

**Request for an Early Effective Date
Pursuant to Government Code Section 11343.4(b)(3)**

**Proposed Amendments to the Advanced Clean Trucks Regulation and the
Zero-Emission Powertrain Certification Test Procedure**

The California Air Resources Board (CARB or Board) formally requests, pursuant to Government Code section 11343.4, subdivision (b)(3), that the Office of Administrative Law (OAL) prescribe an “earlier effective date” for the “*Proposed Amendments to the Advanced Clean Trucks (ACT) Regulation and the Zero-Emission Powertrain Certification (ZEP Certification) Test Procedure*”¹ that the Board adopted on October 24, 2024. CARB believes the following demonstrates “good cause” exists for OAL to prescribe an earlier effective date – i.e., an effective date to coincide with the filing of the regulations with the Secretary of State.

Demonstration of Good Cause

This rulemaking action primarily provides manufacturers additional flexibility to comply with the ACT regulation by: extending the timeframe to offset an outstanding deficit by two model years, establishing that compliance is based on the reported sales of vehicles delivered for sale in California as opposed to when vehicles reach the ultimate purchaser, and permitting secondary vehicle manufacturers to opt into the ACT credit trading and transfer provision. The existing ACT regulation in turn establishes emissions standards and accompanying enforcement procedures for medium- and heavy-duty on-road vehicles that requires manufacturers of those vehicles to produce and sell an increasing portion of their new vehicles that emit no criteria or greenhouse gas emissions, i.e., zero-emission vehicles (ZEV) starting in the 2024 model year.

- The ACT regulation establishes a credit trading and transfer system that permits manufacturers to acquire, trade, sell, or purchase ZEV credits as part of their compliance demonstrations. The amendments now allow secondary vehicle manufacturers (entities that modify a complete vehicle or complete the assembly of a partially complete vehicle) to participate in the credit trading and transfer system. The early effective date is needed to implement these provisions as soon as possible, which will directly benefit secondary vehicle manufacturers by providing them a greater ability to procure internal combustion engine vehicles in instances where manufacturers subject to the ACT regulation are restricting sales of such vehicles and electing not to purchase credits. The early effective date is also needed in consideration of the preexisting deadline for which a manufacturer initially subject to the regulation may update their initial report for the 2024 model year, which is 270 days following the end of the 2024 model year, should credit transfers take place with a secondary vehicle manufacturer.

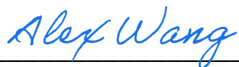
- In order to generate credits, the ACT regulation initially specified that heavy-duty on-road ZEVs over 14,000 pounds gross vehicle weight rating (GVWR) and *incomplete* medium-duty ZEVs from 8,501 through 14,000 pounds GVWR be certified to the requirements of the

¹ Adopting California Code of Regulations, tit. 13, §§ 1963.6 and amendments to California Code of Regulations, tit. 13, §§ 1963, 1963.1, 1963.2, 1963.3, 1963.4, and 1963.5.

ZEP Certification regulation. This requirement established minimum criteria for the quality and reliability of ZEVs, ensures information regarding ZEVs and their powertrains are effectively and consistently communicated to purchasers, and accelerates progress towards greater vehicle reparability. The amendments now provide manufacturers additional flexibilities to generate credits by allowing manufacturers the option to also certify *complete* medium-duty ZEVs from 8,501 through 14,000 pounds GVWR be certified to the requirements of the ZEP Certification regulation. The early effective date is needed to implement these requirements as soon as possible, which will benefit manufacturers by providing them certainty that these requirements are effective under California law as soon as possible and by increasing flexibility in the certification pathways they may utilize to generate credits under the ACT regulation.

For the foregoing reasons, CARB believes there is good cause exists for OAL to prescribe an earlier effective date, and hereby requests that OAL approve an earlier effective date coinciding with OAL's approval of this rulemaking action to the Secretary of State pursuant to Government Code section 11343.4, subdivision (b)(3).

Date: March 18, 2025



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