

Appendix A-3

Proposed Regulation Order Advanced Clean Fleets Regulation

Drayage Truck Requirements

Note: The entire text of sections 2014 through 2014.3 set forth below is new language in "normal type" proposed to be added to title 13, California Code of Regulations.

Date of Release: August 30, 2022
Date of Hearing: October 27, 2022

Chapter 1. Motor Vehicle Pollution Control Devices

Section 2014.	In-Use On-Road Heavy-Duty Drayage Trucks Applicability, Definitions, and Exemptions
Section 2014.1	In-Use On-Road Heavy-Duty Drayage Trucks Requirements and Compliance Deadlines
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Proposed Regulation Order

Title 13, California Code of Regulations

Adopt Section 2014 of title 13, California Code of Regulations, to read as follows:

Section 2014. In-Use On-Road Heavy-Duty Drayage Trucks Applicability, Definitions, and Exemptions

(a) **Applicability.** Beginning November 1, 2023, this regulation applies to owners and operators of on-road heavy-duty drayage trucks operated at California seaports and intermodal railyards. This regulation also applies to drayage motor carriers, marine or seaport terminals, intermodal railyards, and railyard and seaport authorities.

(b) **Definitions.** The following definitions apply for section 2014 through 2014.3.

"Authorized dealer" means an independent sales, service, or repair facility that is recognized by a motor vehicle manufacturer as a sales representative or is authorized and capable of performing repairs to factory specifications, including warranty repair work.

"Beneficial cargo owner" means a cargo owner, the person or entity for whose account the ocean or rail transportation is provided, the person to whom delivery is to be made, a shippers' association, or an ocean or rail transportation intermediary that accepts responsibility for payment of all applicable charges.

"Bill of lading" means a document that states the terms of the contract between a shipper or consignor and a receiver or consignee. It serves as a document of title of the goods shipped, a contract of carriage, and a receipt for goods.

"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 a 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.

"CARB" means the California Air Resources Board.

“CARB Online System” means a CARB online system that drayage truck owners or entities with common ownership or control shall report specified information to regarding their drayage trucks to CARB. The CARB Online System can be found on the Advanced Clean Fleets webpage.

“Class I railroad” means a railroad that is defined as Class I by the Surface Transportation Board.

“Class 7” vehicle means an on-road vehicle with a gross vehicle weight rating (GVWR) greater than 26,000 and less than or equal to 33,000 lbs.

“Class 8” vehicle means an on-road vehicle with a gross vehicle weight rating (GVWR) greater than 33,000 lbs.

“Common ownership or control” means being owned or managed on a day-to-day basis by the same person or entity. Vehicles managed by the same directors, officers, or managers, or by distinct corporations that are controlled by the same majority stockholders are under common ownership or control, even if their titles are held by different business entities or they have different taxpayer identification numbers. Furthermore, a vehicle is under an entity’s control if the vehicle is operated using that entity’s state or federal operating authority or other registration. Vehicles owned by different entities but operated using common or shared resources to manage the day-to-day operations using the same drayage motor carrier number, displaying the same name or logo, or contractors who represent the same company are under common ownership or control. Common ownership or control of a federal government vehicle shall be the primary responsibility of the governmental agency that is directly responsible for the day-to-day operational control of the vehicle. Common ownership or control includes relationships where the controlling party has the right to direct or control the vehicle as to the details of when, where, and how work is to be performed or where expenses for operating the vehicle, such as fuel or insurance, are shared. Common ownership or control does not include agreements for individual loads that are competitively bid and issued to the lowest qualifying bid.

“Controlling party” means the drayage motor carrier, broker, or entity that directs, or otherwise manages the day-to-day operation of one or more fleets under common ownership or control to serve the customers or clients.

"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 use vehicles" means uni-body vehicles that do not have separate tractor and trailers or are vehicles using a power take-off (PTO) with a hydraulic motor or blower, attached to the trailer that needs the PTO to load or unload and include but are not limited to:

- (A) Dedicated auto transports;
- (B) Dedicated fuel delivery vehicles;
- (C) Concrete mixers;
- (D) On-road mobile cranes; and
- (E) Dedicated power take-off vehicles.

"Dispatch" means providing direction or instruction for routing a vehicle, whether owned or under contract, to specified destinations for specific purposes, including delivering or receiving cargo, property, or goods, or providing a service.

"Drayage motor carrier" means any person or entity, or broker, that contracts with a beneficial cargo owner, ship companies, seaport terminals, intermodal railroads, or others for pick-up and delivery of goods with a drayage truck owner, or who dispatches drayage trucks to seaports and/or intermodal railyards to pick up and/or deliver goods.

"Drayage truck" means any in-use on-road vehicle with a gross vehicle weight rating (GVWR) greater than 26,000 lbs. that is used for transporting cargo, such as containerized, bulk, or break-bulk goods that operate:

- (A) On or transgresses through California seaport or intermodal railyard property to load, unload, or transport cargo, including empty containers and chassis; or
- (B) Off seaport or intermodal railyard property transporting cargo or empty containers or chassis that originated from or is destined to a seaport or intermodal railyard property.

Drayage trucks are not:

- (A) Vehicles operating off of seaport or intermodal railyard properties that transport cargos that have originated from a seaport or intermodal railyard property but have been off-loaded from the equipment (e.g., a trailer or container) that transported the cargo from the originating seaport or intermodal railyard; or
- (B) Vehicles operating off of seaport or intermodal railyard properties that transport cargos that are destined for a seaport or intermodal railyard but will be subsequently transferred into or onto different equipment (e.g., a trailer or container) before being delivered to a seaport or intermodal railyard.

"Drayage truck identification number" means a unique identifier issued to the owner of a drayage truck upon registering in The CARB Online System that corresponds to the drayage truck registered.

"Drayage truck operator" means the driver of a drayage truck or any person, party or entity that controls the operation of a drayage truck at a California seaport or intermodal railyard facility.

"Drayage truck owner" means:

- (A) The person registered as the owner of a drayage truck as indicated by the Department of Motor Vehicles, or its equivalent in another state, province, or country; or the International Registration Plan; or
- (B) The lessee of the truck, as indicated on the drayage truck's registration pursuant to California Vehicle Code (CVC) section 4453.5.

"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.

"Executive Officer" means the Executive Officer of the California Air Resources Board, or their delegated representative.

"Government agency" means any federal, state, or local public agency, or any other public entity with taxing authority.

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

"Heavy-duty" means a manufacturer's gross vehicle weight rating of greater than 26,000 lbs.

"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.

"Intermodal railyard" means a facility owned or operated by a Class I Railroad that receives both drayage trucks and locomotives.

"International registration plan (IRP)" means a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees on the basis of total distance operated in all jurisdictions.

"Legacy drayage truck" means a non-zero-emission drayage truck with a 2010 or newer engine model year that was registered in the CARB Online System on or before January 1, 2024.

"Lessee" has the same meaning as in CVC section 371.

"Marine or seaport terminals" means wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or adjacent areas and structures associated with the primary movement of cargo or goods from vessel to shore or shore to vessel, including structures which are devoted to receiving, handling, holding, consolidating, and loading or delivery of waterborne shipments or passengers, including areas devoted to the maintenance of the terminal or equipment. For the purposes of this regulation, the term includes but is not limited to production or manufacturing areas, warehouses, storage facilities, and private or public businesses or entities located on or surrounded by seaport property.

"Military tactical support vehicles" are defined in title 13, California Code of Regulations (CCR), section 1905.

"Model year" means a designation meeting the definition of "model year" under title 17, CCR section 95662(a)(16).

"Notice to proceed" means a written direction to a vehicle manufacturer or powertrain conversion installer or to commence production or conversion of a vehicle as provided in a contract.

"On-road" means a vehicle that is designed to be driven on public highways and roadways and that is registered or is capable of being registered by the California Department of Motor Vehicles (DMV) under CVC sections 4000 et seq. or DMV's equivalent in another state, province, or country; or the International Registration Plan. A vehicle covered under CARB's In-Use Off-Road Regulation, title 13, CCR, section 2449 is not an on-road vehicle.

"Railyard authority" means those entities, either public or private, that are responsible for the operation of intermodal railyards.

"Railyard property" means the property constituting the physical boundaries of intermodal railyards. For the purposes of this regulation, railyard property also includes privately owned property located within intermodal railyard boundaries.

"Receiver" means the person, party, or entity that receives shipped goods, cargo, or commodities.

"Repower" means to replace an older engine with a newer model engine.

"Responsible official" means one of the following:

- (A) For a corporation: A president, chief executive officer, chief financial officer, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or a delegate, designee, or any other person who performs similar policy or decision-making functions for the corporation.
- (B) For a partnership or sole proprietorship: A general partner or the proprietor, the delegate or designee of the aforementioned, or any other person who performs similar policy or decision-making functions for the business, or the chief executive officer, or the chief financial officer.
- (C) For a municipality, state, federal, or other governmental agency: Either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a federal agency includes the chief executive officer having responsibility for

the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the U.S. Environmental Protection Agency (U.S. EPA)). For the purposes of the Department of Defense Military Services, a principal executive officer includes a commanding officer of an installation, base, or tenant organization.

"Seaport" means the property where marine and seaport terminals are typically located for the loading and unloading of water-borne commerce onto and from ocean-going vessels. For purposes of this regulation, seaport does not include seaport property that is not primarily used to engage in water-borne commerce.

"Seaport or port authority" means those entities, either public or private, that are responsible for the operations of seaports.

"Seaport property" means publicly or privately owned property where a seaport is located. It is the property that includes the physical boundaries, either contiguous or non-contiguous, of the seaport and may include other properties owned by the seaport. For the purposes of this regulation, seaport property includes privately owned property located within a publicly or privately owned seaport property's boundaries.

"Shipper" means the person, party, or entity who owns or supplies the commodities shipped by a drayage motor carrier.

"Shipping paper" means a shipping order, bill of lading, manifest or other shipping document.

"Vehicle" is as defined in CVC section 670.

"Vehicle Identification Number (VIN)" means an alpha numeric code which has been permanently assigned by the manufacturer to a vehicle.

"Vehicle purchase" or "purchase" means the drayage truck owner or controlling party has placed an order of a zero-emission vehicle or powertrain conversion for immediate delivery or installation and has already paid for or has entered into a binding agreement with the authorized dealer, powertrain conversion installer, or manufacturer to pay for the vehicle or conversion. A vehicle purchase includes where the drayage truck owner has executed any one of the following:

- (A) Identified, committed, and encumbered funds and executed a written notice to proceed to a manufacturer or powertrain conversion installer to begin production of the vehicle either:
 - 1. Under a previously entered purchase contract; or
 - 2. To execute a contract option.
- (B) A written purchase agreement between a drayage truck owner or controlling party and the manufacturer or powertrain conversion installer that specifies the date when the work to manufacture or convert the vehicle is to proceed;
- (C) A written purchase agreement between a drayage truck owner or controlling party and another party for the purchase and immediate delivery of a used vehicle; or
- (D) A signed written lease agreement between a drayage truck owner and the manufacturer or authorized dealer for a new vehicle to be placed in service for a contract term of one year or more.

"Zero-emission powertrain" has the same definition as title 13, CCR section 1956.8(i)(12).

"Zero-emission vehicle" means an on-road vehicle with a drivetrain that produces zero exhaust emissions of any criteria pollutant (or precursor pollutant) or greenhouse gas under any possible operational modes or conditions.

- (c) Exemptions. The following vehicles are exempt from the requirements of sections 2014:
 - (1) Dedicated use vehicles;
 - (2) Emergency vehicles as defined in the CVC section 165;
 - (3) Military tactical support vehicles;
 - (4) Vehicles subject to the regulation for Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards commencing with title 13, CCR section 2479; and
 - (5) Vehicles operating pursuant to a declared emergency event, shall be exempt from the requirements of this regulation. Drivers operating heavy-duty vehicles operating under these emergency orders shall keep

copies of dispatch records and/or contracts verifying support of emergency operations in the vehicle. The driver and/or vehicle owner shall make the records available to CARB staff or appropriate California official, such as a California Highway Patrol officer, within 72 hours upon 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 2014.1 of title 13, California Code of Regulations, to read as follows:

Section 2014.1 In-Use On-Road Heavy-Duty Drayage Trucks Requirements and Compliance Deadlines

- (a) Requirements and Compliance Deadlines. Drayage trucks subject to this regulation must meet the following requirements:
 - (1) Phase 1 Requirements:
 - (A) Beginning January 1, 2024, all drayage trucks registering for the first time in The CARB Online System must be equipped with and operate a zero-emission powertrain as a zero-emission vehicle.
 - (B) Beginning January 1, 2024, a legacy drayage truck must visit a regulated seaport or intermodal railyard at least once each calendar year, to remain in compliance.. Trucks that have not met their annual visit requirement will be excluded from The CARB Online System and considered as noncompliant, by March 31st of each calendar year, beginning in 2025.
 - (C) Beginning January 1, 2025, all legacy drayage trucks registered in The CARB Online System will be excluded from The CARB Online System and considered as noncompliant, by March 31st of each calendar year, after the later of the time periods specified below in subsection 1. or 2.
 - 1. Thirteen years from the model year that the engine and emissions control system of that drayage truck was first certified for use by CARB or U.S. EPA; or

2. The date that the drayage truck exceeded 800,000 vehicle miles traveled or 18 years from the model year that the engine and emissions control system of that drayage truck was first certified for use by CARB or U.S. EPA (whichever comes earlier).
- (2) Phase 2 Requirements:
- (A) Beginning January 1, 2035, all drayage trucks must be equipped with and operate a zero-emission powertrain.

(3) Drayage Truck Owner Requirements

Drayage truck owners must:

- (A) Submit drayage truck registration information by one of the following methods:
1. Mail to CARB at the address listed directly below:
 - a. California Air Resources Board
Transportation and Toxics
Division (TTD/Drayage)
P.O. Box 2815
Sacramento, CA 95812
or
 2. Electronically submit through the CARB Online System at <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets>; or
 3. Electronically submit by email to: TRUCRS@arb.ca.gov.
- (B) Beginning January 1, 2025, drayage truck owners must annually report verifiable odometer mileage for all legacy drayage trucks 12 years or older and comply with the following reporting requirements:
1. Odometer reporting shall be given to, and in a manner and format prescribed by, CARB annually on or before February 15th of each calendar year.

2. Report annually the mileage reading and the date the reading was recorded from a properly functioning odometer or hubodometer.
 3. If the odometer is replaced, report the following within 30 calendar days of the original odometer failure: the original odometer's final reading, the new odometer's initial reading, and the date of replacement;
 - a. If the vehicle's odometer is not functional and is not being replaced, report the serial number from a hubodometer with a non-resettable odometer.
 4. Documentation must include VIN, engine family name, license plate number and state of issuance, odometer reading, and date. Acceptable documentation can include:
 - a. Unaltered photograph of the odometer or hubodometer and registration for the vehicle;
 - b. Smoke opacity test;
 - c. California Highway Patrol-Truck and or Tractor Maintenance and Safety Inspections Forms (108-Form);
 - d. Basic Inspection of Terminals (BIT) Inspection forms;
 - e. Maintenance or service work orders, invoices or receipts; or
 - f. Driver logs or Inspection sheets.
- (C) Demonstrate that the hiring entity has informed the drayage truck operator about the information required under 2014.1(a)(3)(B) and provided documentation, such as an annually signed affidavit or contract to any CARB staff or the Executive Officer, upon request.
- (D) Beginning January 1, 2024, the controlling party with common ownership or control of drayage trucks shall ensure that drayage trucks under their control are compliant with all provisions of this regulation.
- (E) Drayage truck owners may exclude an existing legacy drayage truck from the requirements in section 2014.1(a)(1)(C) if the zero-

emission vehicle is ordered one year in advance of the compliance date for the legacy drayage truck being replaced and the newly purchased zero-emission vehicle will not be delivered by the compliance deadline for reasons beyond the drayage truck owner's control if the criteria for section 2014.2(a) are met.

- (F) Drayage truck owners may receive a one-year extension from the requirements of section 2014.1(a)(1)(C) and delay delivery of ordered zero-emission vehicles that would be reliant on the fueling infrastructure for one year, if the criteria described in section 2014.2(b) are met.

(4) Drayage Truck Operator Requirements

- (A) Drayage truck operators shall, upon request make available all information collected in 2014.1(a)(4)(B-C) to CARB staff or the Executive Officer within 72 hours of an official written or oral request:
- (B) Provide documentation of the dispatching drayage motor carrier's contact information:
 - 1. The drayage motor carrier's business name;
 - 2. Contact person's name;
 - 3. Drayage motor carrier's street address, city, state, and zip code;
 - 4. Contact person's business phone number;
 - 5. U.S. Department of Transportation Number;
 - 6. Motor Carrier Number;
 - 7. Signed contract; and
 - 8. Signed Affidavit that notification was given to the hired entity as required above, if not in the contract.
- (C) Identify and provide documentation on the origin and destination of the cargo, chassis, and intermodal equipment (container, etc.). Documentation can include a:
 - 1. Delivery receipt;

2. Pick up receipt;
3. Equipment interchange receipt;
4. Release number; or
5. Shipping paper or other documentation that identifies the origin and destination of the cargo and the pickup and termination destination of the chassis and intermodal equipment.

(5) Drayage Motor Carrier and Controlling Party Requirements

Each drayage motor carrier and controlling party shall do the following:

- (A) Provide a copy of this regulation or a CARB approved summarized version to each drayage truck owner that it contracts with for deliveries to seaports and intermodal railyards.
- (B) Only contract or dispatch drayage trucks that meet the requirements and compliance deadlines set forth in 2014.1(a)(1) and (2).
- (C) Only contract or dispatch drayage trucks to seaports and intermodal railyards that are registered in The CARB Online System and are compliant with this regulation.
- (D) Only contract or dispatch drayage trucks whose operators have been informed that they must provide the drayage motor carrier information listed in section 2014.1(a)(4)(A).
- (E) Keep a record of all contracted or dispatched drayage trucks sent to a seaport or intermodal railyard containing the information below for a minimum of five years from the contracted or dispatched date. All detailed and summary dispatch records are to be made available to CARB staff or the Executive Officer within 72 hours of an official written or oral request.
 1. Truck dispatch date and time;
 2. Shipping paper or tracking number;
 3. Truck license plate number and state of issuance; and
 4. Drayage truck identification number.

- (F) Controlling parties may exclude an existing legacy drayage truck from the requirements in section 2014.1(a)(1)(C) if the zero-emission vehicle is ordered one year in advance of the compliance date for the legacy drayage truck being replaced and the newly purchased zero-emission vehicle will not be delivered by the compliance deadline for reasons beyond the controlling party's control if the criteria for section 2014.2(a) are met.
 - (G) Controlling parties may receive a one-year extension from the requirements of section 2014.1(a)(1)(C) and delay delivery of ordered zero-emission vehicles that would be reliant on the fueling infrastructure for one year if the criteria described in section 2014.2(b) are met.
- (6) Marine and Seaport Terminal and Intermodal Railyard Requirements

Each marine or seaport terminal and intermodal railyard shall do the following:

- (A) Beginning January 1, 2024, collect the following information for each drayage truck subject to this regulation that enters the facility or property:
 - 1. Entry date and time;
 - 2. Exit date and time;
 - 3. Drayage truck's license plate number and state of issuance; and
 - 4. Drayage truck's VIN.
- (B) Beginning January 1, 2024, collect the following information for each drayage truck that is subject to this regulation, that enters the facility or property, and is not compliant as determined by information or status contained within The CARB Online System. All information collected in 2014.1(a)(6)(B) shall be kept for a period of not less than five years from the truck entry date and is to be made available to CARB staff or CARB Executive Officer within 72 hours of an official written or oral request.
 - 1. Dispatching drayage motor carrier:
 - a. Business name of dispatching drayage motor carrier;

- b. Contact person's name;
 - c. Street address, city, state, zip code;
 - d. Phone number of the dispatching drayage motor carrier; and
 - e. Shipping paper or tracking number.
2. Drayage truck:
- a. Entry date and time;
 - b. Exit date and time;
 - c. Registered owner's name;
 - d. Operator's name;
 - e. Operator's license number;
 - f. Drayage truck's license plate number and state of issuance; and
 - g. Drayage truck's VIN.

- (C) Report the information collected in 2014.1(a)(6)(A) above annually on or before February 15th of each calendar year.
- (D) Report the information collected in 2014.1(a)(6)(B) above to their respective Seaport or Railyard authorities according to Schedule A below.

Schedule A: Marine and Seaport Terminal and Intermodal Railyard Reporting Schedule

Date Truck Enters Terminal or Intermodal Railyard	Date by which Information is to be Reported to Seaport or Railyard Authority
January 1 – March 31	April 15
April 1 – June 30	July 15
July 1 – September 30	October 15
October 1 – December 31	January 15

- (E) Beginning January 1, 2024, seaport and railyard authorities shall report the respective information collected by the seaport terminals and intermodal railyards, as detailed in 2014(a)(6)(B) and

(D), to CARB according to Schedule B below. Reporting parameters are detailed on CARB's website <https://ww2.arb.ca.gov/resources/documents/drayage-trucks-seaports-and-railyards>.

Schedule B: Seaport and Railyard Authority Reporting Schedule

Date by which Information is to be Reported to the California Air Resources Board
May 15
August 15
November 15
February 15

- (F) Seaport or port and railyard authorities shall ensure their respective terminals and/or intermodal railyards abide by all Schedule A reporting requirements and deadlines.
- (7) CARB Online System Truck Registry Requirements
Drayage Truck Owner Requirements:
- (A) No later than December 31, 2023, all drayage trucks that begin or continue operations at a seaport or intermodal railyard must be registered with The CARB Online System.
- (B) Submit drayage truck reporting information by one of the following methods:
1. Mail to CARB at the address listed directly below:
 - a. California Air Resources Board
Transportation and Toxics
Division (TTD/Drayage)
P.O. Box 2815
Sacramento, CA 95812
or
 2. Electronically submit through the CARB Online System at <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets>; or
 3. Electronically submit by email to: TRUCRS@arb.ca.gov.

- (C) Owners of all drayage trucks covered by the regulation and doing business at a seaport or intermodal railyard must register the truck through The CARB Online System. The information shall include:
1. Entity name;
 - a. Fictitious business name if applicable.
 2. Entity owner name;
 3. Entity physical and mailing addresses;
 4. Designated contact person name;
 5. Designated contact person phone number;
 6. Designated contact person email;
 7. Federal Taxpayer Identification Number;
 8. 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;
 9. Identify whether the vehicle is a "drayage truck", as defined in section 2014(b);
 10. Identify whether the fleet is a federal fleet;
 11. Name of the responsible official;
 12. VIN;
 13. Vehicle make and model;
 14. Vehicle model year;
 15. Vehicle license plate number and state of issuance;
 16. Vehicle GVWR;
 17. Vehicle body type;

18. Fuel and powertrain type;
 19. Whether the vehicle will be designated under or was purchased pursuant to any exemption or extension provision of section 2014(c) or 2014.2;
 20. Odometer, or if applicable, hubodometer readings legacy drayage trucks that are 12 years or older as specified in section 2014.1(a)(3)(B);
 21. Engine family for legacy drayage trucks that are 12 years or older;
 22. Engine model year for legacy drayage trucks that are 12 years or older; and
 23. Whether the vehicle being reported by the controlling party is owned by another entity, if applicable.
- (D) After registering the truck, the drayage truck owner is required to make updates in the CARB Online System within 30 calendar days of any change to the information above in 2014.1(a)(7)(C).
- (E) Registration cannot be transferred between truck owners.
- (F) Legacy drayage trucks, that are not zero-emission, shall not remain in The CARB Online System and cannot reregister after they are sold.
- (G) Trucks in drayage service shall not be repowered to extend compliance. Legacy vehicles repowered after January 1, 2024, will be prohibited from conducting drayage activities in California. However, vehicles with internal combustion engines that have been upgraded to have zero-emission powertrains may be eligible to register in The CARB Online System.

Note: Authority cited: Sections 38501, 38505, 38510, 38560, 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, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43000, 43000.5, 43013, 43018, 43100, 43101, 43102, 43104 and 43205.5, Health and Safety Code.

Adopt Section 2014.2 of title 13, California Code of Regulations, to read as follows:

Section 2014.2 In-Use On-Road Heavy-Duty Drayage Trucks Extensions

Drayage truck owners or controlling parties may claim or apply for the following extensions if the drayage truck complies with the requirements that are in effect, and it would otherwise be impossible to comply with the next upcoming regulation requirement. Drayage truck owners or controlling parties requesting or utilizing any extensions must meet applicable reporting and recordkeeping requirements for each extension as specified in sections 2014.3(a)(6-9). Any extensions approved for a drayage truck owner or controlling party are not transferrable to another owner or controlling party. The Executive Officer will respond to exemption requests as described in section 2014.3(a)(7) and 2014.3(b)(5).

- (a) If zero-emission vehicles are ordered at least one year prior to the next compliance date, drayage truck owners or controlling parties may submit information below to receive an extension and continue to remain in compliance.
 - (1) Drayage truck owners or controlling parties may claim a Vehicle Delivery Delay Extension by emailing the following information to TRUCRS@arb.ca.gov no later than February 1 of each calendar year, with extension filing occurring during the month of January during each calendar year.
 - (A) Identify the VIN of the vehicle that is to be replaced by the forthcoming zero-emission vehicle.
 - (B) Submit the purchase agreement showing the zero-emission vehicle was ordered at least one year prior to the next compliance date to remain in compliance due to delays beyond the drayage truck owner's or controlling party's control. The purchase agreement must meet the following criteria:
 - 1. It is a written and legally binding contract signed at least one year before the upcoming vehicle compliance date for the vehicle being replaced. The extension cannot be claimed if the purchase agreement is modified by the drayage truck owner or controlling party within one year of the compliance deadline. Letters of intent or other agreements that are not binding or are contingent upon other decisions that remain unresolved within one year of the upcoming deadline are not sufficient to qualify for the extension.

2. The purchase agreement must identify that a specific vehicle or agreement with a zero-emissions powertrain conversion installer was purchased, the date of the purchase, and that the purchase is for immediate delivery to the ultimate purchaser in California.
- (2) If a manufacturer cancels a purchase agreement used to qualify for the extension for reasons beyond the control of the drayage truck owner or the controlling party, the drayage truck owner or controlling party must secure another purchase agreement within 90 calendar days to maintain the provision.
- (3) If a drayage truck owner or controlling party cancels a purchase agreement used to qualify for the extension, the claim for the extension will be treated as invalid and the agreement will be treated as if it were never executed.
- (4) Drayage truck owners and controlling parties utilizing the vehicle delivery delay extension will have 30 calendar days to report the delivery of the newly added zero-emission vehicle and to remove the legacy drayage truck from the CARB Online System.
- (5) All reports submitted to CARB electronically are considered signed by the responsible official. Hard-copy documentation submitted must be signed by the responsible official.
- (6) Requests and required information for Executive Officer consideration of the extensions of sections 2015.2(a), must be submitted via email to TRUCRS@arb.ca.gov. The Executive Officer will notify the drayage truck owner or controlling party by email whether the extension request is approved within 30 calendar days from receipt of a complete submission.
- (7) Drayage truck owners and controlling parties that utilize the Vehicle Delivery Delay extension of section 2015.2(a) must keep and provide copies of the purchase agreement used to qualify for the extension, and any records or documentation of order cancellations by the manufacturer outside the control of the drayage truck owner or controlling party.
- (8) Records of reported information must be kept by the drayage truck owner or controlling party and made available to CARB staff for audit for a period of eight years from the date the information is used to demonstrate compliance. This information is to be made available to CARB staff or CARB Executive Officer within 72 hours of an official written or oral request.

- (b) A drayage truck owner or controlling party may apply for the Infrastructure Construction Delay Extension if they experience construction delays beyond their control on a project to purchase zero-emission vehicles and install zero-emission vehicle charging or fueling stations. The Executive Officer will grant a single extension per project to delay the vehicle delivery for one year if they determine the drayage truck owner or controlling party satisfies the criteria for the delay, based on the information submitted below and the exercise of good engineering judgment.
- (1) The drayage truck owner or controlling party must submit the following by email to TRUCRS@arb.ca.gov to apply:
 - (A) Submit documentation showing the executed contract for the infrastructure installation with a construction project start date at least one year prior to the next immediately applicable compliance date for the purchased vehicle.
 - (B) Submit documentation showing the delay is a result of any of the following circumstances beyond the drayage truck owner's or controlling party's control after obtaining construction permits: change of a general contractor; delays obtaining power from a utility; delays due to unexpected safety issues; discovery of archeological, historical, or tribal cultural resources described in the California Environmental Quality Act; or natural disasters.
 - (C) Submit a letter signed by the responsible official and a letter from the licensed contractor performing the work or the related utility, building department, or other organizations involved in the project to CARB which includes an explanation of the reasons for the delay, why retail infrastructure cannot be used, and the estimated completion date of the project.
 - (D) Documentation showing the executed zero-emission vehicle purchase agreement.
 - (2) The Executive Officer will notify the drayage truck owner or controlling party by email whether the extension request is approved within 30 calendar days from receipt of a complete submission.
 - (3) Drayage truck owners or controlling parties that utilize the Infrastructure Delay Exemption must keep and provide copies of all documents, letters, contracts, and purchase agreements used to support their request for the exemption.

- (4) Records of reported information must be kept by the drayage truck owner or controlling party and made available to CARB staff for audit for a period of 8 years from the date the information is used to demonstrate compliance. This information is to be made available to CARB staff or CARB Executive Officer within 72 hours of an official written or oral 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 2014.3 of title 13, California Code of Regulations, to read as follows:

Section 2014.3 In-Use On-Road Heavy-Duty Drayage Trucks Enforcement

- (a) Penalties. Any person who fails to comply with the requirements of this regulation, who fails to timely 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.
- (b) Right of Entry. For the purpose of on-road vehicles covered in this regulation, and their records to determine compliance with these regulations, 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 on-road vehicles are located or on-road vehicle records, including hiring and brokering records, are kept to verify compliance with requirements outlined in this chapter.
- (c) Enforcement. Enforcement of this section may be carried out by authorized representatives of CARB, seaport, and railyard authorities; peace officers as defined in California Penal Code, Title 3, chapter 4.5, sections 830 et seq. and their respective law enforcement agencies; and authorized representatives of air pollution control or air quality management districts.
- (d) 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.

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.