

Addendum to the Final Statement of Reasons for Rulemaking

Public Hearing to Consider Proposed Zero-Emission Forklift Regulation and Associated Amendments

Public Hearing Date: June 27, 2024
Agenda Item No.: 24-3-2
Addendum Prepared: September 13, 2024

I. General

On August 2, 2024, the California Air Resources Board (CARB or Board) submitted the Final Statement of Reasons for the rulemaking action entitled “Public Hearing to Consider Proposed Zero-Emission Forklift Regulation and Associated Amendments” to the Office of Administrative Law (OAL) for its review and approval.

II. Non-Substantial Modifications

The non-substantial modifications described below clarify and do not materially alter the requirements, rights, responsibilities, conditions, or prescriptions contained in the regulation and associated amendments, as approved for adoption by the Board. (See California Code of Regulations (CCR), tit. 1, § 40)

After the August 2, 2024, submission of the rulemaking package to OAL for approval, the following non-substantial modifications were made to the Final Regulation Order for the Zero-Emission Forklift Regulation:

- In section 3000(c)(6), CARB removed “which is hereby incorporated by reference herein.” This change was made to remove an errant incorporation by reference citation.
- In section 3001(a), for the definition of “Agricultural Crop Preparation Services,” CARB added “Part I. Titles and Descriptions of Industries, which is hereby incorporated by reference” to correct an errant citation.
- In section 3001(a), for the definition of “Diesel Forklift,” CARB replaced “section 2449 et seq.” with “sections 2449, 2449.1, and 2449.2,” and revised the last amendment date to correctly reference the effective date of these amendments, October 1, 2023.
- In section 3001(a), for the definition of “Energized,” CARB removed “herein” to remove redundancy.

- In section 3001(a), for the definition of “Forest Crop Preparation Services,” CARB added “Part I. Titles and Descriptions of Industries, which is hereby incorporated by reference” to correct an errant citation.
- In section 3001(a), for the definition of “Large Spark Ignition,” CARB revised reference to the regulations of the United States Environmental Protection Agency, inserting “40 CFR, Part 1074, subpart A, which is incorporated by reference.”
- In section 3001(a), for the definition of “Microbusiness,” CARB removed the incorporation by reference of Government Code section 14837(b), inserted the language of said Government Code section into the regulatory text, and incorporated by reference NAICS 31-33.
- In section 3001(a), for the definition of “Rough Terrain Forklift,” CARB removed “herein” and added, “last issued March 27, 2021.” These changes were made to remove redundancy and add specificity as to which version of ANSI/ITSDF B56.6-2021, “Safety Standard for Rough Terrain Forklift Trucks,” is incorporated by reference. Further, for the definition of “Rough Terrain Forklift,” subparagraph (B), CARB added, “last issued March 27, 2021.” This change was made to add specificity as to which version of ANSI/ITSDF B56.6-2021, “Safety Standard for Rough Terrain Forklift Trucks,” is incorporated by reference.
- In section 3001(a), for the definition of “Vehicle Mounted Forklift,” subsection (A), CARB removed “herein” and added, “reaffirmed December 7, 2020.” These changes were made to remove a redundancy and to add specificity as to which version of ANSI/ITSDF B56.14-2020, “Safety Standard for Vehicle Mounted Forklift Trucks,” is incorporated by reference.
- In section 3001(a), for the definition of “Vehicle Mounted Forklift,” subsection (B), CARB added, “reaffirmed December 7, 2020.” This change was made to add specificity as to which version of ANSI/ITSDF B56.14-2020, “Safety Standard for Vehicle Mounted Forklift Trucks,” is incorporated by reference.
- In section 3006(g)(2)(A), CARB replaced “these provisions” with “section 3006(g).” This change was made to specify the sections referenced.
- In section 3007(b)(3)(A)(1)(a), CARB replaced “Sections 21000 et seq” with “sections 21083.2, 21084.1, 21084.2, and 21084.3” to specify the applicable sections.
- In section 3008(b), CARB added a reference to the “DOORS” reporting system to identify the reporting system for electronic submittals.
- In section 3011(a), CARB removed “, last amended November 17, 2022.” This change was made to correct an errant citation.