msprog/onrdiesel/documents/3daypassuserguide.pdf).

**Where can I get more information?**

Fact sheets, compliance tools and regulatory documents about the Truck and Bus Regulation are available at [www.arb.ca.gov/dieseltruck](http://www.arb.ca.gov/dieseltruck). If you have questions or wish to obtain this document in an alternative format or language, please call ARB's diesel hotline at (866) 6DIESEL (634-3735). TTY/TDD/ Speech to Speech users may dial 711 for the California Relay Service.