

# TRU ATCM (with the 2022 Amendments) Frequently Asked Questions

Last Updated September 2022

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## Introduction and Disclaimer

The California Air Resources Board (CARB) developed this Frequently Asked Questions (FAQ) document specific to the *Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate* (TRU ATCM; title 13, California Code of Regulations, section 2477), which includes new amendments that were approved by the California Office of Administrative Law on July 18, 2022 and are effective October 1, 2022 (hereafter referred to as the 2022 Amendments), to describe the regulatory requirements in a user-friendly format. A fact sheet summarizing the new requirements included in the 2022 Amendments is available on the TRU program webpage at: <https://ww2.arb.ca.gov/resources/fact-sheets/2022-amendments-tru-atcm>.

Unlike the TRU ATCM, this guidance document does not have the force of law. It is not intended to and cannot establish new mandatory requirements beyond those that are already in the TRU ATCM, and it does not supplant, replace, or amend any of the legal requirements of the TRU ATCM. Conversely, this document's omission or truncation of regulatory requirements does not relieve any regulated entity of their legal obligation to fully comply with all requirements of the TRU ATCM and is not intended as a substitute for reading the TRU ATCM.

CARB makes every effort to keep documents up to date. However, CARB does not guarantee the accuracy of this document and shall not be responsible for any errors or omissions in content. CARB reserves the right to make changes without notice.

You must ensure you have carefully reviewed and understand the TRU ATCM, as reliance on this FAQ is not a substitute for understanding and complying with the requirements of the TRU ATCM. Conformance with the TRU ATCM requirements is the responsibility of each regulated entity, as applicable. The full regulatory text of the TRU ATCM is available on the CARB website at:

<https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2021/tru2021/fro.pdf>.

## General Questions & Applicability

Unless otherwise specified, all references to TRUs include both TRUs and TRU generator sets; and all references to non-truck TRUs include trailer TRUs, domestic shipping container TRUs, railcar TRUs, and TRU generator sets.

### 1. Who must comply with the TRU ATCM?

The TRU ATCM applies to owners and operators of diesel-fueled TRUs and TRU generator sets that operate in California, irrespective of whether they are registered in or outside the State. This includes all motor carriers that transport perishable goods using diesel-powered refrigeration systems on trucks, trailers, shipping containers, and railcars that operate in California. The TRU ATCM also applies to TRU original equipment manufacturers (OEM); drivers of trucks or tractor-trailers that use TRUs or TRU generator sets and operate in

California; freight brokers and freight forwarders; shippers, and receivers. The 2022 Amendments include new requirements that apply to owners and operators of facilities located in California where TRUs operate (applicable facilities), as well as vehicle owners of trucks or tractor-trailers that use TRUs or TRU generator sets and operate in California.

**2. Does the TRU ATCM apply to out-of-state-based TRUs?**

Yes, any TRU that operates in California, including out-of-state-based TRUs, are subject to the requirements of the TRU ATCM.

**3. Is there an exemption for TRUs that are rarely used?**

No, any TRU that operates in California, including those that are rarely used, are subject to the requirements of the TRU ATCM.

**4. When do new requirements begin?**

Reporting requirements for all California-based TRUs were included in the original regulation and went into effect July 31, 2009. Requirements for drivers, freight brokers, freight forwarders, motor carriers, shippers, and receivers were included in the 2011 amendments and went into effect January 1, 2013. For model year 2022 and older non-truck TRU engines, compliance with the ultra-low-emission (ULETRU) in-use performance standard is required seven years after the engine model year.

New requirements, as a result of the 2022 Amendments, begin on the dates shown in Table 1.

**Table 1: 2022 Amendments – New Requirements Compliance Dates**

<b>Compliance Start Date</b>	<b>Regulatory Requirement</b>
December 31, 2022	Lower global warming potential refrigerant (newly-manufactured truck TRUs, trailer TRUs, and domestic shipping container TRUs)
December 31, 2022	PM emission standard (newly-manufactured non-truck TRUs)
December 31, 2023	Applicable facility registration, fees, and TRU compliance
December 31, 2023	Reporting of out-of-state-based TRUs to CARB
December 31, 2023	TRU operating fees and compliance labels
December 31, 2023	Zero-emission truck TRU fleet requirement (15 percent/year)

**TRU Owner/Operator Requirements**

**5. What requirements apply to owners/operators of TRUs?**

The regulatory requirements that apply to the owner/operator of a TRU are dependent on the type of TRU and whether it is in-use (model year 2022 and older) or newly-manufactured (model year 2023 and newer). Table 2 summarizes the regulatory requirements that apply to each type of TRU. More information on each regulatory requirement is provided below.

**Table 2: TRU Owner/Operator Requirements by TRU Type**

TRU Type	Report to CARB (California-Based: Now Out-of-State-Based: 12/31/23)	TRU Operating Fee (12/31/23)	TRU Compliance Labels (12/31/23)	Lower Global Warming Refrigerant (12/31/22)	PM Emission Standard (12/31/22)	In-Use Performance Standard (7 years after engine model year)	Zero-Emission Fleet Requirement (12/31/23)
In-Use Truck TRU <sup>1</sup>	✓	✓	✓				✓
New Truck TRU <sup>2</sup>	✓	✓	✓	✓			✓
In-Use Trailer TRU <sup>1</sup>	✓	✓	✓			✓	
New Trailer TRU <sup>2</sup>	✓	✓	✓	✓	✓		
In-Use Domestic Shipping Container TRU <sup>1</sup>	✓	✓	✓			✓	
New Domestic Shipping Container TRU <sup>2</sup>	✓	✓	✓	✓	✓		
In-Use Railcar TRU <sup>1</sup>	✓	✓	✓			✓	
New Railcar TRU <sup>2</sup>	✓	✓	✓		✓		

<sup>1</sup> Model year 2022 and older

<sup>2</sup> Model year 2023 and newer

TRU Type	Report to CARB  (California-Based: Now  Out-of-State-Based: 12/31/23)	TRU Operating Fee  (12/31/23)	TRU Compliance Labels  (12/31/23)	Lower Global Warming Refrigerant  (12/31/22)	PM Emission Standard  (12/31/22)	In-Use Performance Standard  (7 years after engine model year)	Zero-Emission Fleet Requirement  (12/31/23)
In-Use TRU Generator Set <sup>1</sup>	✓	✓	✓			✓	
New TRU Generator Set <sup>2</sup>	✓	✓	✓		✓		

## 6. What about TRUs I lease and operate in California?

Owners and operators are responsible for making sure that all the TRUs they own or operate in California comply with the TRU ATCM. Lessors (owners) are typically responsible for ensuring the equipment they provide is in compliance with regulatory requirements. If an operator is found to be operating in California with a non-compliant leased or rented TRU, the operator will be cited for the infraction and a penalty assessed. The lessor will also be cited, since lessors are prohibited from leasing or offering for lease any TRU for use in California that does not comply with the TRU ATCM. However, If the rental or lease agreement is for a period of one year or longer, the lessor may delegate compliance responsibility to the lessee provided a Third Party Agreement Confirmation Form has been submitted by the owner or lessor on behalf of a lessee and the lease contract shows clear delegation of the TRU regulatory requirements to the lessee. Third Party forms for the lessor/lessee (and alternatively for the contractor/consultant) are available on the TRU Forms webpage at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/tru-forms>.

## Reporting TRUs to CARB

### 7. When do the TRU reporting requirements begin?

Reporting requirements for all California-based TRUs were included in the original regulation and went into effect July 31, 2009. The 2022 Amendments expand the TRU reporting requirements to all TRUs that operate in California, including out-of-state-based units. Reporting of out-of-state-based TRUs that operate in California begins December 31, 2023.



## 8. How do I report a TRU to CARB?

Owners may report their TRU(s) to CARB by applying for a CARB identification number (IDN) through the *CARB online system* at: <https://arber.arb.ca.gov/Welcome.arb>. Applications are also available on the TRU Forms webpage at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/tru-forms> and may be submitted by email to [arber@arb.ca.gov](mailto:arber@arb.ca.gov), or by mail to:

California Air Resources Board  
Transportation and Toxics Division (TRU)  
P.O. Box 2815  
Sacramento, CA 95812

## 9. Can operators report a TRU to CARB on behalf of an owner?

Yes, TRU operators (lessee) may report a TRU to CARB if a Third Party Agreement Confirmation Form has been submitted by the owner or lessor on behalf of a lessee, contractor, or consultant. Third Party forms for the lessor/lessee (and alternatively for the contractor/consultant) are available on the TRU Forms webpage at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/tru-forms>.

## 10. What if I no longer own a reported TRU or its information changes?

Updates are required within 30 days of when TRUs are purchased or sold, or when compliance information changes.

## TRU Operating Fees

Details on the TRU Operating Fees will be added in subsequent updates to this document as they become available closer to the implementation date of December 31, 2023.

## TRU Compliance Labels

Details on the TRU Compliance Labels will be added in subsequent updates to this document as they become available closer to the implementation date of December 31, 2023.

## Lower Global Warming Potential Refrigerant

### 11. When does the lower global warming potential refrigerant requirement begin?

December 31, 2022.

### 12. What TRU types does the lower global warming potential refrigerant requirement apply to?

Newly-manufactured (model year 2023 and newer) truck TRUs, trailer TRUs, and domestic shipping container TRUs.

**13. Does the lower global warming potential refrigerant requirement apply to in-use TRUs?**

No, the lower global warming potential refrigerant requirement applies to only newly-manufactured (model year 2023 and newer) truck TRUs, trailer TRUs, and domestic shipping container TRUs.

**14. How do I know my TRU uses refrigerant that complies with the TRU ATCM?**

Beginning December 31, 2022, TRU OEMs are prohibited from manufacturing truck TRUs, zero-emission truck TRUs, trailer TRUs, or domestic shipping container TRUs for sale or use in California that do not use a refrigerant that complies with the TRU ATCM. TRU OEMs are required to label each TRU to indicate that the TRU uses a refrigerant with a global warming potential value less than or equal to 2,200 and is compliant for use in the State of California.

## **PM Emission Standard**

**15. When does the PM emission standard requirement begin?**

December 31, 2022.

**16. Does the PM emission standard apply to in-use TRUs?**

No, the PM emission standard applies only to newly-manufactured non-truck TRUs. In-use non-truck TRUs are subject to the in-use performance standard. More information on the in-use performance standard is provided in questions 21-28.

**17. Does the PM emission standard apply to truck TRUs?**

No, the PM emission standard applies only to newly-manufactured non-truck TRUs. Truck TRUs are subject to a zero-emission fleet requirement. More information on the zero-emission truck TRU fleet requirement is provided in questions 15-20.

**18. How can I comply with the PM emission standard?**

The PM emission standard requirement can be met by using a TRU with an engine certified to the required emission standard. Note that engines <25 hp, are required to be certified to meet the PM emission standard, while engines  $\geq$ 25 hp, are required to meet the applicable nonroad/off-road emissions standards for all regulated pollutants and the PM emission standard.

**19. How do I know my TRU is equipped with an engine certified to meet the PM emission standard?**

TRU OEMs are prohibited from producing units for sale or use in California that do not comply with the requirements of the TRU ATCM, including the PM emission standard. However, TRU owners may ensure that their TRU is equipped with an engine certified to

meet the PM emission standard by looking up the engine certification levels on the executive order issued to the TRU engine on the CARB New Vehicle and Engine and Certification Program webpage at: <https://ww2.arb.ca.gov/new-vehicle-and-engine-certification-executive-orders-compression-ignition-and-heavy-duty-engines>.

**20. I plan to buy a hybrid-electric trailer TRU. Can I meet the PM emission standard using the Alternative Technology compliance option?**

No, all newly-manufactured (model year 2023 and newer) non-truck TRUs are required to meet the PM emission standard. The use of an Alternative Technology may only be used to comply with the in-use performance standard that applies to in-use (model year 2022 and older) non-truck TRUs.

## In-Use Performance Standard

**21. Does the in-use performance standard apply to newly-manufactured non-truck TRUs?**

No, the in-use performance standard applies only to in-use (model year 2022 and older) non-truck TRUs. Newly-manufactured non-truck TRUs are subject to the PM emission standard. More information on the PM emission standard is provided in questions 15-20.

**22. I have a trailer TRU with a model year 2018 engine. When am I required to comply with the in-use performance standard?**

The TRU ATCM requires compliance with the in-use performance standard on or before December 31st of the seventh year of the engine's model year. A trailer TRU equipped with a model year 2018 engine is required to meet the in-use performance standard on or before December 31, 2025.

**23. How do I comply with the in-use performance standard?**

The in-use performance standard can be met by: 1) Using an engine that meets the Ultra-Low Emission TRU (ULETRU) in-use PM performance standard of 0.02 grams per brake horsepower-hour or less,<sup>3</sup> 2) Retrofitting the engine with a Level 3 verified diesel emission control strategy (VDECS), or 3) Using an Alternative Technology.

**24. Where can I find a list of Level 3 TRU VDECS that can be used to meet the in-use performance standard?**

A list of Level 3 TRU VDECS is available on the CARB website at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/tru-compliance-information>.

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<sup>3</sup> The engine shall meet the applicable nonroad/off-road emissions standards for all regulated pollutants and the in-use PM performance standard.

## 25. Can particulate filters damage TRU engines?

Diesel particulate filters must be correctly matched to TRU engines. TRU engine operations must be conducted in a way that conforms to the diesel emissions control system manufacturer's owner's manual. Attention to proper use and maintenance details will help avoid the potential for engine damage. For example, ignoring a backpressure warning light may result in damage to the retrofit device and may stop the engine. Proper training for drivers and yard personnel should greatly reduce the chance of this happening. More information on proper VDECS use and maintenance can be found on the CARB Heavy Duty Emission Control Strategy Installation and Maintenance webpage at: <http://www.arb.ca.gov/msprog/decsinstall/decsinstall.htm>. To search for compatible VDECS available for a specific TRU engine, you may also visit the CARB retrofit verification database at: <https://ww2.arb.ca.gov/applications/retrofit-device-verification-database>.

## 26. Do VDECS come with a warranty?

Yes, CARB's verification procedures for TRU VDECS hardware requires a warranty, as follows:

Engine Size	Minimum Warranty Period
Under 25 hp	3 years or 1,600 hours <sup>4</sup>
At or above 25 hp and under 50 hp	4 years or 2,600 hours <sup>4</sup>
At or above 50 hp	5 years or 4,200 hours <sup>4</sup>

## 27. My TRU VDECS has a failed trap. What do I do?

A failed device that is still under warranty must be replaced with the same device. Once the warranty has expired, the owner must use the highest level of VDECS available for the TRU engine as a replacement.

## 28. What Alternative Technologies can be used to meet the in-use performance standard?

Alternative Technologies can be used to meet ULETRU in-use performance standard if diesel PM emissions are eliminated while at a facility, with limited exceptions (e.g., during an emergency or normal yard maneuvering). They include use of: 1) Electric standby-equipped or hybrid electric (may be driven by integral diesel engine or electric motor, or an integral diesel engine-driven gen set that provides electric power to the electric motor-driven refrigeration system), 2) Hybrid cryogenic temperature control systems (cryogenic temperature control system used in conjunction with a conventional TRU), 3) Alternative diesel-fueled engines, if the fuel has been verified as a diesel emissions control strategy, 4) Fuel cell-powered temperature control systems, and 5) Other systems approved by CARB to not emit diesel PM or increase public health risk near a facility.

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<sup>4</sup> Whichever occurs first.

## Zero-Emission Truck TRU Fleet Requirement

### 29. When does the zero-emission truck TRU fleet requirement begin?

December 31, 2023. The first compliance date for a given fleet is dependent on the number of truck TRUs in the fleet. For example, a fleet consisting of one diesel-powered truck TRU will be required to replace it with a zero-emission unit by December 31, 2026. See compliance schedule for the zero-emission truck TRU requirement in question 30.

### 30. What is the compliance schedule for the zero-emission truck TRU fleet requirement?

Table 4 shows the phase-in compliance schedule for different size truck TRU fleets. Note that owners should use basic rounding methodology when calculating the required number of zero-emission truck TRUs. If the calculated number of required zero-emission truck TRUs is not equal to a whole number, round up to a whole number when the fractional part is equal to or greater than 0.5, and round down if less than 0.5.

**Table 3: Phase-in Compliance Schedule for Zero-Emission Truck TRU Fleet Requirement**

Compliance Deadline as of December 31	2023	2024	2025	2026	2027	2028	2029
Fleet with 1 Truck TRU				1	1	1	1
Fleet with 2 Truck TRUs		1	1	1	2	2	2
Fleet with 3 Truck TRUs		1	1	2	2	3	3
Fleet with 4 Truck TRUs	1	1	2	2	3	4	4
Fleet with 5 Truck TRUs	1	2	2	3	4	5	5
Fleet with 6 Truck TRUs	1	2	3	4	5	6	6
Fleet with 7+ Truck TRUs	15%	30%	45%	60%	75%	90%	100%

### 31. Does the zero-emission truck TRU requirement apply to trailer TRUs?

No, the zero-emission fleet requirement applies only to truck TRU fleets. Staff plan to develop a second rulemaking to transition non-truck TRU types to zero-emission planned for Board consideration in 2026.

**32. Does the zero-emission truck TRU requirement apply to the truck to which the refrigeration unit is mounted on?**

No, the zero-emission truck TRU fleet requirement applies only to the truck TRU, not the truck itself. However, the truck may be subject to other CARB regulations.

**33. Are there commercially-available zero-emission truck TRUs that can be purchased to comply with the TRU ATCM?**

Yes, there are commercially-available battery-electric, cold plate, and cryogenic truck TRUs that can be purchased to comply with the TRU ATCM. More information on commercially-available zero-emission truck TRUs can be found on the TRU Program webpage at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/compliance-information/zero-emission-truck-tru>.

**34. What if I am unable to install infrastructure needed to support the use of zero-emission truck TRUs in time to meet the zero-emission truck TRU fleet requirement?**

The TRU ATCM provides an extension to the zero-emission truck TRU fleet requirement based on delays due to the installation of zero-emission infrastructure. More information on compliance extensions and exemptions can be found in questions 59-62.

## **Applicable Facility Owner/Operator Requirements**

**35. What is an applicable facility?**

An applicable facility is defined as a refrigerated warehouse or distribution center with a building size greater than or equal to 20,000 square feet, a grocery store with a building size greater than or equal to 15,000 square feet, a seaport facility, or an intermodal railyard if one or more TRUs operate within the legal property boundary of the facility.

**36. When do the applicable facility owner/operator requirements begin?**

December 31, 2023.

**37. What requirements apply to applicable facility owners/operators?**

Applicable facility owners/operators are required to register their facility with CARB, pay applicable facility registration fees, and ensure compliance of TRUs that operate at their facility.

**38. How do I register my applicable facility with CARB?**

Details on the registration of an applicable facility will be added in subsequent updates to this document as they become available closer to the implementation date of December 31, 2023.

**39. How do I pay applicable facility registration fees?**

Details on applicable facility registration fees will be added in subsequent updates to this document as they become available closer to the implementation date of December 31, 2023.

**40. I own an applicable facility. How do I comply with the requirement to ensure TRU compliance?**

Applicable facility owners/operators may comply with the requirement to ensure TRU compliance by one of two options: 1) Report all TRUs that operate within the applicable facility property boundary to CARB, quarterly, or 2) Provide a declaration to CARB, under penalty of perjury, that non-compliant TRUs subject to the TRU ATCM will not be permitted to operate within the property boundary.

**41. How do I notify CARB of which compliance option I will be using?**

Applicable facility owners/operators will be asked to indicate their chosen compliance option upon initial registration of their facility.

**42. If I choose option 1 to report all TRU activity to CARB, what information am I required to submit?**

TRU activity reports must include the information set forth in section 2477.20(m) for each TRU that operates inside the facility fence line or property boundary.

**43. If I choose option 1 to report all TRU activity to CARB, when are reports due?**

TRU activity reports are due to CARB beginning April 15, 2024, and quarterly thereafter in accordance with the schedule in Table 5.

**Table 4: Applicable Facility TRU Reporting Schedule**

<b>TRU Entry Date</b>	<b>Date by which information is to be reported to CARB</b>
January 1 – March 31	April 15
April 1 – June 30	July 15
July 1 – September 30	October 15
October 1 – December 31	January 15

**44. If I choose option 2 to only allow compliant TRUs to operate at my facility, how can I ensure a TRU is compliant with the TRU ATCM?**

For the purposes of compliance with the applicable facility requirement to ensure TRU compliance, a TRU is compliant with the TRU ATCM if it has a valid TRU compliance label or shows as compliant on CARB’s website.

**45. Can applicable facility owners/operators change which compliance option they will be using?**

Yes, an applicable facility owner/operator may change their selected compliance option by notifying CARB by September 30 of the preceding calendar year.

**46. I do not own or control the TRUs that operate at my facility. Will I be cited if I allow non-compliant TRUs onto my property?**

Depending on the compliance option chosen, an applicable facility may be cited for non-compliant TRUs operating onsite. If an applicable facility owner/operator chooses reporting option 1, they are required to report all TRU activity to CARB (compliant and non-compliant TRUs). If this option is chosen, the applicable facility owner/operator will not be cited for the use of non-compliant TRUs onsite so long as they meet the reporting requirements outlined in section 2477.17(e)(1). If an applicable facility owner/operator chooses reporting option 2, they are required to ensure TRU compliance and will be cited for the use of non-compliant TRUs onsite.

**47. Why are applicable facility owners/operators subject to the TRU ATCM if TRUs are the source of the emissions?**

TRU emissions are generated at applicable facilities and impact communities surrounding them. Therefore, applicable facility owners and operators should bear some responsibility for ensuring TRUs operating on their properties are compliant with emissions requirements.

## **TRU OEM Requirements**

**48. What requirements apply to TRU OEMs?**

Beginning December 31, 2022, TRU OEMs are prohibited from manufacturing for sale or use in California, a truck TRU, trailer TRU, or domestic shipping container TRU, unless the TRU uses refrigerant with a global warming potential less than or equal to 2,200, or no refrigerant at all and has a proper refrigerant label.

Beginning May 31, 2023, TRU OEMs are prohibited from manufacturing for sale or use in California, a trailer TRU, domestic shipping container TRU, railcar TRU, or TRU generator set, unless it is equipped with an engine that meets or outperforms the PM emission standard.

Beginning December 31, 2023, TRU OEMs are prohibited from manufacturing for sale or use in California, a truck TRU, unless it is zero-emission. TRU OEMs are required to provide a warranty for each zero-emission truck TRU for a period of three years from the date of purchase or 5,000 hours of compressor run time, whichever occurs first; and have an authorized service-and-repair facility located in California to perform warranty repairs.

TRU OEMs are also required to submit monthly production reports.



#### **49. What information must be included in the monthly production reports?**

TRU OEM monthly production reports must include the information set forth in section 2477.20(l) for each TRU, TRU generator set, and zero-emission truck TRU produced for sale in California, North America, Canada, and Mexico during the previous calendar month.

#### **50. When are monthly production reports due?**

Monthly production reports are due to CARB by the end of the second business day of each calendar month.

#### **51. Is there a monthly production report template?**

Yes, the TRU OEM monthly production report template is available on the TRU webpage at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/forms/tru-oem-monthly-production-report>.

#### **52. How do I submit monthly production reports?**

Monthly production reports should be submitted by email to [arberdata@arb.ca.gov](mailto:arberdata@arb.ca.gov).

## **Vehicle Owner Requirements**

#### **53. When do vehicle owner requirements begin?**

December 31, 2022.

#### **54. What requirements apply to vehicle owners?**

Vehicle owners are prohibited from operating or causing to be operated, TRU-equipped trucks or tractor-trailers equipped with a TRU, unless the TRU complies with the TRU ATCM. Upon request by CARB enforcement personnel, vehicle owners are also required to provide the information set forth in section 2477.6.

## **Driver Requirements**

#### **55. When do driver requirements begin?**

Requirements for drivers were included in the 2011 amendments to the TRU ATCM and went into effect January 1, 2013.

The 2022 Amendments include a new driver requirement to allow CARB personnel to conduct a visual inspection of a TRU upon request, which begins October 1, 2022.

## **56. What requirements apply to drivers?**

Drivers are prohibited from operating a TRU-equipped truck or tractor-trailer equipped with a TRU on a California highway, unless the TRU complies with the TRU ATCM. Upon request by CARB enforcement personnel, drivers are also required to provide the information set forth in section 2477.7 and allow CARB enforcement personnel to conduct a visual inspection of a TRU to determine whether emission control components have been tampered with, inadequately maintained, or are defective.

## **Freight Broker, Freight Forwarder, Motor Carrier, Shipper, and Receiver Requirements**

### **57. When do the freight broker, freight forwarder, motor carrier, shipper, and receiver requirements begin?**

Requirements for freight brokers, freight forwarders, California-based shippers, and California-based receivers were included in the 2011 amendments to the TRU ATCM and went into effect January 1, 2013.

The 2022 Amendments expand the requirements to apply to any shipper or receiver that arranges, tenders contracts for, or dispatches the transport of perishable goods that requires the operation of TRU-equipped or TRU generator set-equipped trucks, trailers, shipping containers, or railcars in the State of California, regardless of whether the shipper or receiver is based in California, beginning October 1, 2022.

### **58. What requirements apply to freight brokers, freight forwarders, motor carriers, shippers, and receivers?**

Any business entity that hires motor carriers to transport perishable goods on California highways and railways must require the motor carriers they hire or contract with for transport of perishable goods, to only dispatch TRUs that comply with the TRU ATCM. The hiring business entity must also provide their contact information to the motor carrier, which must then be carried with the driver. Shippers and receivers are required to provide information to the motor carrier about the shipper and receiver names and addresses. Motor carriers are required to provide the driver with contact information for the shipper, receiver, and business entity that hired the motor carrier.

## **Extensions and Exemptions**

### **59. I ordered a new TRU to comply with the TRU ATCM, but there is a bottleneck in the supply chain. Is there a compliance extension available for delays due to private financing, equipment manufacture delays, or installer delays?**

Yes, TRU owners may apply for a one-time compliance extension of up to six months for the refrigerant, PM emission standard, in-use performance standard, and zero-emission truck TRU fleet requirements based on delays due to private financing, equipment manufacture

delays, or installer delays. The owner must have ordered the compliance technology from the manufacturer no later than two months before the compliance date for VDECS retrofit compliance technologies and no later than four months before the compliance date for engine replacements, unit replacements, and trailer replacements. The application for a compliance extension based on delays due to private financing, equipment manufacture delays, or installer delays is available on the TRU Forms webpage at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/tru-forms> and may be submitted by email to [arber@arb.ca.gov](mailto:arber@arb.ca.gov), or by mail to:

California Air Resources Board  
Transportation and Toxics Division (TRU)  
P.O. Box 2815  
Sacramento, CA 95812

**60. My local utility said it will take 6 months to complete my request for an electrical service upgrade. Is there a compliance extension available for delays due to zero-emission fueling infrastructure?**

Yes, TRU owners/operators may apply for an annual extension in compliance, up to a maximum of two years, for the zero-emission truck TRU fleet requirement due to unforeseen, temporary, or extenuating circumstances outside of the owner/operator's control that prevents the installation of zero emission fueling Infrastructure at the facility at which the truck TRU fleet is domiciled. Circumstances beyond the truck TRU owner's control may include a delay in the manufacture and shipment of zero-emission fueling infrastructure equipment, a delay in obtaining construction permit(s), a delay in obtaining power from a utility, a delay due to private financing, a delay in the installation of zero-emission fueling infrastructure, a natural disaster, or the discovery of archeological, historical, or tribal cultural resources under the California Environmental Quality Act.

The owner/operator is required to apply at least 12 months prior to the compliance deadline if the delay is due to a utility infrastructure upgrade, and at least 3 months prior for all other delay types. The owner/operator may, 60 days prior to the expiration of the extension, apply for an additional one-year extension. The owner/operator may, 60 days prior to the expiration of the second extension, apply for an additional compliance extension beyond the first two annual extensions due to a delay in obtaining power from a utility.

CARB will approve, modify, or disapprove the application and notify the applicant accordingly within 45 days of submission of a complete application. If the application is incomplete or cannot be approved, CARB will notify the applicant about what information is required or provide reasons why the extension cannot be approved. The application for a compliance extension based on delays due to zero-emission fueling infrastructure is available on the TRU Forms webpage at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/tru-forms> and may be submitted by email to [arber@arb.ca.gov](mailto:arber@arb.ca.gov), or by mail to:

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**61. Are TRUs used during emergency events exempt from the TRU ATCM?**

A mobile catering company can obtain an exemption from the refrigerant, PM emission standard, in-use performance standard, and zero-emission truck TRU fleet requirements if operating under a contract with the National Interagency Fire Center (NIFC) to provide mobile catering service during an emergency, such as wildfire response. Exempt companies must still comply with the TRU reporting requirements in section 2477.5(g) and CARB IDN labeling requirements. Mobile catering company exemptions are good for one year and can be renewed annually. Exemptions expire on December 31st of each year. The application for a mobile catering exemption is available on the TRU Forms webpage at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/tru-forms> and may be submitted by email to [arber@arb.ca.gov](mailto:arber@arb.ca.gov), or by mail to:

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Transportation and Toxics Division (TRU)  
P.O. Box 2815  
Sacramento, CA 95812

If the application is complete and approved, CARB will issue a Mobile Catering Service Exemption to the mobile catering company within 30 days. If the application is incomplete or cannot be approved, CARB will notify the applicant about what information is required or provide reasons why the exemption cannot be approved. Applicants may then re-apply to re-start the application process.

**62. I purchased a non-compliant TRU from out-of-state. Can I bring it to a repair shop in California to install a VDECS to comply with the TRU ATCM?**

Yes, TRU owners may apply for a safe passage permit to travel on California highways with a specific noncompliant TRU. The purpose of traveling in California must be to take the noncompliant equipment to a dealer or installer to bring the equipment into compliance. The permit is a one-time permit for the sole purpose of bringing the TRU into compliance with the TRU ATCM. The TRU cannot operate (with the engine running) in California and no temperature sensitive products can be transported in a vehicle with a noncompliant TRU. The application for a safe passage permit is available on the TRU Forms webpage at: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/tru-forms> and may be submitted by email to [arber@arb.ca.gov](mailto:arber@arb.ca.gov), or by mail to:

California Air Resources Board  
Transportation and Toxics Division (TRU)  
P.O. Box 2815  
Sacramento, CA 95812

CARB will provide a decision within 15 days of receiving the application. If the application is approved, CARB will provide a safe passage permit specific to the one-time travel in

California with the noncompliant equipment. If the application is not approved, CARB will notify the applicant of the decision and the noncompliant equipment cannot be brought into California.

## Enforcement

### **63. What is the policy or process for violations of the TRU ATCM?**

CARB follows its Enforcement Penalty Policy to resolve violations of any CARB regulation. CARB also considers eight statutory factors that could potentially reduce the maximum violation penalty amount. CARB's Enforcement Penalty Policy and a description of the eight factors can be found here <https://ww2.arb.ca.gov/resources/documents/enforcement-policy>.

### **64. What kind of penalties could result from violations of the TRU ATCM?**

Penalties will depend on the specific violation and will be assessed for failure to meet the refrigerant, PM emission standard, in-use emission standard, or zero-emission truck TRU requirement; failure to report TRUs to CARB or registering an applicable facility with CARB; failure to affix compliance labels or the IDN to both sides of the TRU housing in accordance with the requirements; or submitting incorrect information. Penalties are additive. Failure to correct a noncompliance within 30 days is cause for a greater penalty amount. Penalty provisions are set forth in California Health and Safety Code sections 39674, 39675, 42400 et seq., 42402 et seq., and 42410. In addition, CARB will not issue TRU compliance labels to units if the owner has outstanding enforcement actions (i.e., uncorrected citations, unpaid penalties or settlement payments, violations of settlement terms, failure to submit to inspections, etc.).