**Appendix A-1**

Preliminary Draft Regulation Order
Advanced Clean Fleets Regulation

State and Local Government Agency Fleet Requirements

Note: The entire text of sections 2013 through 2013.4 set forth below was originally presented in the Initial Statement of Reasons released on August 30, 2022 and is shown here in underline/strikeout to identify the preliminary changes to be discussed at the February 13, 2023 Workshop.

Chapter 1 Motor Vehicle Pollution Control Devices

Section 2013. State and Local Government Agency Fleet Applicability, Definitions, and General Requirements

Section 2013.1 State and Local Government Agency Fleet Exemptions

Section 2013.2 State and Local Government Agency Fleet Reporting

Section 2013.3 State and Local Government Agency Fleet Recordkeeping

Section 2013.4 State and Local Government Agency Fleet Enforcement

**PRELIMINARY DRAFT REGULATORY LANGUAGE FOR FEBUARY 13TH 2023 WORKSHOP: This document provides preliminary draft regulatory language for the Advanced Clean Fleets rulemaking to be discussed at the February 13, 2023 workshop. This document is only intended to encourage feedback and should not be construed as a formal regulatory proposal.**

**Draft Preliminary Regulation Order**

Title 13, California Code of Regulations

Adopt Section 2013 of title 13, California Code of Regulations, to read as follows:

# Section 2013 State and Local Government Fleet Applicability, Definitions, and General Requirements

## Scope and Applicability

### Fleet Applicability. Except as provided in the exemptions specified in section 2013(c), this regulation applies to any state or local government agency with jurisdiction in California that owns, leases, or operates one or more vehicles in California as described in the vehicle scope specified in section 2013(a)(2). This regulation does not apply to federal fleets subject to title 13, California Code of Regulations (CCR) section 2015.

### Vehicle Scope. Except as provided in the exemptions specified in section 2013(c), vehicles subject to this regulation are vehicles operated in California that have a gross vehicle weight rating (GVWR) greater than 8,500 lbs.

### Hiring Entities. The requirements specified in section 2013(j) apply to any motor carrier, broker, governmental agency, person, or entity that hires and operates or hires and directs the operation of vehicles in fleets subject to title 13, CCR sections 2015 through 2015.6, or fleets and vehicles in fleets subject to this regulation per the scope and applicability specified in section 2013(a)(1).

## Definitions. For the purposes of this regulation, the following definitions apply to section 2013 through 2013.4:

### “Authorized dealer” means a sales, service, or repair facility that is recognized by a motor vehicle manufacturer as a sales representative or is both authorized by a motor vehicle manufacturer to perform repairs on vehicles and is in fact capable of performing repairs needed to maintain vehicles to factory specifications, including performing warranty repair work.

### “Backup vehicle” means a vehicle, excluding yard tractors, that is operated infrequently as specified in section 2013.1(a).

### “Box truck” means a single-unit vehicle with a fully- or partially enclosed space with a roof and at least three sides designed for transporting cargo or payload, excluding the driver and passengers, for the primary intended function of transporting freight or cargo. Examples of included vehicles are those commonly referred to as step vans, refrigerated vans, dry vans, chipper trucks, and box reefer trucks.

### “Broker” means any person that, as a principal or agent, sells, offers for sale, negotiates for, or holds itself out by solicitation, advertisement, or otherwise as selling, providing, or arranging for, transportation by motor carrier for compensation. A motor carrier, or person who is an employee or bona fide agent of a carrier, is not a broker when it arranges or offers to arrange the transportation of shipments which it is authorized to transport and which it has accepted and legally bound itself to transport.

### “Bus” means any vehicle designed, used, or maintained for carrying more than ten persons, including the driver, and is configured with seats for the primary purpose of transporting persons including the driver.

### “California fleet” means the subset of vehicles in the total fleet operated by a fleet owner in California during a calendar year. If a vehicle is operated in California at any time during a calendar year, it will be considered part of the California fleet for the entire calendar year.

### “CARB” means the California Air Resources Board.

### "Class 2b through 3" means a vehicle with a GVWR greater than 8,500 lbs. and less than or equal to 14,000 lbs.

### “Class 4” means a vehicle with a GVWR greater than 14,000 lbs. and less than or equal to 16,000 lbs.

### “Class 5” means a vehicle with a GVWR greater than 16,000 lbs. and less than or equal to 19,500 lbs.

### “Class 6” means a vehicle with a GVWR greater than 19,500 lbs. and less than or equal to 26,000 lbs.

### “Class 7” means a vehicle with a GVWR greater than 26,000 lbs. and less than or equal to 33,000 lbs.

### “Class 8” means a vehicle with a GVWR greater than 33,000 lbs.

### “Configuration” means the primary intended function for which a vehicle is designed as determined by the body of a complete vehicle or by the equipment integrated into the body that is permanently attached to the chassis. It does not include auxiliary equipment or secondary uses of equipment that is added to or carried on the vehicle body.

### “Declared emergency event” means the time period of an emergency event declared or duly proclaimed by a local governing body, state Governor, or the President of the United States during the emergency conditions described in California Government Code section 8558.

### “Dedicated snow removal vehicle” means a vehicle that has permanently affixed snow removal equipment such as a snow blower or auger and is operated exclusively to remove snow from public roads, private roads, or other paths to allow on-road vehicle access.

### “Designated low population counties” means the counties of Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, Glenn, Humboldt, Inyo, Lake, Lassen, Mariposa, Mendocino, Modoc, Mono, Nevada, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, and Yuba.

### “Dispatch” means to provide direction or instruction for routing a vehicle, whether owned or under contract, to specified destinations for specific purposes, including delivering cargo, passengers, property or goods, or providing a service.

### “Emergency operations” means operation of an emergency support vehicle to help alleviate an immediate threat to public health or safety in response to a declared emergency event. Emergency operation includes emergency support vehicle travel to and from a declared emergency event when dispatched by a local, state, federal, or other responsible emergency management agency. Routine operation to prevent public health risks does not constitute emergency operation.

### “Emergency support vehicle” means a vehicle other than an authorized emergency vehicle as defined in California Vehicle Code (CVC) section 165 that has been dispatched by a local, state, federal, or other responsible emergency management agency that is used to provide transport services or supplies in connection with an emergency operation.

### “Energy storage system” means a system that is designed to store energy on a ZEV or NZEV, such as the battery pack or hydrogen storage tank.

### “Executive Officer” means the Executive Officer of the California Air Resources Board or their delegated representative.

### “Federal fleet” means vehicles owned by a department, agency, or instrumentality of the federal government of the United States of America and its departments, divisions, public corporations, or public agencies that operate in California. With respect to the Department of Defense and its service branches, federal fleets may be managed regionally, locally, or a combination of regional and local management. There may be multiple federal fleets within a branch of military service or an installation.

### “Fleet” or “total fleet” means one or more vehicles owned by a fleet owner. It also includes rental or leased vehicles that are considered owned by the “fleet owner” as defined in section 2013(b).

### “Fleet owner” means the person or entity that owns the vehicles comprising the fleet. The owner shall be presumed to be either the person registered with the California Department of Motor Vehicles (DMV) as the owner or lessee of a vehicle, or its equivalent in another state, province, or country; vehicle ownership is based on the vehicle registration document or the vehicle title, except as specified below:

#### For vehicles that are rented or leased from a business that is regularly engaged in the trade or business of renting or leasing motor vehicles without drivers, including truck leases that are part of a bundled service agreement, the owner shall be presumed to be the rental or leasing entity for purposes of compliance, unless the rental or lease agreement for the vehicle is for a period of one year or longer and the terms of the rental or lease agreement or other equally reliable evidence identifies the renting operator or lessee of the vehicle as the party responsible for compliance with state laws.

#### For purposes of enforcement, if the vehicle is inspected and cited for noncompliance with this regulation and neither the operator of the vehicle nor the rental or leasing entity can produce evidence of the party responsible for compliance with state laws, the owner shall be presumed to be both the rental or leasing entity and the renting operator or lessee of the vehicle.

#### A financing company or a person that only provides financing to a third party in the form of “finance leases,” as defined in California Uniform Commercial Code Section 10103(a)(7), is not considered to own the vehicles that are financed. Similarly, a financing company or a person that only provides financing to a third party for converting a vehicle to a ZEV is not considered to be the owner of the vehicle.

### “Gross vehicle weight rating” or “GVWR” means the same as CVC section 350, as indicated by the characters in the 4 through 8 positions in a standard 17-character Vehicle Identification Number (VIN).

### “Historical vehicle” means a vehicle that meets the qualifications for a historical vehicle and has been issued a historical vehicle license plate pursuant to the CVC section 5004 and is operated or moved over the highway primarily for the purpose of historical exhibition or other historic vehicle club activities.

### “Hubodometer” means a non-resettable device mounted on the axle of a vehicle that measures distance traveled that has a serial number and a lock-out feature that permanently prevents tampering.

### "Intermittent snow removal vehicles” means a vehicle that is equipped with a plow mounting attachment with a control system for the purpose of removing snow, and may also have one or all the following features: traction material spreader attachment with a control system; or a de-icing system attachment with a control system.

### “Internal combustion engine vehicle” or “ICE vehicle” means a vehicle with a powertrain powered by gasoline, diesel, natural gas, propane, or other fuel where the sole source of power is from the combustion of the on‑board fuel to provide motive power.

### “Lessee” has the same meaning as defined in CVC section 371.

### “Manufacturer” means any entity or person who manufactures or assembles new on-road motor vehicles or yard tractors, or imports such vehicles for resale, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles, but shall not include any dealer with respect to new motor vehicles received in commerce. In general, the term manufacturer includes any entity or person who manufactures or assembles an on-road vehicle, a cab and chassis, or other incomplete on-road vehicle for sale in California, or otherwise introduces a new on-road motor vehicle into commerce in California. This includes importers who import on-road vehicles for resale. This does not include entities or persons who supply parts to the importer or vehicle manufacturer of record.

### “Model year” means a designation meeting the definition of “model year” under 17 CCR section 95662(a)(16).

### “Motor carrier” means the same as defined in CVC section 408.

### “Near-zero-emissions vehicle” or “NZEV” means a vehicle as defined in title 13, CCR section 1963(c)(16) that is capable of operating like a ZEV using electricity stored on-board the vehicle for a minimum number of miles, or “all-electric range”, as specified and tested in accordance with section 1037.150p(2)(ii) of “California Greenhouse Gas Exhaust Emission Standards and Test Procedures for 2014 and Subsequent Model Heavy‑Duty Vehicles,” as last amended September 9, 2021, which is incorporated by reference herein.

### “New vehicle” means a motor vehicle, the equitable or legal title to which has never been transferred to an ultimate purchaser.

### “Notice to proceed” means a written direction to a vehicle manufacturer or entity that converts vehicles to ZEVs to commence production or conversion of a vehicle as provided in a contract.

### “Pickup truck” means a vehicle originally manufactured as a complete vehicle with an open box-type bed and meets the definition set forth in CVC section 471.

### “Rated energy capacity” means the amount of electrical energy, in watt-hours (Wh), that can be extracted from a fully charged energy storage system, based on or derived from the results of testing or analysis. The rated energy capacity includes the electrical energy of the battery pack that is not accessible due to a manufacturer-programmed decrease in energy capacity for battery pack protection.

### “Removed from the California fleet” means a vehicle that is no longer operated in California by the fleet owner on or after the date the vehicle meets one of the following conditions:

#### Destroyed or scrapped; or

#### Sold out of the fleet or transferred out-of-state.

### “Responsible official” means either a principal executive officer, ranking elected official, or delegated representative of the State or local government agency.

### “Standard rounding convention” means if the calculated value is not equal to a whole number, the value shall round up to the nearest whole number when the fractional part is equal to or greater than 0.5, and round down to the nearest whole number if less than 0.5.

### “State or local government agency” means a city, county, public utility, special district, local agency or district, or a public agency of the State of California, and any department, division, public corporation, or public agency of the State of California.

### “Tractor” means an on-road vehicle meeting one of the following:

#### The definition of “tractor” in title 17, CCR section 95662(a)(23); or

#### The definition of “vocational tractor” in title 17, CCR section 95662(a)(27).

### “Two-engine vehicle” means a specially constructed on-road mobile vehicle that was designed by the original equipment manufacturer to be equipped with 2 engines: 1 engine provides the primary source of motive power of the vehicle while the second engine is an auxiliary engine with 50 brake horsepower or greater that is permanently attached and integrated into the original design of the vehicle to perform a specific function, which may include providing auxiliary power to attachments, performing special job functions, or providing additional motive power. If a vehicle was originally designed with the capability to have an auxiliary engine installed, but the auxiliary engine was installed by someone else other than the original equipment manufacturer, the vehicle still qualifies as a two-engine vehicle. Two engine street sweepers are not included in this definition.

### “Van” means a single unit vehicle with configured with seats to transport passengers or with an enclosed space for the primary purpose of transporting cargo and equipment.

### “Vehicle” or “motor vehicle” means self-propelled equipment that meets one of the following criteria:

#### Equipment that has a GVWR that is greater than 8,500 lbs. that is intended for use on highways, and meets the definition set forth in title 17, CCR section 95662(a)(26); or

#### Is a yard tractor that is not intended for use on highways.

### “Vehicle awaiting sale” means a vehicle in the possession of a dealer, financing company, a private party, or other entity that does not intend to operate the vehicle in California or offer the vehicle for hire for operation in California, and it is operated only to demonstrate functionality to potential buyers, to move short distances to make repairs, or for maintenance or storage. It also includes new vehicles when driven for the first time to be delivered to the ultimate purchaser to be placed in service outside of California.

### “Vehicle Identification Number” or “VIN” means an alpha numeric code which has been permanently assigned by the manufacturer to a vehicle.

### “Vehicle purchase” or “purchase” means an action wherein a fleet owner has either placed an order to acquire the legal or equitable title to a vehicle or to convert a vehicle to a ZEV for immediate delivery or installation and has already paid for or has entered into a binding agreement with an authorized dealer, entity that converts vehicles to ZEVs, third party, or manufacturer to pay for the vehicle or conversion. A vehicle purchase does not include renewing a lease agreement for a vehicle already in the California fleet. A vehicle purchase includes where the fleet owner has executed any one of the following:

#### Identified, committed, and encumbered funds and executed a written notice to proceed to a manufacturer or entity that converts vehicles to ZEVs to begin production of the vehicle either:

##### Under a previously entered purchase contract; or

##### To execute a contract option.

#### A written purchase agreement between a fleet owner and the manufacturer or entity that converts vehicles to ZEVs that specifies the date when the work to manufacture or convert the vehicle is to proceed;

#### A written purchase agreement between a fleet owner and another party for the purchase and immediate delivery of a used vehicle; or

#### A signed written lease agreement between a fleet owner and the manufacturer or authorized dealer for a new vehicle to be placed in service in the California fleet for a contract term of one year or more.

### “Yard tractor” means a vehicle that has a movable fifth wheel that can be elevated and is used in moving and spotting trailers and containers at a location or facility. Yard tractors are also commonly known as yard goats, hostlers, yard dogs, trailer spotters, or jockeys.

### “Zero-emissions powertrain” has the same definition as title 13, CCR section 1956.8(i)(12).

### “Zero-emissions vehicle” or “ZEV” means a vehicle with a zero-emissions powertrain that produces zero exhaust emission of any criteria pollutant (or precursor pollutant) or greenhouse gas under any possible operational modes or conditions.

## Exemptions. The following entities and vehicles are exempt from the requirements specified in sections 2013 through 2013.4:

### School buses as defined in CVC section 545(a);

### Military tactical vehicles as described in title 13, CCR section 1905;

### Vehicles awaiting sale;

### Emergency vehicles as defined in CVC section 165;

### Historical vehicles;

### Dedicated snow removal vehicles;

### Two-engine vehicles;

### Heavy cranes as defined in title 13, CCR section 2021(b)(16); or

### Transit vehicles subject to the Innovative Clean Transit regulation commencing with title 13, CCR section 2023.

## General Requirements. Beginning January 1, 2024, fleet owners must purchase ZEVs, or NZEVs as specified in section 2013(f), for their California fleet as specified by the following schedules in subsections (1), (2), and (3) below. The fleet owner may alternately elect to comply with the ZEV Milestones Option commencing with title 13, CCR section 2015.2 as described in section 2013(e). Renewing a vehicle lease for a VIN already in the California fleet shall be considered a continuation of the vehicle’s ownership and shall not be considered a new purchase.

### Agencies in Non-Designated Counties. For a State or local government agency whose jurisdiction is not in a designated low population county, and with 11 or more vehicles in the California fleet, as specified in section 2013(k):

#### Starting January 1, 2024, 50 percent of the total number of vehicle purchases for the California fleet in each calendar year must be ZEVs; and

#### Starting January 1, 2027, 100 percent of the total number of vehicle purchases for the California fleet in each calendar year must be ZEVs.

### Agencies in Designated Counties and Small Fleets. For a State or local government agency whose jurisdiction is solely in a designated low population county, or with ten or fewer vehicles in the California fleet, as specified in section 2013(k):

#### Starting January 1, 2027, 100 percent of the total number of vehicle purchases for the California fleet in each calendar year must be ZEVs.

### Agencies with Split Jurisdictions or Service Areas. A State or local government agency whose jurisdiction or service area is split between a designated low population county and a non-designated county with at least 90 percent of the service area in the designated low population county must meet the requirements specified in section 2013(d)(2)(A).

## ZEV Milestones Option Flexibility. Until January 1, 2030, in lieu of complying with the general requirements specified in section 2013(d), fleet owners may instead elect to permanently comply with the ZEV Milestones Option of title 13, CCR section 2015.2. If choosing to use this option, fleet owners must comply with all of the requirements otherwise applicable to federal government fleets specified in title 13, CCR sections 2015, 2015.2, 2015.3, 2015.4, 2015.5, and 2015.6. The fleet owner must also report their intention to use this option as specified in section 2013.2(c)(1)(I). After electing this option, fleet owners are no longer subject to and may not switch back to the State or wlocal government fleet requirements specified in sections 2013, 2013.1, 2013.2, 2013.3, and 2013.4.

## NZEV Flexibility. NZEVs with a 2035 model year or older are counted the same as ZEVs for the purpose of complying with the ZEV purchase requirements specified in section 2013(d).

## Rounding. If the calculated required minimum number of ZEV purchases as set forth in section 2013(d) does not result in a whole number, then use the “standard rounding convention” as defined in section 2013(b).

## ZEV Accounting. Each ZEV may be counted only once as long as the vehicle remains in the fleet to count towards compliance with the ZEV purchase requirement for a given calendar year.

## Early ZEV Purchases. ZEV purchases for the California fleet made before the deadlines or in excess of the amounts required in section 2013(d) count towards future ZEV purchase requirements as long as the ZEV is still active in the fleet. Each early or excess ZEV purchase counts toward a future requirement only once per the accounting requirements in section 2013(h).

## Requirement to Hire Compliant Fleets. Any hiring entity that is subject to this section as specified in section 2013(a)(3) must:

### Verification of Compliance. Verify that each fleet it hires or dispatches is listed on the CARB Advanced Clean Fleets webpage as a compliant fleet. Alternatively, for each calendar year that an entity hires a fleet to operate in California, it must obtain a signed statement from the fleet stating it is not subject to the High Priority and Federal Fleets regulation of title 13, CCR section 2015 through 2015.6 and the State and Local Government Fleets regulation of title 13, CCR section 2013 through 2013.4.

### Disclosure of Regulation Applicability. Provide the following disclosure in writing to the hired fleet either in the hiring contract or agreement or as an addendum to the hiring contract or agreement: “Vehicles with a GVWR greater than 8,500 lbs. and light-duty package delivery vehicles operated in California may be subject to the California Air Resources Board Advanced Clean Fleets regulations. Such vehicles may therefore be subject to requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board website at https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets.”

### The hiring entity must also comply with the recordkeeping requirements specified in section 2013.3(g).

## Joint Compliance Option. Individual departments, divisions, districts, subsidiaries, or agencies under the same state or local government agency’s jurisdiction have the option to comply jointly instead of complying independently if the combined California fleet meets the requirements of this regulation. The California Department of General Services may comply jointly for all State agency fleets under its jurisdiction and must exclude vehicles in subdivisions that opt to comply separately. If the group fails to comply, all participants must immediately comply individually. Agencies choosing to use this option must meet the reporting requirement specified in section 2013.2(d). Agencies may comply jointly even if one or more individual subdivisions opt into the ZEV Milestones Option as specified in section 2013(e).

## Order Cancellations. If a fleet owner cancels a notice to proceed, a purchase agreement, or a leasing contract for a ZEV at any time before the vehicle is delivered, the purchase will be considered invalid and will not count towards required ZEV purchases for the California fleet. If a manufacturer cancels a purchase agreement for ZEVs at any time before the vehicle is delivered for reasons beyond the control of the fleet owner, the fleet owner must secure another purchase agreement for ZEVs within 180 calendar days to maintain compliance. In the event there is no available ZEV of the needed configuration to purchase, the fleet owner may apply for the ZEV Purchase Exemption specified in section 2013.1(d).

## Compliance Date. Annual compliance with the ZEV purchase requirements is determined on January 1of each calendar year.

## Exemptions and Extensions. Fleet owners complying with section 2013(d) may utilize the following exemptions and extensions if the specified criteria are met:

### Backup Vehicle Exemption. Fleet owners may purchase a new or used ICE vehicle and exclude it from the ZEV purchase requirement specified in section 2013(d) if it is designated as a backup vehicle as specified in section 2013.1(a) and may exclude miles travelled when the vehicle is operated in support of a declared emergency event as specified in section 2013.1(a)(1).

### Daily Usage Exemption. Fleet owners may receive a 180 calendar day exemption from the ZEV purchase requirements specified in section 2013(d) during which they may purchase a new ICE vehicle of the configuration specified in section 2013.1(b)(1) if a new ZEV is available to purchase, but it cannot be placed anywhere in the California fleet while meeting the daily usage needs of any existing vehicle of the same configuration in the fleet as determined by the criteria specified in section 2013.1(b). Fleet owners must request and obtain this exemption pursuant to the criteria specified in section 2013.1(b) no earlier than the 13th model year of an ICE vehicle that needs to be replaced.

### Infrastructure Construction Delay Extension. Fleet owners may receive an extension for up to 2 calendar years to delay delivery of ordered ZEVs that would be reliant on the ZEV charging or fueling infrastructure if they request and obtain an extension pursuant to the criteria specified in section 2013.1(c)(1) no earlier than the 13th model year of an ICE vehicle that needs to be replaced at the site for which the extension is requested.

### Infrastructure Site Electrification Delay Extension. Fleet owners may receive an extension for up to 5 calendar years from the ZEV purchase requirements specified in section 2013(d) to delay delivery of planned ZEV orders for vehicles being replaced at the site for which the extension is requested until the infrastructure is ready. Fleet owners must request and obtain an extension pursuant to the criteria specified in section 2013.1(c)(2) no earlier than the 13th model year of an ICE vehicle that needs to be replaced at the site for which the extension is requested.

### ZEV Purchase Exemptions. Fleet owners may receive a 180 calendar day exemption from the ZEV purchase requirements specified in section 2013(d) during which they may purchase a new ICE vehicle of the configuration specified in section 2013.1(d), if they request and obtain an extension pursuant to the criteria specified in section 2013.1(d) no earlier than the 13th model year of an ICE vehicle that needs to be replaced.

### Mutual Aid Assistance. Fleet owners may receive an exemption from the ZEV purchase requirements specified in section 2013(d) during which they may purchase new ICE vehicles for up to 25 percent of the total number of vehicles in the California fleet in the calendar year the exemption is approved, less the number of ICE vehicles already in the fleet purchased pursuant to an exemption. Fleet owner must request and obtain an exemption pursuant to the criteria specified in section 2013.1(e).

### Intermittent Snow Removal Vehicles. Fleet owners may receive an exemption from the ZEV purchase requirements specified in section 2013(d) for an intermittent snow removal vehicle purchased for the California fleet prior to January 1, 2030, if they request and obtain an exemption to designate the vehicle as an intermittent snow removal vehicle pursuant to the criteria specified in section 2013.2(k).

## Reporting and Recordkeeping Requirement. Beginning January 1, 2024, fleet owners must meet reporting requirements as specified in section 2013.2 and keep and provide records as specified in section 2013.3.

## Vehicles Acquired with Incentive Funds. Beginning January 1, 2024, if a fleet owner receives California State-provided incentive funding for ZEVs or NZEVs and the funding program guidelines specify the vehicle cannot be used to count toward determining compliance with the general requirements section of 2013(d), the vehicle will not be counted as a compliant vehicle during the funding contract period. The fleet owner must meet the reporting requirements specified in section 2013.2(c)(2)(M).

## Certificate of Reported Compliance and Compliant Fleet List. If the requirements specified in sections 2013 through 2013.4 are met and the required reporting is received to demonstrate compliance, the fleet owner will be provided with a Certificate of Reported Compliance. The CARB Advanced Clean Fleets webpage will list the CARB-issued ID number, motor carrier number if applicable, fleet name, and whether the fleet is recognized as a “ZEV Fleet” per title 13, CCR section 2015(p) for compliant fleets that have received a Certificate of Reported Compliance. Fleets that do not comply will not be listed.

## Sales Disclosure of Regulation Applicability. Any person subject to this regulation selling a vehicle subject to this regulation must provide the following disclosure in writing to the purchaser on or with the bill of sale, sales contract addendum, or invoice: “An on-road vehicle operated in California may be subject to the California Air Resources Board Advanced Clean Fleets regulations or other regulations. It therefore could be subject to requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board website at https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets.”

## ICE Vehicle Purchases. Any new ICE vehicle purchased for the California fleet on or after January 1, 2024, must be certified to the California emissions standards applicable to that vehicle. Any used ICE vehicle purchased must have a 2010 or newer model year engine.

## Transit Agency Exemption. Transit agencies subject to the Innovative Clean Transit regulation commencing with title 13, CCR section 2023 are not subject to any section of this regulation until January 1, 2030.

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104, Health and Safety Code. Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 43000, 43000.5, 42400, 42400.1, 42400.2, 42402.2, 42410, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214, Health and Safety Code.

Adopt Section 2013.1 of title 13, California Code of Regulations, to read as follows:

# Section 2013.1 State and Local Government Fleet Exemptions

Fleet owners may report to claim or apply for the following exemptions or extensions if the California fleet complies with the requirements that are in effect, and it would otherwise be impossible to comply with the next upcoming regulation requirement. Fleet owners requesting or utilizing any exemptions or extensions must meet applicable reporting and recordkeeping requirements for each exemption or extension as specified in sections 2013.2 and 2013.3. Any exemptions or extensions granted to a fleet owner are not transferrable to another fleet owner. The Executive Officer will respond to exemption requests as described in section 2013.2(i).

## Backup Vehicle Exemption. Fleet owners may designate vehicles as backup vehicles during the reporting period and renew the designation annually if the fleet owner meets each of the following requirements:

### The vehicle is operated less than 1,000 miles per year excluding any mileage travelled under contract while performing emergency operations in support of a declared emergency event;

### The fleet owner must report the vehicle as a backup vehicle and must submit odometer readings as specified in section 2013.2(f); and

### Backup vehicles must immediately stop being operated and must be removed from the California fleet if the vehicle exceeds the allowed number of annual miles travelled and the vehicle or fleet is out of compliance with section 2013(d).

## Daily Usage Exemption. Fleet owners may apply for an exemption to replace vehicles with a new ICE vehicle if at least 10 percent of their California fleet is comprised of ZEVs or NZEVs. Fleet owners may not apply for a vehicle configuration that is available to purchase as: an NZEV; a hydrogen fuel cell ZEV; a Class 7 or 8 ZEV tractor or ZEV three-axle bus with a rated energy capacity of at least 1,000 kilowatt-hours; a Class 4 through 6 ZEV with a rated energy capacity of at least 325 kilowatt-hours; or a Class 7 or 8 ZEV that is not a tractor or three-axle bus with a rated energy capacity of at least 450 kilowatt-hours. The Executive Officer will approve the exemption based on their good engineering judgement in determining that the criteria specified in section 2013.1(b) have been met. The fleet owner must submit all of the following by email to TRUCRS@arb.ca.gov to apply:

### Submit the make, model, weight class, configuration, and photograph of the ICE vehicle to be replaced.

### Identify the ZEV that is available to purchase in the same weight class and configuration with the highest rated energy capacity available. Submit the make, model, weight class, configuration, and rated energy capacity of the identified ZEV.

### Calculate the range of the vehicle in miles by dividing the rated energy capacity of the identified ZEV by the following factors: for Class 4 through 6 vehicles, 1.3 kilowatt-hours per mile; for Class 7 and 8 non‑tractors, 1.8 kilowatt-hours per mile; for Class 7 and 8 tractors, 2.1 kilowatt-hours per mile. For vehicles that operate truck mounted or integrated equipment while stationary, in lieu of calculating the needed rated energy capacity based on vehicle miles travelled, the needed rated energy capacity is the same as the optionally submitted measured ZEV energy use specified in section 2013.1(b)(6). Submit the calculation and results.

### Submit a daily usage report for a period of at least 30 consecutive workdays from within the last 12 months using telemetry data or other industry accepted data collection method for all ICE vehicles of the same weight class and configuration of the vehicle to be replaced. The report must include the daily miles traveled for each vehicle. Identify the lowest mileage reading for each day and exclude the 3 highest readings. For the exemption to be granted, the highest remaining mileage number must be greater than the range calculated in 2013.1(b)(3).

#### For vehicles that operate truck mounted or integrated equipment while stationary, the daily usage report must include daily equipment usage information such as hours of operation.

### Submit a description of the daily assignments or routes used by existing vehicle types with an explanation of why all ZEVs available to purchase of the same weight class and configuration cannot be charged or fueled during the workday at the depot, within one mile of the routes, or where ZEV charging or fueling is available. The explanation must include a description of why charging or fueling could not be managed during driver rest periods or breaks during the workday.

### Optionally submit measured ZEV energy use data to substantiate their exemption request from ZEVs of the same configuration already operated on similar daily assignments. This optional information must include vehicle loading and weight data, route grade, average ambient daily temperature, vehicle miles travelled per day, and state of charge at the beginning and end of the daily shift to show typical daily energy usage for the ZEV, over five consecutive business days.

## Infrastructure Delay Extensions. Fleet owners may apply for the following extensions if they experience delays beyond their control on a project to install ZEV charging or fueling stations. The fleet owner must apply for the following extensions at least 45 calendar days prior to the next compliance date for CARB to consider the request.

### Infrastructure Construction Delay Extension. Fleet owners may apply for this extension if they experience a construction delay beyond their control. The Executive Officer will grant an extension for up to two years per project to delay delivery of ordered ZEVs if they determine the fleet owner has a construction permit issued at least one year ahead of the compliance deadline. The fleet owner must submit all of the following by email to TRUCRS@arb.ca.gov to apply:

#### Documentation showing the executed contract for the infrastructure installation with necessary construction permit showing a permit issue date that is at least one year prior to the next upcoming compliance deadline.

#### Documentation showing the delay is a result of any of the following circumstances beyond the fleet owner’s control after obtaining construction permits: change of a general contractor; delay in manufacture and shipment of zero-emissions charging and fueling infrastructure equipment; delays obtaining power from a utility; delays due to unexpected safety issues on the project; discovery of archeological, historical, or tribal cultural resources described in the California Environmental Quality Act, Public Resources Code Division 13, Section 21000 et. seq.; or natural disasters.

#### A letter to CARB from the responsible official explaining the reason for the delay, why retail infrastructure cannot be used, the estimated completion date of the project, and documentation supporting the reason for the delay from the licensed contractor performing the work, related utility, building department, or other organization involved in the project.

#### Documentation showing the executed ZEV purchase agreement.

### Infrastructure Site Electrification Delay Extension. Until January 1, 2030, fleet owners may apply for this extension if their electric utility provider determines it cannot provide the requested power to the site where ZEVs will be charged or refueled before the fleet’s next ZEV compliance deadline. This extension also applies for locations where the fleet owner has entered into a contract of one year or longer to charge or fuel their ZEVs at a single location. Fleet owners utilizing this extension must deploy as many ZEVs as can be supported by the power the utility can serve over time needed to meet their compliance requirement. The Executive Officer will grant an extension for the time-period specified in section 2013.1(c)(2)(A) and number of vehicles specified in section 2013.1(c)(2)(B) if they determine the fleet owner satisfies the criteria for the delay, based on the information submitted below and the exercise of good engineering judgment. The fleet owner must meet the criteria and submit the documentation or information specified below by email to TRUCRS@arb.ca.gov to apply:

#### Site Electrification Delay Time Period. The initial extension shall be granted for a period of up to 3 years based on the amount of time the utility determines it will take to deliver the needed power to the site. An additional two-year extension will be granted if the utility still cannot deliver the needed power by the end of the initial delay period. A fleet owner must renew the extension with updated supporting documentation to extend the delay at least 45 calendar days prior to the expiration of the initial delay period.

#### Number of Extensions. CARB will evaluate the request and if approved, will grant the fleet owner the same number of extensions as the number of ZEVs the executed contract with the utility determines it cannot provide power for. The fleet owner must deploy the number of ZEVs needed to meet their compliance requirement the utility determines it can immediately support and any additional ZEVs it can support for each calendar year during the delay until the project is complete to maintain the extension.

#### A copy of the application that the fleet owner submitted to the utility requesting site electrification, the utility’s response showing that the project will take longer than a year, and the executed utility contract. If a utility is unable or unwilling to execute a contract, a fleet owner can submit the initial contract or application requesting site electrification to the utility, and a signed attestation from the utility stating they will proceed with the project. The fleet owner must submit the following information to TRUCRS@arb.ca.gov: documentation indicating the reason for delay; estimated project completion date; the number and types of ZEVs; and charging or hydrogen fueling equipment the site can immediately support and the equipment the site can support during each year of the requested extension until the project is complete.

#### Fleet owners with multiple sites where vehicles are domiciled must submit a copy of each site’s infrastructure capacity evaluation from the utility or a third-party licensed professional electrical engineer indicating the number and types of ZEVs and charging or hydrogen fueling equipment the site can immediately support.

## ZEV Purchase Exemptions. Fleet owners may receive an exemption to purchase a new ICE vehicle if a needed ZEV configuration is not available to purchase per the Streamlined ZEV Purchase Exemption of 2013.1(d)(1) or an exemption request pursuant to the Fleet-Specific ZEV Purchase Exemption of 2013.1(d)(2) is approved.

### Streamlined ZEV Purchase Exemption. The Executive Officer will maintain a list of vehicle configurations on the CARB Advanced Clean Fleets webpage they have identified as available to purchase by a fleet owner in an ICE vehicle configuration. Vehicle configurations will be listed if the Executive Officer determines that the configuration is not available to purchase as a ZEV based on information gathered by the Executive Officer as specified in the Fleet-Specific ZEV Purchase Exemption and their good engineering judgement that the criteria specified in subsection 2013.1(d)(1)(A-B) have been met. Fleet owners may purchase a new ICE vehicle of the same configuration as one on the list, report it as specified in section 2013.2(g), and keep records as specified in section 2013.3(e), and CARB will recognize that vehicle as having met the criteria for the exemption:

#### List Creation. The Executive Officer will survey vehicle manufacturers and use good engineering judgement in determining the criteria below are met to establish a list of vehicle configurations that are not available to purchase as ZEVs. The list will be updated as the Executive Officer identifies more configurations that are available to purchase or are not available to purchase pursuant to the Fleet-Specific ZEV Purchase Exemption specified in section 2013.1(d)(2)(D-E). The list will not include the following configurations: pickups, two-axle buses, box trucks, vans, and tractors. To be placed on the list, configurations must meet the following criteria:

##### An ICE vehicle of the same configuration must be available to purchase for the configuration to be placed on the list;

##### Demonstration, test, or experimental vehicles, or unique or custom-built vehicles are not considered available to purchase and would not be a basis for removing a configuration from the list; and

##### No chassis or complete vehicle subject to the requirements of 13 CCR, section 1956.8 and 17 CCR, section 95663 as amended by the Zero-Emission Powertrain Certification regulation, if applicable, of the needed configuration is available to be purchased immediately nor can an order be placed for future delivery.

#### Removing Vehicles from List. Vehicle configurations will be removed from the list 180 calendar days after the Executive Officer determines they are available to purchase, as demonstrated by a signed statement or email from a vehicle manufacturer indicating they can in fact configure the chassis pursuant to the manufacturer’s body builder’s guide, showing that a configuration is subject to the requirements of 13 CCR, section 1956.8 and 17 CCR, section 95663 as amended by the Zero-Emission Powertrain Certification regulation, if applicable.

### Fleet-Specific ZEV Purchase Exemption. Fleet owners may request an exemption to purchase vehicle configurations that are not listed on the Streamlined ZEV Purchase Exemption list specified in section 2013.1(d)(1) and must submit the following by email to TRUCRS@arb.ca.gov. The Executive Officer will rely on the information submitted in sections 2013.1(d)(2)(A-B) and their good engineering judgement in ensuring the criteria specified in sections 2013.1(d)(2)(C-F) are met in determining whether to approve the exemption request:

#### Submit the following information about the vehicle configuration needed:

##### Make, model, weight class, configuration, clear and legible photographs of the entire left and right sides of the vehicle with doors closed showing the vehicle’s body configuration, and a specifications sheet for an existing ICE vehicle in the fleet;

##### A list of any frame attachments other than the body itself necessary to support or perform the primary intended function of the vehicle. Examples of frame attachments include rail wheels and stabilizing outriggers; and

##### The make and model of the body equipped on the vehicle, if applicable.

#### Submit documentation from two or more manufacturers that offer ZEV chassis or complete ZEVs that states the manufacturer does not offer for sale ZEV chassis or complete ZEVs of the needed configuration submitted in section 2013.1(d)(2)(A). If there are no manufacturers offering ZEV chassis, the statements can come from other manufacturers.

#### After receiving a complete submission, the Executive Officer shall solicit the vehicle configuration and body information submitted by the fleet owner for public feedback from vehicle manufacturers to identify whether the configuration is available for purchase as a ZEV from any manufacturer, and whether the identified body submitted in section 2013.1(d)(2)(A) or an equivalent body from another manufacturer that can perform the same primary intended function can be installed on the offered ZEV.

#### The Executive Officer shall consider an offered ZEV not available to purchase for a fleet-specific exemption if any of the following criteria are met:

##### No heavy-duty ZEVs with over 14,000 lbs. GVWR and incomplete medium-duty ZEVs from 8,501 through 14,000 lbs. GVWR is offered for sale that is subject to the requirements of 13 CCR, section 1956.8 and 17 CCR, section 95663 as amended by the Zero-Emission Powertrain Certification regulation;

##### Vehicles offered for sale with a model year greater than the model year that is 18 months from the date the complete application is submitted to CARB;

##### Vehicles that are offered as reservations or are otherwise not offered to be purchased for immediate delivery; or

##### Vehicles offered for sale that conflict with safety standards prescribed under title 8, CCR by the California Department of Industrial Relations, Division of Occupational Safety and Health, comparable federal or state health and safety laws where the vehicle operates, or federal highway safety laws. The fleet owner must submit which of these safety laws or standards would be in conflict and for what reasons in their application.

#### If the Executive Officer identifies any manufacturer that offers for sale a ZEV chassis or complete ZEV in the same or next higher weight class, except for Class 8 vehicles which must only be in the same weight class, in the needed configuration, with the needed frame attachments, and on which the identified body submitted in section 2013.1(d)(2)(A) or an equivalent body from another manufacturer that can perform the same primary intended function can be installed, the Executive Officer will supply the manufacturer name to the fleet owner applicant, the exemption will be denied, and the Executive Officer will remove the vehicle configuration from the Streamlined ZEV Purchase Exemption List pursuant to section 2013.1(d)(1)(B). Otherwise, the exemption will be approved.

#### If the Executive Officer cannot identify any manufacturer that offers a ZEV chassis or complete ZEV for sale in the needed configuration, the vehicle configuration will be added to the Streamlined ZEV Purchase Exemption List specified in section 2013.1(d)(1), and the Executive Officer will approve the exemption.

#### The Executive Officer will notify the fleet owner by email whether the exemption has been approved within 45 calendar days from the date a complete application is received.

#### Fleet owners whose exemption request has been granted must comply with the reporting and recordkeeping requirements specified in sections 2013.2(g) and 2013.3(e).

## Mutual Aid Assistance. Fleet owners may apply for this exemption if they have a mutual aid agreement to send vehicles to assist other entities during a declared emergency event. The California fleet must be comprised of ZEVs in the following proportions to apply: at least 25 percent until January 1, 2032; 50 percent until January 1, 2035; and 75 percent thereafter. The exemption does not apply to pickup trucks, buses, box trucks, vans, tractors, or any vehicle configurations available to purchase as NZEVs. The Executive Officer will rely on the information submitted in sections 2013.1(e)(1‑4) and their good engineering judgment in determining whether to approve the exemption. The fleet owner must submit all of the following by email to TRUCRS@arb.ca.gov to apply:

### The make, model, weight class, configuration, and photograph of the needed ICE vehicle;

### Documentation from the vehicle manufacturer and all mobile fueling providers with compatible mobile fueling options for the vehicle to show the vehicle or chassis cannot be refueled from 10 to 80 percent of the ZEV’s rated energy capacity within 1 hour;

### A copy of the mutual aid agreement in effect with other entities to assist with affected vehicles during declared emergency events; and

### A letter to the Executive Officer that has an explanation of the reason for the exemption request.

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104, Health and Safety Code. Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 43000, 43000.5, 42400, 42400.1, 42400.2, 42402.2, 42410, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214, Health and Safety Code.

Adopt Section 2013.2 of title 13, California Code of Regulations, to read as follows:

# Section 2013.2 State and Local Government Fleet Reporting

## Method of Reporting. Reports submitted to comply with sections 2013 through 2013.4 must be submitted online through CARB’s Advanced Clean Fleets webpage.

## Reporting Deadline and End Date. No later than April 1 of each year until April 1, 2045, fleet owners must annually submit a compliance report showing the California fleet composition as of January 1 of each year. The initial report must be submitted by April 1, 2024. The annual reporting period is during the month of March.

## Fleet Reporting. Fleet owners must report all of the following:

### State or local government agency information. Fleet owners must report all of the following:

#### State or local government primary agency name;

#### Entity’s physical and mailing addresses;

#### Designated contact person name;

#### Designated contact person phone number;

#### Designated contact person email;

#### The following operating authority numbers, if applicable: motor carrier identification number, United States Department of Transportation number, California Carrier Identification number, California Public Utilities Commission transportation charter permit number, International Registration Plan number;

#### Identify the jurisdiction (state, county name, city name, or other local government);

#### Name of the responsible official; and

#### Whether the fleet owner will permanently opt-in to the ZEV Milestones Option of title 13, CCR section 2015.2 as described in section 2013(e) and no longer be subject to the requirements specified in sections 2013, 2013.1, 2013.2, 2013.3, and 2013.4.

### Vehicle Information. The fleet owner must report the following information for each vehicle in the California fleet:

#### VIN;

#### Vehicle make and model;

#### Vehicle model year;

#### Vehicle license plate number and state or jurisdiction of issuance;

#### Vehicle GVWR (Greater than 8,500 lbs. and equal to or less than 14,000 lbs., greater than 14,000 lbs. and equal to or less than 26,000 lbs., or greater than 26,000 lbs.);

#### Vehicle body type;

#### Fuel and powertrain type;

#### Date vehicle purchase was made;

#### Date vehicle was added to or removed from the California fleet;

#### Whether the vehicle will be designated under or was purchased pursuant to any exemption or extension provision specified in section 2013.1;

#### Odometer, or if applicable, hubodometer readings for vehicles as specified in section 2013.2(f);

#### Engine family and engine model year for any vehicles added to the California fleet after January 1, 2024;

#### Funding contract start and end date for vehicles purchased with California State-funding if the vehicle is to be excluded during the funding contract period as specified by the funding program.

#### ZEV Purchase Reporting. Fleet owners that are replacing a vehicle pursuant to the ZEV Purchase Exemption specified in section 2013.1(d) must identify which vehicle is being replaced.

## Joint Compliance Reporting. If an agency chooses to comply jointly as specified in section 2013(k), each individual department, division, district, subsidiary, or agency must report separately, and include the CARB-issued ID number of the primary controlling agency or designated primary entity.

## Changes to an Existing Fleet. Fleet owners must comply with all of the following reporting requirements when adding or removing vehicles from the California fleet:

### Vehicles added to the California fleet must be reported within 30 calendar days of being added to the fleet;

### Vehicles that are permanently removed from the California fleet must be reported within 30 calendar days of removal. The report must include the date of removal;

### If a backup vehicle exceeds the allowable mileage limit the change must be reported within 30 calendar days of the date the mileage limit was exceeded; and

### ZEV Repowers or Conversions. Vehicles repowered with zero-emission powertrains must report the vehicle’s new fuel type within 30 calendar days of being repowered or converted.

## Odometer Reading Reporting. This section applies to fleet owners that own or operate backup vehicles. Fleet owners with backup vehicles must comply with the following reporting requirements:

### Odometer Readings. Report annually the odometer reading from January 1 of the current calendar year and the date the reading was recorded from a properly functioning odometer or hubodometer.

### Odometer Failure and Replacement. If the vehicle’s originally equipped odometer has failed and is replaced, report the following information within 30 calendar days of the date the original odometer failed or was replacement, whichever comes first: the original odometer’s final reading, the new odometer’s initial reading, and the date of replacement.

#### Hubodometers. If the vehicle’s originally equipped odometer has failed and is not being replaced, the fleet owner must equip the vehicle with a hubodometer. Fleet owners must report the serial number of the hubodometer within 30 calendar days of the date the hubodometer was installed;

### Emergency Mileage. The fleet owner must report the number of miles travelled in support of the emergency for backup vehicles used in emergency operations that would exceed the backup vehicle mileage limit.

## ZEV Purchase Exemption Supporting Documentation Reporting. Fleet owners that purchase an ICE vehicle pursuant to the ZEV Purchase exemption specified in section 2013.1(d) must submit an email to TRUCRS@arb.ca.gov within 30 calendar days of receiving the new ICE vehicle with the purchase agreement and the following clear and legible digital photographs of:

### VIN/GVWR label (typically located on the driver side door or door jamb);

### License plate with side of the vehicle visible;

### Entire left side of the vehicle with doors closed showing the vehicle’s body configuration; and

### Entire right side of the vehicle with doors closed showing the vehicle’s body configuration.

## Requirement for Signature. All reports submitted to CARB electronically are deemed signed by the responsible official. Hard-copy documentation submitted must be signed by the responsible official.

## Method for Requesting and Approval of Exemptions or Extensions. Requests and required information for Executive Officer consideration of exemptions, extensions, or provisions must be submitted via email to TRUCRS@arb.ca.gov. The Executive Officer will notify the fleet owner by email whether the exemption or extension request is approved within 45 calendar days from receipt of a complete submission.

## Late Reporting. Fleet owners that submit initial reporting information specified in section 2013.2 for the first time after the initial reporting deadline specified in section 2013.2(b) are considered late and are subject to penalties specified in section 2013.4(b)(1) until January 31, 2027. On or after February 1, 2027, fleet owners that report late are subject to penalties specified in section 2013.4(b)(2). Fleet owners that report late must demonstrate compliance by submitting vehicle records required to be kept pursuant to section 2013.3(a) to CARB by email to TRUCRS@arb.ca.gov at the time of requesting late reporting to establish the California fleet composition since January 1, 2024.

## Intermittent Snow Removal Vehicle Reporting. Fleet owners may request reported vehicles be designated by the Executive Officer as intermittent snow removal vehicles by submitting via email to TRUCRS@arb.ca.gov a copy of the vehicle’s specifications sheet from the manufacturer showing the vehicle meets the definition of an intermittent snow removal vehicle, or the following clear and legible digital photographs of:

### VIN/GVWR label (typically located on the driver side door or door jamb);

### License plate with side of the vehicle visible;

### Entire left side of the vehicle with doors closed showing the vehicle’s body configuration;

### Entire right side of the vehicle with doors closed showing the vehicle’s body configuration; and

### The plow mounting attachment and control system; traction material spreader attachment and control system; or the de-icing system attachment and control system.

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104, Health and Safety Code. Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 43000, 43000.5, 42400, 42400.1, 42400.2, 42402.2, 42410, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214, Health and Safety Code.

Adopt Section 2013.3 of title 13, California Code of Regulations, to read as follows:

# Section 2013.3 State and Local Government Fleet Recordkeeping

Fleet owners must keep for the duration in section 2013.3(k) and provide the following forms of documentation in an electronic or paper format upon request or make them available to CARB staff within 72 hours of a written or verbal request:

## Entity and Vehicle Documentation. The following records are required to be kept and provided upon request for vehicles in the California fleet:

### Records of all vehicle information reported as specified in section 2013.2;

### Vehicle purchase, rental, and leasing documents, such as purchase agreements, orders, notices to proceed, leasing agreements, or rental agreements for the vehicles;

### For all vehicles that have been removed from the California fleet, keep and provide the following:

#### If the vehicle is sold, a transfer of liability form filed with DMV, including the date of sale and odometer reading at the time of sale;

#### If the vehicle is transferred out-of-state, but not sold, a copy of the out-of-state registration;

#### If the vehicle is registered with DMV as non-revivable junked or dismantled, a copy of the registration demonstrating it was filed as such with DMV; and

#### If the vehicle is sold or consigned to an auction house, a copy of the contract and the transfer of liability form filed with DMV, if applicable.

### Emergency Operation Dispatch Documentation. Fleet owners with backup vehicles that perform emergency operations must keep and provide records to document contract and dispatch by a local, state, federal or other emergency management agency.

## Operator Documentation. Fleet owners must keep and provide documentation identifying the entity responsible to pay the driver who is not a state or local government agency employee and any applicable shipping documentation or other documentation that identifies the origin and destination of the cargo and the pick-up and termination destination of the cargo.

## Odometer Reading Documentation. Fleet owners required to report odometer readings must keep and provide records of the vehicle miles traveled. Acceptable records are those provided in smoke opacity test results, Biennial Inspection of Terminals inspection records, fuel tax records, maintenance records, unaltered photograph of the odometer or hubodometer, or an on‑board diagnostics system information download that includes the vehicle miles travelled or odometer information. Fleet owners of backup vehicles used in emergency operations in support of a declared emergency event must keep and provide records to document vehicle mileage accrued under contract in support of an emergency event.

## Infrastructure Delay Documentation. Fleet owners that utilize the Infrastructure Delay Extensions of section 2013.1(c) must keep and provide copies of all documents, letters, and contracts submitted to CARB as specified in section 2013.1(c) to support their request and qualifications for the extensions.

## ZEV Purchase Exemption Documentation. Fleet owners utilizing the ZEV Purchase Exemption must keep and provide copies of documents submitted as specified in section 2013.2(g), and copies of documents submitted as specified in section 2013.1(d).

## Documentation for Mutual Aid Assistance. Fleet owners that utilize the Mutual Aid Assistance provision must keep and provide copies of all documents, mutual aid agreements, and letters submitted to CARB as specified in section 2013.1(e) to support their request and qualifications for the exemption.

## Hiring Entity Documentation. Hiring entities that are subject to the regulation as specified in section 2013(a)(3) must keep and provide certificates of reported compliance or signed statements received from hired fleets used to verify that hired fleets are compliant with the applicable regulations. Additionally, hiring entities must keep and provide copies of contracts with hired entities that include the disclosure of regulation applicability as specified in section 2013(j)(2).

## Daily Usage Exemption Documentation. Fleet owners that utilize the Daily Usage Exemption must keep and provide copies of all documents, data, letters, and analysis submitted to CARB as specified in section 2013.1(b) to support their request and qualifications for the exemption.

## Intermittent Snow Removal Vehicle Documentation. Fleet owners approved to designate vehicles as intermittent snow removal vehicles must keep and provide copies of the vehicle specification sheet from the manufacturer or photographs submitted as specified in section 2013.2(k).

## Sales Disclosure Documentation. Any person required to submit a sales disclosure as specified in section 2013(r) must keep and provide a copy of the written sales disclosure.

## Retention of Records. Records of reported information required in reporting section 2013.2 and documentation required in record keeping section 2013.3 must be kept by the fleet owner and made available to CARB staff for audit for a period of five years from the date the information is used to demonstrate compliance.

Note: Authority cited: Sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104 Health and Safety Code. Reference: 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 43000, 43000.5, 42400, 42400.1, 42400.2, 42402.2, 42410, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214 Health and Safety Code.

Adopt Section 2013.4 of title 13, California Code of Regulations, to read as follows:

# Section 2013.4 State and Local Government Fleet Enforcement

## Severability. If any subsection, paragraph, subparagraph, sentence, clause, phrase, or portion of this regulation is, for any reason, held invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the regulation.

## Penalties. Any person who fails to comply with the requirements of this regulation, who fails to submit any information, report, or statement required by this regulation, or who knowingly submits any false statement or representation in any application, report, statement, or other document filed, maintained, or used for the purposes of compliance with this regulation may be subject to penalties.

### Late Reporting Penalties until January 1, 2027. Failure to submit any information as specified in section 2013.2 shall constitute a single, separate violation for each vehicle and each month the information is not submitted past the initial reporting period specified in section 2013.2(b) until January 31, 2027.

### Late Reporting Penalties after January 1, 2027. Failure to submit any information as specified in section 2013.2 shall constitute a single, separate violation for each vehicle and each day the information is not submitted on or after February 1, 2027.

## Right of Entry. An agent or employee of CARB, upon presentation of proper credentials, has the right to enter any motor carrier, broker, or hiring entity facility (with any necessary safety clearances) where vehicles are located or vehicle records, including hiring and brokering records, are kept to verify compliance.

Note: Authority cited: Sections: 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102, and 43104 Health and Safety Code. Reference: Sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 43000, 43000.5, 42400, 42400.1, 42400.2, 42402.2, 42410, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214 Health and Safety Code.