

# **Notice of Public Availability of Modified Text and Availability of Additional Documents and /or Information**

## **Proposed Amendments to the Advanced Clean Fleets and Low Carbon Fuel Standard Regulations**

Public Hearing Date: September 25, 2025  
Public Availability Date: April 2, 2026  
Deadline for Public Comment: April 17, 2026

At its September 25, 2025, public hearing, the California Air Resources Board (CARB or Board) approved the amendments to sections 2013, 2013.1, 2013.2, 2013.3, 2013.4, 95486.3, and the adoption of new sections 2013.5, 2013.6, 2013.7, Title 13 and 17, California Code of Regulations. Additionally, the Board approved the repeal of sections 2014 and 2015, Chapter 1, Article 3.2, Title 13, California Code of Regulations. The actions taken repeal the Drayage, High Priority, and Federal Fleet requirements from the Advanced Clean Fleets (ACF) Regulation, providing greater certainty to those entities that they do not need to demonstrate compliance. The Title 13 amendments fully satisfy the statutory requirements of Assembly Bill (AB) 1594, and the Low Carbon Fuel Standard (LCFS) amendments to Title 17 provide stronger crediting support for hydrogen stations and more adequately support development of stations that can accommodate the refueling demand of larger medium-duty hydrogen fuel cell electric vehicles.

The Board directed the Executive Officer to determine if additional conforming modifications to the regulation were appropriate and to make any proposed modified regulatory language available for public comment, with any additional supporting documents and information, for a period of at least 15 days as required by Government Code section 11346.8. The Board further directed the Executive Officer to consider written comments submitted during the public review period and make any further modifications that are appropriate available for public comment for at least 15 days, and present the regulation to the Board for further consideration if warranted, or take final action to adopt the regulation after addressing all appropriate modifications.

The resolution and all other regulatory documents for this rulemaking are available online at the following *CARB website*:

<https://ww2.arb.ca.gov/rulemaking/2025/acfab/1594>.

CARB has determined that additional modifications are appropriate for the proposed amendments and has developed the proposed modifications (15-Day Changes) as stated below in the “Summary of Proposed Modifications” section of this notice. The Attachments showing the specific proposed modifications to the text of the proposed regulation being made with these 15-Day Changes are shown in multiple ways in order to meet the requirements of the Administrative Procedure Act (APA) while also posting alternate/complementary versions that provide increased accessibility to view the modifications in multiple ways.

The Attachments are as follows:

**Attachment A - Amendments to Sections 2013, 2013.1, 2013.2, 2013.3 and 2013.4, and adopt sections 2013.5, 2013.6 and 2013.7, Title 13, California Code of Regulations**

- Attachment A-1: Proposed 15-Day Modifications to Proposed Regulation Order (compared to version released for 45-day comments)
- Attachment A-2: ~Alternative format to Attachment A-1~
- Attachment A-3: Proposed 15-Day Modifications to Proposed Regulation Order (15-Day Modifications and 45-Day Modifications combined and compared to existing regulatory text) in Alternative format
- Attachment B: Updated Emissions Charts for the Proposed Amendments to the Advanced Clean Fleets (ACF) and Low Carbon Fuel Standard Regulations released on August 1, 2025, and approved by the Board on September 25, 2025

The Attachments showing the specific proposed modifications to the text of the proposed regulation orders available for comment with this Notice are provided in the two formats denoted with the suffixes “-1” and “-2.”

In the version denoted Attachment A-1, the 45-Day Changes (proposed regulatory language as posted on July 29, 2025) are shown in “normal type.” The deletions and additions to the 45-Day Changes that comprise the 15-day Changes that are being made public and available for comment with this Notice are shown in ~~strikeout~~ to indicate deletions and underline to indicate additions.

In the version denoted Attachment A-2, the 15-Day Changes are provided in a tracked -changes format to meet the requirement for accessible electronic documents. The 45-Day Changes are incorporated into this version as plain, clean text because they are not being made available for public comment by this Notice. The Proposed 15-day Changes are shown in tracked changes and are made public with this Notice and available for comment. To review this document in a clean format, without underline or strikeout to show changes, that shows all the proposed regulations being considered for adoption, please select “Simple Markup” or “No Markup,” or accept all changes in Microsoft Word’s Review menu. You can also change the view to the initially proposed 45-Day Changes (originally proposed regulatory text prior to these proposed modifications) by selecting “Original” or rejecting all tracked changes. Additionally,

“Advanced Track Changes Options” will allow for further options regarding color and other markings.

In the version denoted Attachment A-3, the existing, original regulatory language currently adopted into the California Code of Regulations (pre-45-Day Changes) is shown as plain, clean text, while the 45-Day Changes and the proposed 15-Day Changes are combined and shown in tracked changes. To review the net proposal in this document in a clean format (no underline or strikeout to show changes), please select “Simple Markup” or “No Markup” in Microsoft Word’s Review menu or accept all changes. You can also change the view to the original (originally proposed regulatory text prior to any proposed modifications, or 45-Day Changes) by selecting “Original” or rejecting all tracked changes. By progressing through the changes and comparing them with the 15-Day Changes, the public can see the net and stepwise changes being proposed in relation to existing law. Please refer to the version denoted A-1 to review the 15-Day Changes available for comment and its companion/alternate version A-2 to view an accessible version showing the 15-Day Changes.

In the Final Statement of Reasons, staff will respond to all comments received on the record during the comment periods. The APA requires that staff respond to comments received regarding all noticed changes. Therefore, staff will only address comments received during this 15-day comment period that are responsive to this notice, documents added to the record, or the changes detailed in Attachment A-1.

## **Summary of Proposed Modifications**

The following summary does not include all modifications to correct typographical or grammatical errors, changes in numbering or formatting, nor does it include all of the non-substantive revisions made to improve clarity.

The term “will” and “must” were replaced with “shall” in every instance throughout this draft regulatory order. This change is necessary to provide consistency.

### **(A) § 2013. State and Local Government Fleet Applicability, Definitions, and General Requirements.**

1. In section 2013(b), the definition for “Day cab tractor” was moved from 2013.6(b) and the language “designed for resting or sleeping” was moved to after “at the back of the cab”. This change is necessary to improve readability of the definition and ensure appropriate stakeholder interpretation. All of the text for this definition is shown as new because of the move.
2. In section 2013(b), the definition for “ePTO” was removed. This proposed change is necessary because all requirements or provisions related to electric power takeoff (ePTO) have been removed from the regulatory requirements.
3. In new section 2013(b)(A)(1), in the definition of “fleet owner,” the language “for vehicle leases or rental agreements for a period of one year or longer with a signed date before January 1, 2027, if” was added. This change is necessary to provide reasonable notification to entities who entered one-year or longer lease agreements

before January 1, 2027. The language, “the terms of the rental or lease agreement identifies the renting operator or lessee of the vehicle as the party responsible for compliance with state laws.” was moved from section 2013(b)(A)(1). This change is necessary to improve readability of the requirements and more clearly establish the circumstances in which the rental or leasing entity versus the fleet owner is considered the owner of a rented vehicle. The term “identifies” was changed to “identify” to be grammatically correct. Additionally, the language “then the fleet owner shall be considered the rental or lease business.” was added. This change is necessary to prevent a fleet owner from circumventing compliance requirements. Due to the repeal of the High Priority Fleets requirements, rental fleets are no longer subject to the ACF High-Priority and Federal Fleets regulation. As a result, State and local government fleets could potentially avoid all zero-emission vehicle (ZEV) requirements by transferring their compliance obligation to rental or leasing companies who are no longer subject to a similar ZEV purchase requirement. Additionally, the language was originally included in this definition to accommodate Truck-as-a-Service business models. Because those business models do not apply to State and local government operations, the fleet owner definition no longer needs the flexibility provided by the original definition.

4. In section 2013(b), the definition for “good engineering judgement” was added, with the new language “‘good engineering judgement’ is using commonly believed scientific and mathematical principles when making a decision that seeks to maximize public benefit and minimize public harm.” This definition was added to provide grounds that are commonly understood by the regulated community to qualify for provisions of the regulations. It is a summary of the definition by McLaughlin, D. (2021), in the paper, “Engineering, Judgement and Engineering Judgement: A Proposed Definition.”
5. In section 2013(b), the definition for “heavy front axle” was moved from section 2013.6(b). This proposed change is necessary to improve readability by centralizing all definitions in one place.
6. In section 2013(b), the definition for “Low-NOx ICE Vehicle” was added, with the new language “‘Low-NOx ICE Vehicle’ is a vehicle legally sold into California equipped with an engine certified to a NOx emission standard below the lowest applicable NOx engine standard for the 2026 or subsequent model years.” This proposed change is necessary to ensure only vehicles with engines that have lower nitrogen oxides (NOx) emissions than otherwise required to be sold in California are eligible for the Captive Biofuel Use Exemption. This definition intentionally does not reference an emission limit number as it existed when this document was published, because of the high level of uncertainty caused by recent federal actions. However, if this definition was applied to a 2027 or later model -year heavy-duty engine at the time this document was published, then that engine would have to be certified to a number less than the 35 milligrams NOx per brake horsepower-hour to be designated by the Executive Officer as a “low-NOx vehicle” and then be eligible to apply for the Captive Biofuel Use Exemption”.

7. In section 2013(b), the definitions for “Milestone Group 1,” “Milestone Group 2,” “Milestone Group 3,” and “minimum useful life,” were moved from section 2013.6(b). This proposed change is necessary to improve readability by centralizing all definitions in one place.
8. In section 2013(b), the definition of “power take-off” was removed. This change is necessary because the term is no longer used in the regulation.
9. In section 2013(b), the definition of “public agency utility” was removed. The proposed change is necessary because the term is no longer needed, as the proposed amendments would be expanded to apply to all fleets. All references or language specific to “public agency utility” have been removed from the regulatory text.
10. In section 2013(b), the language “is destroyed, scrapped, sold out of the fleet, or transferred out-of-state” was added directly to the “removed from the California fleet” definition, and the following subsections 2013(b)(C) and 2013(b)(D) were removed. The language “meets one of the following conditions” was also removed from the definition. These changes are necessary to improve readability.
11. In section 2013(b), the definition of “SAE J1667” was removed. This change is necessary to improve readability and because the definition was duplicative.
12. In section 2013(b), the language “as issued in February 1996” was added to the “smoke opacity test” definition. This change is necessary to specify which version of the Test Procedure should be used.
13. In section 2013(b), the definition for “Sleeper cab tractor” was moved from 2013.6(b) and the language “designed for resting or sleeping” was moved to after “at the back of the cab”. This change is necessary to improve readability of the definition and ensure appropriate stakeholder interpretation. All of the text for this definition is shown as new because of the move.
14. In section 2013(b), the definition for “specialty vehicle” was moved from section 2013.6(b). This proposed change is necessary to improve readability by centralizing all definitions in one place.
15. In section 2013(b), the definition of “traditional utility-specialized vehicle” was removed. This proposed change is necessary because all references or language specific to traditional utility-specialized vehicles have been removed from the regulatory text. All provisions that previously granted additional flexibilities to “traditional utility -specialized vehicles” now grant these flexibilities to all State and local government vehicles, not just traditional utility-specialized vehicles.
16. In section 2013(b)(D), the language “rental or” was added to the definition for “vehicle purchase” or “purchase.” This change was made in response to stakeholders’ requests to include the execution of rental agreements within the definition.
17. In section 2013(b), the definition of “waste fleet” was moved from section 2013.6(b) for readability. The language, “and” was replaced with “or” and the language “or a

fleet owner that is contracted with a municipality” was added. These changes are necessary to be consistent with changes made to the “fleet owner” definition and to prevent a fleet owner from circumventing compliance requirements due to the repeal of the High Priority Fleets requirements. In addition, the language, “that is mandated to” and “diverted in state organic waste to produce biomethane” was removed. This change is necessary to simplify the definition.

18. In section 2013(b), the definition for “wastewater fleet” was moved from section 2013.6(b). This proposed change is necessary to improve readability by centralizing all definitions in one place.
19. In section 2013(b), the definition of “workday” was added. The new definition specifies that a workday “means a calendar day a vehicle is operated in the California fleet and excludes days the vehicle is operated solely for vehicle maintenance purposes, such as being driven to a vehicle repair facility for repairs upon that vehicle.” This proposed change is necessary to specify what mileage data should be used and to make a clarification requested by stakeholders to ensure only one logical interpretation of the phrase “maintenance purposes.” This change is also necessary to be responsive to stakeholder concerns that the phrase could be interpreted as performing maintenance services as part of their business, rather than the vehicle having maintenance performed on it.
20. In section 2013(b), the definition for “work truck” was moved from section 2013.6(b). This proposed change is necessary to improve readability by centralizing all definitions in one place.
21. In section 2013(e), “ZEV Milestones Option Flexibility,” the language “permanently” and “and may not switch back to” was removed and the language “fleet owners may switch between the ZEV Milestones Option of section 2013.6 and the ZEV Purchase Schedule of section 2013.1 until January 1, 2030, provided their California fleet was compliant with the current option in the prior calendar year, and their California fleet complies with the new option in the current year. Changing compliance options shall be reported during the annual reporting period specified in section 2013.3(b)” was added. This proposed change is necessary to offer fleets greater flexibility to choose the compliance pathway that best aligns with their specific needs and to meet compliance with no significant impact on emissions.
22. In section 2013(i), the language “section” was added to improve readability.
23. In section 2013(l), “ICE Vehicle Purchases,” the language “Any new ICE vehicle purchased for the California fleet on or after January 1, 2024, shall be certified to the California emissions standards and emissions related requirements applicable to that vehicle” was removed. This change is necessary because California’s public fleets already purchase internal combustion engine (ICE) vehicles certified to California emissions standards, so the existing language is redundant.
24. In section 2013(m), “Transit Agency Exemption,” the language “or operated” was added. This proposed change is necessary to align with existing language in the Innovative Clean Transit regulation.

25. In section 2013(n)(1), the language “the fleet” was removed and replaced with “section 2013.6(b)(1) Table A” and the language “option in section 2013.6” was removed and replaced with “by Milestone Group and Year.” This proposed change is necessary to point specifically to the ZEV Milestones table as the basis for determining if the fleet is recognized as a “ZEV Fleet” on the CARB Advanced Clean Fleets webpage.

**(B) § 2013.1. State and Local Government Fleet ZEV Purchase Schedule.**

1. In the title of section 2013.1, “State and Local Government Fleet” was added for consistency with the other section titles in Article 3.2. State and Local Government Agency Fleet Requirements.
2. In section 2013.1(a)(1), the language “including early or excess ZEV purchases as described in 2013.1(d)” was added. This is necessary because early or excess ZEV purchases can be used toward an annual ZEV purchase requirement when only a partial ZEV purchase is needed.
3. In section 2013.1(a)(1)(B), language was modified to delay the 100% ZEV Purchase requirement from 2027 to 2030. This change extends the 50% ZEV purchase requirement, delays the 100% ZEV purchase requirement for larger fleets. This change also delays the start date for small fleets and those in designated low population counties by three years. This modification is necessary to better align the regulation’s requirements with the current and expected state of the ZEV market. This change allows fleets flexibility to better manage their concerns with ZEV technology until 2030, as they shall have the ability to deploy ZEVs where most suitable and ICE vehicles where most needed. In addition, by 2030 most fleets are expected to exceed 10% ZEVs which allows access to the Daily Usage and Fleet Resiliency Exemptions. This change helps address issues raised by fleets including the lack of ZEVs available from established manufacturers with histories servicing vehicles; the current lack of capabilities of ZEVs on the market with payload, range, and towing concerns being prevalent for Class 4 and above vehicles; and the need for utilities to respond with their vehicles during severe weather events. In addition, recent federal actions are expected to slow the development of the ZEV market. Lastly, this change is necessary because it gives more time for public ZEV infrastructure to be built, which may be necessary for some fleets who elect not to install their own infrastructure, and for fleets in rural areas who deploy ZEVs for multiple days without coming back to their fleet facility to fuel at night.
4. In section 2013.1(b), the language “at the end of each calendar year” was added. This change is necessary to let a fleet owner know that the standard rounding convention does not need to be applied until compliance is determined, which is at the end of each calendar year. Further, the language “for example, 50% of 5 vehicle purchases is 2.5 and rounds up to 3 ZEV purchases that year” was added. This change is necessary to provide an example explaining how the standard rounding convention affects the number of ZEV purchases a fleet needs to make under the 50% ZEV Purchase Schedule, which provides clarity to the regulated community.

5. In section 2013.1(c), the language “purchase” was added. This change is necessary to improve readability.
6. In section 2013.1(d), the language “or Excess” was added to the title of this provision, which is necessary to more accurately characterize the requirements in the section. The original language in the section was removed and replaced with the more specific language that follows. The language “any ZEV purchased before January 1, 2024, shall count as an excess ZEV purchase as long as the vehicle is still active in the California fleet” was added. This change is necessary to establish the accounting process for excess ZEVs that were added to the fleet prior to the specified date. The language “any ZEV purchased on or after January 1, 2024, shall count as a ZEV purchase in perpetuity as long as the vehicle is active in the California fleet for at least 3 calendar years from the date the vehicle was added to the California fleet” was added. This change is necessary to establish the accounting process for excess ZEVs that were added to the fleet on or after the specified date. Including a 3-calendar-year threshold is necessary to provide credit to fleet owners who maintain excess ZEV purchases in their fleets for a significant length of time. The language “a fractional or whole ZEV purchase exceeding the amounts required in section 2013.1(a) shall be applied before any exemptions are granted” was added. This change is necessary to provide further detail on how excess ZEV accounting works when a partial ZEV is required. This change eliminates an unintended situation where a fleet may have their requirements round up every year, which would effectively increase their requirement to more than 50% ZEVs, and is especially notable in cases where fleets are purchasing 1 vehicle, which rounds up to 1 ZEV. The language “for example, 50% of a single ZEV purchase is 0.5, which rounds to 1 ZEV purchase. The excess 0.5 ZEV purchase can carry over to the next calendar year, meaning no ZEV is required the next time a fleet owner needs to purchase 1 ICE vehicle during the 50% purchase requirement. At the end of each calendar year, any excess ZEV purchases shall be carried over into the beginning of the next calendar year. For example, 1 excess ZEV purchase at the end of 2029 can be carried over into 2030 to allow for 1 ICE vehicle purchase in 2030 during the 100% ZEV purchase requirement” was added to explain how a fleet can carry over partial excess ZEV purchases to a subsequent calendar year. This example is necessary to illustrate to a fleet owner that they can carry over any partial excess ZEV purchases from a prior year.
7. In section 2013.1(e), the word “cancels” was deleted and replaced with “is unable to fulfill.” This change is necessary to broaden applicability by allowing a fleet owner to make another ZEV order even if the manufacturer does not officially cancel the original order but is otherwise unable to fulfill the order. In addition, the language “this second purchase shall count toward compliance for the calendar year of the original order” was added. This change is necessary to define the compliance year a reordered vehicle counts toward and to explain how the new purchase is accounted for to ensure fleets continue to meet their annual purchase requirements when reorders extend to the next calendar year. Lastly, the language “ZEV Purchase Exemption” was removed and replaced with “exemptions” to allow a fleet owner to request a Daily Usage Exemption or Fleet Resiliency Exemption, in addition to the

ZEV Purchase Exemption. This change is necessary to allow fleets to apply for an exemption if a vehicle order is cancelled or unable to be filled, and a ZEV that is available does not meet the fleet's usage or resiliency needs. Sections 2013(b) or 2013.2(e) were added to point the reader to the sections for the Daily Usage Exemption or Fleet Resiliency Exemption.

8. In section 2013.1(f), the language "ZEV Purchase Schedule" was added to specify that information about Exemptions and Extensions in this section only applies to fleets complying with the ZEV Purchase Schedule. The language "following" was deleted and the language "as specified in sections 2013.1(f)(1-7)" was added. This change is necessary to clearly identify which exemptions the fleet owner may apply for as opposed to exemptions that may only be applicable to fleets on the ZEV Milestones option. The language "Until January 1, 2030" was added. This is necessary to end this requirement after 2030, as this information is only needed for exemption processing during the 50% ZEV Purchase Schedule, which ends on January 1, 2030. The language "fleet owners may request the exemptions in sections 2013.2(b), 2013.2(d), and 2013.2(e), only if they can demonstrate the vehicles qualifying for the exemptions would reduce the required number of ZEV purchases in the applicable calendar year by submitting their application and the expected annual vehicle purchase information specified in section 2013.1(g)," was added. This language is necessary to state that the fleet owner shall not be granted an exemption for a given vehicle if other vehicles they need to purchase are available as a ZEV. This language is also necessary because it requires the fleet owner to share information on all their planned purchases for that calendar year, which is needed to provide the Executive Officer with necessary information to decide as to whether the exemption is warranted. The language "unless all ICE vehicle purchases in the calendar year are made pursuant to the Streamlined ZEV Purchase Exemption described in 2013.2(d)(1)." was added in response to stakeholder feedback that the expected annual vehicle purchase information is too burdensome for fleets who are only making ICE vehicle purchases off the streamlined list. The language "if the fleet owner does not adhere to the criteria used to qualify for the exemption, it shall be deemed void by the Executive Officer" was added. This language is necessary to specify what shall occur if the fleet owner does not adhere to the conditions outlined in the approved exemption. The language also provides the fleet owner clarity in the event an exemption is voided, so the fleet owner shall know they shall take additional action to get in compliance. For example, if a fleet owner is granted a ZEV Purchase Exemption because their application identified a four-wheel drive ZEV is not available to purchase, the fleet owner would violate the terms of the approved exemption if they instead purchased a two-wheel drive vehicle that is available as a ZEV. The language "where applicable, if fewer ICE vehicles qualify for the exemptions in sections 2013.2(b), 2013.2(d), and 2013.2(e) than requested, the Executive Officer shall only approve an exemption for those vehicles that qualify" was added. This is necessary to outline the process by which an exemption may be partially granted in certain cases. This provision reduces administrative burden and simplifies the exemption application process for the fleet owner.

9. In section 2013.1(f)(2), the language “except as provided in section 2013.1(g)” was removed because the entire section 2013.1(g) was removed, which is necessary to meet Board direction to extend the AB 1594 flexibilities to all State and local government agencies. In addition, the language “of the same weight class and vehicle configuration as a vehicle for which the fleet has data to submit per section 2013.2(b)” was added. This change is necessary to allow public fleets to receive exemptions if they need to expand their fleet operations. Public fleets are obligated to provide public services and often have no choice in whether to expand their services to serve more people. The language “no earlier than when the model year of the ICE vehicle being replaced reaches 13 years old. All” was deleted. This change is necessary to meet Board direction to extend AB 1594 provisions to all fleets. The language “vehicle purchases other than the vehicles included in the exemption application shall be ZEVs during the calendar year until the applicable requirements of 2013.1(a) are met” was replaced with the new language “fleet owners may only request an exemption for vehicle purchases in the current or next calendar year.” This change simplifies the application process by making it clear which calendar year shall be evaluated for the exemption request; the change is necessary to prevent a fleet owner from applying for exemptions prematurely.
10. In section 2013.1(f)(3), the language “being replaced” was removed. This change is necessary to allow the exemption to apply to all vehicle purchases, not just replacement vehicles, which ensures public fleets can get necessary exemptions due to fleet expansion. The language “fleet owners may delay the purchase of ZEVs during the extension period but shall be required to be in full compliance with the ZEV Purchase Schedule at the end of the extension period. ZEVs purchased under this extension during the delay count toward compliance for the calendar year of the original compliance requirement” was added. This change is necessary to explain what compliance year the ZEV purchases count toward the calendar year the ZEV purchases were needed for compliance purposes when the infrastructure was delayed. In other words, if an infrastructure delay means that a fleet would delay ZEV purchases from the current compliance year into a future compliance year, the fleet shall be able to deploy the ZEVs when the infrastructure is in place and still meet the current year’s compliance requirement.
11. In section 2013.1(f)(4), the language “except as provided in section 2013.1(g)” was removed because the entire former section 2013.1(g) was removed. This change is necessary to meet Board direction to extend the AB 1594 flexibilities to all State and local government agencies. The word “shall” was replaced with the word “may” to reflect that fleet owners are not required to use the exemption. The language, “no earlier than when the model year of the” was replaced with the language “to purchase a new ICE vehicle exempt from the ZEV purchase requirements of section 2013.1(a).” This change is necessary to explain how the exemption applies to all vehicle purchases, not just replacement vehicles, which ensures public fleets can get necessary exemptions for any expanded fleet operations.

The language “fleet owners shall use or request and obtain this exemption pursuant to the criteria specified in section 2013.2(d)” was added. This change is necessary due to moving language that was previously in sections 2013.1(f)(4)(A) and

2013.1(f)(4)(B). In addition, the language “vehicle purchases other than the vehicles included in the exemption application or purchased pursuant to this exemption shall be ZEVs during the calendar year until the applicable requirements of 2013.1(a) are met” was replaced with the language “fleet owners may only request an exemption for vehicle purchases in the current or next.” This change is necessary to prevent a fleet owner from applying for unnecessary exemptions prematurely.

12. In former sections 2013.1(f)(4)(A–B), all language was deleted. This change is because the language in section 2013.1(f)(4) was expanded to cover the process to request or receive these exemptions, so the previous language is no longer necessary.
13. In section 2013.1(f)(5), the name of this exemption, “Mutual Aid Assistance,” was replaced with “Fleet Resiliency Exemption.” This change is necessary because the exemption was changed to cover other situations beyond mutual aid events, such as intermittent towing and payload constraints. The language “fleet owners may only request an exemption for vehicle purchases in the current or next calendar year” was added. This change is necessary to prevent a fleet owner from applying for unnecessary exemptions prematurely before any regulatory requirements more than two years in the future.
14. In section 2013.1(f)(7), the language “non-repairable” was replaced with “non-recoverable” throughout, and the additional language “or if the vehicle is stolen and not recoverable” was added. This change is necessary to expand the scope of this provision to apply to stolen vehicles that are not recoverable. This change is necessary because, although rare, vehicle theft is an event outside of the fleet owner’s control, and similar to a vehicle accident, results in a similar outcome of a missing or unusable vehicle. The language “temporarily” was replaced with “immediately.” This change is necessary because the replacement vehicle does not need to be removed from the fleet, as the term “temporarily” may imply. The language “to purchase a used ICE vehicle of the same configuration and” was changed to “if the nonrecoverable vehicle is a new ICE vehicle, the fleet owner may request the exemption to purchase a new ICE vehicle. If the non-recoverable vehicle is a used ICE vehicle, the fleet owner may request the exemption to purchase a used ICE vehicle. In both cases, the ICE vehicle being purchased shall be of the same configuration and shall be equipped.” This is because fleets can use this exemption to replace either a new or a used vehicle. This change is necessary to respond to stakeholders’ concern that they would not be able to replace a new vehicle under this exemption. The language “provided the engine is 2010 model year or newer” tells owners that vehicles purchased using this exemption shall be equipped with engines that are 2010 model year or newer. The requirement that engines need to have 2010 or newer engines is necessary to align with existing requirements under the Truck and Bus regulation to ensure new ICE vehicles purchased during the regulation timeframe are held to the least polluting applicable emissions standards. The language “the replacement vehicle shall be purchased” was added. This change is necessary to conform to the changes made previously, i.e., allowing the purchase of either a new or used replacement vehicle. The language “of the accident, theft, or other event that made” was added and “became”

was removed. These changes are necessary to conform to changes made previously and improve readability. The language “apply” was replaced with “request the exemption,” which is necessary to more accurately explain the process used by the fleet owner to secure the exemption. Lastly, the language “used” was replaced with “replacement.” This change is necessary to conform with changes allowing either a new or used vehicle to be purchased as a replacement vehicle under this exemption.

15. In section 2013.1(f)(7)(C), the language “used” was deleted. This change is necessary to conform with the changes allowing a fleet to purchase either a replacement new or used vehicle for the reason stated previously.
16. In former section 2013.1(g), all language on “Traditional Utility-Specialized Vehicle Early Access” was deleted. This change is necessary to meet Board direction to extend the AB 1594 flexibilities to all State and local government agencies and to streamline the regulation. Removing all language removes any documentation or requirements on fleet owners to justify why a vehicle shall be replaced before applying for a ZEV Purchase or Daily Usage exemption.
17. In new section 2013.1(g), the language “ZEV Purchase, Daily Usage, and Fleet Resiliency Exemptions Expected Vehicle Purchase Information. Until January 1, 2030, the fleet owner shall submit the following information with the exemption application for vehicle purchases being made during the same calendar year as the exemption request” was added. This change is necessary to inform the regulated parties that information shall be submitted for the purpose of CARB evaluating the need for an exemption. Specifying the date of January 1, 2030, is necessary because the required information is only needed during the timeframe of the 50% ZEV purchase requirement.
18. In new sections 2013.1(g)(1–3), the language “(1) The number of ICE vehicles being purchased by weight class and configuration; (2) The number of ZEVs being purchased by weight class and configuration; and (3) Which exemption each ICE vehicle being purchased qualifies for” was added. These changes are necessary to specify information fleet owners need to submit so that the Executive Officer can determine whether an exemption is necessary based on all the expected purchases by a fleet. These changes are also necessary to calculate how much progress a fleet has made toward the 50% ZEV purchase requirement and how many exemptions are required for that fleet to achieve compliance.

### **(C) § 2013.2. State and Local Government Fleet Exemptions and Extensions.**

1. In section 2013.2 the language “and Extensions” was added to the title. This change is necessary to provide a more accurate description of the section.
2. In section 2013.2, the language “this section describes the eligibility criteria and application process for exemptions and extensions” was added. This addition is necessary to improve readability. The language “exemptions and extensions are only applicable if the fleet owner cannot comply with the requirements of section

2013.1 or section 2013.6 due to circumstances beyond their control. For example, a ZEV Purchase Exemption is not necessary if a sufficient number of ZEVs are available to purchase in the calendar year to meet the requirements of section 2013.1 without an exemption” was removed. This change is necessary to conform with modifications to section 2013.1(f), where similar language specific to ZEV Purchase Schedule was added to improve readability and organization of the regulation.

3. In section 2013.2(b), the language “as an ICE vehicle being replaced” was removed. This change is necessary to conform with changes described above to allow fleets to use the exemption to expand their fleet.

The language “as specified in section 2013.2(b)(1) if no new BEV is available” was removed, and “and class for which the fleet has data” was added, which is necessary to limit the exemption to be requested only for vehicles of the same type for which the fleet owner has data to support their need for the exemption. This limitation is necessary to prevent a fleet owner from circumventing compliance requirements where fleet owners could request the exemption for vehicles where they do not have past data to support the request.

The language “purchase that can meet the demonstrated” and “of any existing vehicles of the same configuration in the fleet, as” was removed, and “demonstrate” and “cannot be met with an equivalent BEV in a single charge” was added. These changes are necessary to improve readability and to conform with the changes allowing for the exemption to be requested for fleet expansion.

The language “the new ICE vehicle,” “to be purchased,” and “be of the same configuration as specified in section 2013.2(b)(2)” were added to conform with changes allowing for fleet expansion using the exemption and to specify the exemption applies to like-for-like vehicle configurations for which the fleet has data to support the necessity of the exemption request.

The language “fleet owners” and “place their new ICE vehicle orders within one year from the date the exemption was granted” was modified and moved to a later section to conform with changes to the exemption process allowing for fleet owners to select whether their exemption applies to the current or the next calendar year. See section describing modifications to section 2013.2(b)(6) for additional rationale for this change.

The language “fleet owners may request this exemption only if at least ten percent of their California fleet is comprised of ZEVs or NZEVs” was moved into subsection 2013.2(b)(1), which is necessary to improve readability of the criteria for this exemption. The language specifying the criteria the fleet owner shall meet and what information shall be submitted to [TRUCRS@arb.ca.gov](mailto:TRUCRS@arb.ca.gov) to apply for the exemption was modified to conform with the restructuring of this exemption’s language and subsections.

4. In new section 2013.2(b)(1), the language “fleet owners may request this exemption only if at least ten percent of their California fleet is comprised of ZEVs or NZEVs” was moved from section 2013.2(b) to improve organization.
5. In section 2013.2(b)(2), the language “the compliance year for which the exemption is applicable” was added to conform with changes to the exemption process allowing for fleet owners to select whether their exemption applies to the current or the next calendar year. See section describing modifications to section 2013.2(b)(6) for additional rationale for this change.

The language requiring the submission of the “VIN” of the vehicle was removed. This change is necessary to conform with changes to allow for the exemption to be used for fleet expansions. A fleet expanding would not have a vehicle identification number (VIN).

The language “a photograph” was replaced with “an image.” This change is necessary because it is reasonable to request an image of the configuration they intend to purchase, which may be obtained from manufacturer websites, brochures, or engineering drawings of vehicles yet to be built. Retaining the requirement for some image is necessary to audit the exemption request after a vehicle approved to be purchased under the exemption is received.

The language “replaced” was removed. This change is necessary to allow the exemption to apply to all vehicle purchases, not just replacement vehicles, which ensures public fleets can get necessary exemptions due to fleet expansion.

The language “until January 1, 2027, if using the ZEV Purchase Schedule of section 2013.1, submit the number of ICE vehicle and number of ZEV and NZEV purchases already placed and planned during the calendar year, and indicate whether any of the ICE vehicle purchases are being” and “with an exemption and include the name of the exemption for which it is eligible or has already been granted” was removed to conform with moving this required information to section 2013.1(g).

6. In section 2013.2(b)(3), the language “chassis or complete vehicle” was added. This change is necessary to allow either a battery-electric vehicle (BEV) chassis or complete vehicle to be evaluated for the highest rated energy capacity available, because a chassis can be built into many different configurations. The word “battery” was added, which is necessary to use consistent terminology.
7. In section 2013.2(b)(4), the language “calculate the range of the vehicle identified” was removed. This is necessary to be responsive to stakeholder requests to simplify the exemption process; the Executive Officer shall perform these calculations to reduce the burden on the fleet owner. The language “there are two methods for a fleet to qualify for this exemption. The first is based on mileage as described” and “the second is based on total energy use as described in section 2013.2(b)(4)(B)” was added. This addition is necessary to respond to stakeholder requests to improve the readability and organization of the exemption language by specifying that the exemption can be requested using two distinct methods.

8. In new section 2013.2(b)(4)(A), the language was restructured to move the existing language, originally found in section 2013.2(b)(3), describing the vehicle mileage report and its criteria into this section. This change is necessary to conform with the restructuring of the exemption language and to improve readability. The existing language, previously found in section 2013.2(b)(4), has also been modified. The language specifying that the mileage report shall include the “VIN” for all ICE vehicles in the report is necessary to specify the information required in the report. The language specifying that the report shall have the information for each “vehicle to be purchased” rather than “each vehicle to be replaced” is necessary to conform with changes allowing for fleet expansion using the exemption. The language “telemetry records, maintenance records, fueling records, handwritten logs, or another system that records vehicle mileage readings and dates the readings were taken” was added, which is necessary to allow additional common sources of mileage data to be used. It is also necessary to set forth the requirement that if using another mileage tracking system, it shall include mileage readings and dates, which are needed to verify the accuracy of the data submitted.
9. In new section 2013.2(b)(4)(A)1., the language “if daily data are unavailable, provide at least four mileage intervals that together span the 30 workdays; each interval shall include start and end dates, start and end odometer readings, and the number of workdays the vehicle operated in each period. Daily mileage shall be derived,” “averaging the periodic data by taking the difference of the odometer readings and,” and “them by the number of workdays for each period” was added. This change is necessary because it provides more flexibility for fleets that do not collect daily mileage data. If fleets do not collect daily data, then they would not be able to look back within the previous year or 5 years with a mutual aid agreement. The language also specifies the calculation method for the average to avoid ambiguity and ensure consistency.
10. In new section 2013.2(b)(4)(A)2., the language “Mileage Data Methodology. The Executive Officer shall convert the daily mileage data to an equivalent battery” was added. This addition is necessary to respond to stakeholder requests to improve the readability and organization of the exemption language.

The language “of the identified BEV” was removed and replaced with the language “for each vehicle in the report by multiplying the daily mileage.” This change is necessary to improve the readability. The language “submit the calculation and results. Alternatively, for applications that include vehicles that operate truck-mounted or integrated equipment while stationary, the fleet owner may collect and submit energy usage data as described in section 2013.2(b)(3)(A) to calculate the equivalent needed rated energy capacity of a BEV based on real-world data instead of the calculated range” was deleted because the Executive Officer shall now perform the calculation. The language “for each day, the calculated battery capacity shall be reorganized into daily truck assignments as follows” was added to introduce the next subsections regarding how the truck assignments shall be determined.

11. In new section 2013.2(b)(4)(A)2.a., the language “in lieu of calculating range” was removed. Additionally, the language “the first assignment shall include the lowest

daily battery capacity, the second assignment shall include the second lowest daily battery capacity, and the third assignment shall include the third lowest battery capacity. This process shall continue until there are “many assignments identified as the number of vehicles in the report” was added, and the language “specified in” was removed. These changes improve readability and explain how the assignment shall be calculated. This addition is necessary for transparency into how the Executive Officer shall evaluate fleets for partial approvals. This also allows fleets to see if they shall qualify for a partial or full approval prior to exemption submission.

12. In new section 2013.2(b)(4)(A)2.b., the language “for each truck assignment, the highest daily value shall be used to compare to the rated energy capacity of the BEV identified in” was added. This change is necessary to sequentially describe how the calculated battery capacity shall be reorganized into daily truck assignments. The language “fleet owners may instead submit measured energy use data from a BEV and an” was deleted and replaced with new language in section 2013.2(b)(C).

The language “truck assignments with a battery capacity that matches or is lower than the BEV’s rated energy capacity would not be eligible for an exemption, and the exemption shall be granted for assignments above the BEV’s rated energy capacity” was added to further explain how the assignments shall be used to grant eligibility. This addition is necessary for transparency into how the Executive Officer shall determine fleet eligibility.

13. In new section 2013.2(b)(4)(B), the language “Total Energy Usage. This method uses miles and total fuel usage to estimate the equivalent battery capacity in kilowatt hours for each vehicle using real--world energy usage factors derived from real-world test data results. To use this option, the fleet owner shall submit the information specified in sections 2013.2(b)(4)(B)1. and 2.” was added. This change is necessary to establish the Total Energy Usage method, which uses miles and total fuel usage to estimate equivalent battery capacity using real-world energy usage factors derived from real-world test data results. This change is necessary because it provides an alternative, energy-based eligibility method that can better reflect operations where stationary work or jobsite demands materially affect energy use. The change is necessary to address fleets’ feedback asking for more clarification on how they can qualify for vehicles that operate truck--mounted equipment or tow regularly and would not qualify based on mileage data alone.

14. In new section 2013.2(b)(4)(B)1., the language “the mileage data specified in section 2013.2(b)(4)(A) and fuel usage data for the same time period for each ICE vehicle in the report. The fuel usage data shall include the gallons used (or other applicable fuel usage unit), date of each refueling, number of workdays between each recorded interval, and type of fuel for each vehicle. If daily fuel usage data are not provided, daily fuel usage shall be derived by averaging periodic data by taking the difference of the fuel used readings and dividing it by the number of workdays for each period” was added. This change is necessary because it specifies precisely what data is to be submitted. The type of data was determined based on feedback from fleets and the type of data they typically can provide. Specifying gallons used, date of refueling,

and type of fuel is necessary to calculate a daily fuel consumption rate to compare to real-world data and determine what vehicle assignment's available BEV rated energy capacity would be able to fit. The type of fuel is required to verify the same fuel type is used for a fair comparison. Feedback from fleets stated that many do not collect daily data and requested an average to derive daily data from the intermittent data they already collect. The change is also necessary because it specifies how daily fuel usage data shall be calculated using an averaging method if the fleet cannot provide daily data.

15. In new section 2013.2(b)(4)(B)2., the language “real--world energy usage factors from data collected as specified in section 2013.2(b)(4)(C). A fleet owner may submit real--world energy usage factors from any source, provided their ICE vehicles’ operation is similar to those demonstrated in the test when compared based on fuel usage and the test was performed within the 3 years prior to the application date. The ICE fuel type used in the test report data shall also match the fuel type of the vehicle in the vehicle mileage and fuel usage report (for example, diesel vehicle in test report data and diesel vehicle in the vehicle mileage report data, etc.). If using test data previously submitted to the Executive Officer from another source, the fleet owner shall identify the source in their application” was added. This change is necessary because it expands and adds more detail regarding the option to submit data from other data sources, rather than requiring the fleet to perform their own tests. The data needs to be either from their fleet or a similar fleet to avoid irrelevant test results that could result in an approval for a fleet that does not need an exemption because a BEV could fulfill their needs, which prevents a fleet owner from circumventing compliance requirements. A maximum age of 3 years for the data is necessary to account for continuing BEV efficiency improvements as the market develops.
16. In new section 2013.2(b)(4)(B)3., the language “Total Energy Usage Methodology. The Executive Officer shall convert the daily mileage and fuel data from the report for each workday into an equivalent battery capacity for each ICE vehicle by calculating the sum of sections 2013.2(b)(4)(B)3.a. and 2013.2(b)(4)(B)3b.” was added. This was added to explain to a fleet owner how the Executive Officer shall perform the conversion to get the total needed equivalent battery capacity in kilowatt-hours (kWh) per day by taking the amount of energy an equivalent BEV needs to drive to and from the jobsite plus the amount of energy it takes for the BEV to do similar stationary work at the jobsite as the ICE vehicle. The calculation is two parts: subpart a plus subpart b as described below. The language “the Executive Officer shall follow the same process for approval as specified in section 2013.2(b)(4)(A)2.a. and b.” was also added. These changes are necessary to improve readability and organization of the provision to be responsive to stakeholder requests to explain the calculation performed by the Executive Officer. The equation integrating both sub-sections a and b described below is shown in mathematical terms as:

$$\frac{kWh}{day}_{req} = \left( \frac{miles}{day} \times \frac{kWh}{mi.}_{BEV} \right) + \left( \frac{gal}{day} - \left( \frac{mi}{day} \div \frac{mi.}{gal} \right) \right) \times \frac{BEV kWh}{gal}_{Job Site}$$

17. In new section 2013.2(b)(4)(B)3.a., the language “(daily miles) multiplied by (BEV kWh per mile)” was added to explain the first part of the two-part calculation explained in 2013.2(b)(4)(B)3. This first part is to calculate the amount of energy the BEV uses to drive to and from the jobsite, which is the number of miles driven per day for the ICE vehicle multiplied by the equivalent BEV efficiency factor in kWh per mile. This change is necessary for the reasons explained in section 2013.2(b)(4)(B)3.
18. In new section 2013.2(b)(4)(B)3.b., the language “[Daily gallons minus (Daily miles divided by ICE vehicle mpg)] multiplied by (BEV kWh per ICE gallons used at the job site)” was added. This is the second part of the two-part calculation explained in section 2013.2(b)(4)(B)3., which is also determined using a two-step process. The first step is to take the miles driven to and from the jobsite that day divided by the ICE vehicle efficiency factor in miles per gallon to get gallons per day used to drive to and from the job site. Then, we subtract that number from the total amount of gallons used per day to get the amount of fuel used by the ICE vehicle while at the jobsite in gallons per day. The second step is to take this number and multiply it by the equivalent amount of energy in kWh a BEV uses doing similar work while stationary by using published conversion factors such as those presented in the Staff Report.<sup>1,2</sup> This change is necessary for the reasons explained in section 2013.2(b)(4)(B)3.
19. In new section 2013.2(b)(4)(C), the language “Real-World Test Data Collection. Collect test data from a BEV and” was added. This change is necessary to explain the real-world energy usage factors used in section 2013.2(b)(4)(B)2.
- The language “as the ICE vehicles in the exemption request” was added. This change is necessary to provide more clarity to fleet owners.
- The language “over at least five workdays” was added. This change is necessary to provide more clarity on the “five consecutive workdays” originally described in section 2013.2(b)(3)(A). The change is necessary to provide more flexibility in response to stakeholders’ concern that five workdays are not always consecutive.
- The language “their exemption request. For each vehicle, the information shall include vehicle” was removed and replaced with the language “tests shall be representative of a typical workday for the vehicle being evaluated; for example, a fleet owner shall not excessively load the test vehicles or tow heavy equipment

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<sup>1</sup> Lascurain, M.B.; Franzese, O.; Capps, G.; et al. (2012). Medium Truck Duty Cycle Data from Real-World Driving Environments: Project Final Report (ORNL/TM-2012/240). Work performed by Oak Ridge National Laboratory for the U.S. DOE (web link: <https://info.ornl.gov/sites/publications/files/Pub39145.pdf>, last accessed October 14, 2024).

<sup>2</sup> National Renewable Energy Laboratory Project Draft Final Report for the Period August 1, 2012, through March 31, 2014, “Data Collection, Testing and Analysis of Hybrid Electric Trucks and Buses Operating in California Fleets.” ARB Agreement Number 11-600, NREL Contract Number FIA-12-1763, April 15, 2014. (web link: <https://www.nrel.gov/docs/fy15osti/62009.pdf>, last accessed on October 15, 2024).

solely for the test if such loading or towing is not representative of a typical workday. The results shall be used to determine the following real-world energy usage factors:

- (ICE miles per gallon) for the ICE vehicle to drive to and from the job site,
- (BEV kWh per mile) for the BEV to drive to and from the job site, and
- (BEV kWh per ICE gallon used at the job site).”

was added. This change responds to stakeholder feedback requesting assistance with calculations and clarification as to which values and units are required. It is also necessary to require the tests to be representative of a typical workday for the BEV and ICE vehicles so that a fleet owner cannot excessively load the test vehicles or tow heavy equipment solely for the test if such loading or towing is not representative of a typical workday in order to qualify for an exemption which prevents a fleet owner from circumventing compliance requirements by using non-representative data. The language “for both the BEV and ICE vehicle tested, the data collected shall include” was also added to introduce the following subsections.

20. In new section 2013.2(b)(4)(C)1., language was restructured to improve readability and organization. The language “vehicle” and “traveled” was added for clarity. The language “vehicle miles travelled per day” was removed. This change is necessary to conform with the new section 2013.2(b)(4)(C)(2) where the language was moved to.

The language, “while stationary, energy used (for example, diesel gallons or kilowatt-hours) to drive, energy used to operate truck-mounted or integrated equipment while stationary, total hours the vehicle is stationary while the equipment is in use, and total hours of operation including driving for each workday. Information for the comparative test shall be collected over at least five consecutive workdays. The comparative average over the five-day period of” was deleted.

21. In new section 2013.2(b)(4)(C)2., the language “total vehicle miles traveled per day” was moved from 2013.2(b)(4)(C)1. to restructure the regulation. This change is necessary for readability.

22. In new section 2013.2(b)(4)(C)3., the language “total energy used to drive to and from each job site (for example, in diesel gallons for the ICE vehicle and,” was added. This change is necessary to separate energy used while driving at the job site and energy used while driving to and from the job site. This distinction is necessary for the calculation of energy used from gallons of fuel to kilowatt-hours (kWh) to determine eligibility.

The language “per mile driven and kilowatt-hours consumed per hour while stationary shall be calculated from this information for use in section 2013.2(b)(4)(A) and (B). A fleet owner may use test data that meets the above criteria from any source provided the fleet owner’s ICE vehicles’ operation is similar to those demonstrated in the test when compared based on fuel usage” was deleted. This change is necessary because this language was replaced by section 2013.2(b)(4)(C).

The language, “for the BEV” was added. This change is necessary to ensure that fleet owners use kilowatt-hours when calculating total energy for BEVs.

Language in former section 2013.2(b)(C)(4) renumbered in these amendments as section 2013.2(b)(C)(3) and former section 2013.2(b)(C)(5) renumbered in these amendments as section 2013.2(b)(C)(4) are shown as deletions. The original language was moved and restructured to improve readability and organization.

23. In new section 2013.2(b)(4)(C)4., the language “total mileage driven to and from each job site in miles” was added. This addition is necessary to be able to calculate the mileage factors for the ICE and BEV. Total mileage is required to calculate miles per gallon (mpg) and BEV kWh/mile, which are required to evaluate the application.
24. In new section 2013.2(b)(4)(C)5., the language “total hours the truck is in operation while at the job site, and” replaced the language “total hours the vehicle is stationary while the equipment is in use,” used in former section 2013.2(b)(3)(A). The change is necessary to clearly separate truck usage while at the job site and the energy usage while traveling to the job site. This is necessary to account for cases where trucks may frequently make stops during job site work or use truck-mounted equipment while at low speed, which better accounts for how fleet owners use their work trucks and simplifies the data gathering process by allowing for fleet owners to only track all energy used while at a job site rather than every time a piece of equipment starts and stops on a vehicle.
25. In new section 2013.2(b)(4)(C)6., the language “total energy used while truck is in operation on the job site” was added. The change is necessary to clearly separate truck usage while at the job site and the energy usage while traveling to the job site. This is necessary to account for cases where trucks may frequently make stops or use truck-mounted equipment while at low speed, which better accounts for how fleet owners use their work trucks and simplifies the data gathering process by allowing for fleet owners to only track all energy used while at a job site rather than every time a piece of equipment starts and stops on a vehicle.
26. In new section 2013.2(b)(5), the language “fleet owners shall meet the reporting requirements specified in section 2013.3(g)” replaced the original language “submit a description of the daily assignments or routes used by existing vehicle configurations with an explanation of why all BEVs 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 fueling infrastructure is available. The explanation shall include a description of why charging could not be managed during driver rest periods or breaks during the workday.” This change is necessary to simplify the application process at the request of stakeholders.
27. In newly renumbered section 2013.2(b)(6), the language “applicant” was replaced by “fleet owner” to provide consistency. Additionally, the language “the Executive Officer shall first identify the number of vehicles that do not meet the criteria and shall be purchased as a BEV, then shall grant the exemption for the number of ICE vehicle purchases that meet the criteria specified in section 2013.2(b). If approved,

fleet owners shall place their new ICE vehicle orders and any applicable BEV orders in the calendar year indicated in their application” was added. This change is necessary because it allows for a partial exemption. This is in response to fleets’ request to allow for partial approval instead of the prior requirement, for which all vehicles of the same class and configuration had to exceed the energy usage of the specified BEV with the highest rated energy capacity. This shall allow fleets in need of replacement vehicles to purchase ICE vehicles prior to purchasing BEVs to address operational needs. The removal of the one--year time frame to purchase an ICE vehicle is necessary to avoid confusion and challenges in tracking which vehicles were purchased for multiple calendar years for compliance purposes.

28. Former section 2013.2(b)(6), the language “a vehicle being replaced pursuant to the exemption in section 2013.2(b) shall be removed from the California fleet within 30 calendar days of receiving the replacement vehicle. Fleet owners shall meet the reporting requirements specified in section 2013.3(c)(2)(N)” was deleted. This change is necessary to conform with changes to allow for exemptions to be requested for fleet expansions.

29. In former section 2013.2(b)(7), the language “a public agency utility that replaces a traditional utility-specialized vehicle using the exemption in section 2013.2(b) and using the early access provision in section 2013.1(g) shall consider ePTO in its solicitation of bids for the replacement vehicle if it is configured to perform work that can only be done while the vehicle is stationary” was deleted. This deletion is necessary because it streamlines and simplifies the exemption process to be responsive to stakeholder requests.

30. In section 2013.2(c), the language "replaced" was removed and "purchased that shall be domiciled " was added. These changes are necessary to allow the exemption to apply to all vehicle purchases, not just replacement vehicles, to account for instances when the exemption shall be used for fleet expansion.

The language, “location” was added. This change is necessary to provide more specificity to fleet owners on what the term site is referencing.

31. In section 2013.2(c)(1)(E)., the language “applicant” was replaced by “fleet owner” to provide consistency.

32. In section 2013.2(c)(2)(C)6., the language "if applicable" was added. The change is necessary as the information being requested, the VIN of ICE vehicles being replaced, may not always be required. Also, the language “applicant” was replaced by “fleet owner” to provide consistency.

33. In section 2013.2(d)(1), the language “Streamlined” was added. This change is necessary to align with the terminology most commonly used by stakeholders. The language “and maintain” was modified to “and maintain it thereafter” and moved to the end of the sentence for readability. This change is necessary because CARB staff shall maintain and update the streamlined list indefinitely after its initial publication. The language “and business” was deleted. This change is necessary for consistency with the term “good engineering judgement” used throughout the

regulation order. The language “pickups” was removed. This change is necessary for consistency to the changes made in 2013.2(d)(1)(A), which add pickup trucks to the configurations list.

34. In section 2013.2(d)(1)(A), the language “digger derrick, combination vacuum-jetter truck, jetter truck, and Class 2b and 3 pickup trucks” was added to the list of configurations to be assessed. It is necessary to add these vehicle configurations to address stakeholder concerns and streamline the exemptions process. Combination vacuum-jetter trucks and jetter trucks are commonly used by water and wastewater utilities and are not currently available as ZEVs, which makes them suitable to be evaluated on the streamlined list. Limiting the Configurations List to Class 2B and 3 pickups aligns with the existing practice to assess widely available weight classes and common configurations. Furthermore, pickups are not found in vehicle classes above Class 3 because California Vehicle Code section 471 defines pickups vehicles less than 11,500 lbs. gross vehicle weight rating (GVWR), which are Class 3 and below.
35. In section 2013.2(d)(2), the language “of the same configuration as an ICE vehicle being replaced” was removed. This removal is necessary because stakeholders expressed concerns that the replacement requirement would prevent them from expanding their fleets. This change allows exemptions to be applied to all vehicle purchases, whether or not they are replacing an existing vehicle in the fleet. The language “within 1” was removed and replaced with “in the calendar” to align approved purchases with the requested year. The language “from the date the exemption is granted” was removed and replaced with “indicated in their application.” This change is necessary to provide flexibility to apply for exemptions in the current or next calendar year. The language “and business” was deleted. This change is necessary for consistency with the term “good engineering judgement” used throughout the regulation order.
36. In section 2013.2(d)(2)(A) the language “the compliance year for which the exemption is applicable” was added. This addition is necessary to obtain information necessary to correctly account for a fleet owner’s compliance if their exemption request is approved, and to conform with changes allowing additional flexibility to the year for which they apply for exemptions. The language “of the existing ICE vehicle being replaced. Until January 1, 2027, if using the ZEV Purchase Schedule of section 2013.1, submit the number of ICE vehicle and number of ZEV and NZEV purchases already placed and planned during the calendar year, and indicate whether any of the ICE vehicle purchases are being” was removed, “to be” was added, “with an exemption and include the name of the exemption for which it is eligible or has already been granted” was removed, and “specified in sections 2013.2 (d)(2)(A)1. through 3.” was added. These changes are necessary to improve readability, to specify the sections that include the information that shall be submitted, and to conform with previous changes in 2013.2(d)(2) to allow fleet expansions with exemptions as described above. These changes are also necessary to reflect that the information needed to assess the necessity of an exemption has been moved to section 2013.1(g).

37. In section 2013.2(d)(2)(A)1., the language “make, model” and “VIN” were removed. These changes are necessary to conform with the change to allow for fleet expansions for this exemption. The language “and legible photographs” was replaced with “a image” and the language “entire left and right sides of the,” “with doors closed,” and “vehicle’s” was removed. This change is necessary because the fleet would not have a photograph of a vehicle they do not have, and this change provides the fleet flexibility to use images of the vehicle they intend to purchase from manufacturer websites, brochures, or other sources. Lastly the language “ICE” and “configuration to be purchased” was added to conform with changes made giving a fleet flexibility to use images.
38. In section 2013.2(d)(2)(A)3., the language “equipped” was removed and “if the body does not have a make and model, describe the body and its needed specifications to perform the vehicle’s primary intended function” was added. These changes are necessary to obtain information about vehicles with customized bodies that do not have a standardized make and model, which shall provide the Executive Officer sufficient information to determine whether equivalent bodies are available from other manufacturers.
39. In section 2013.2(d)(2)(B), the language “replaced” was changed to “purchased” throughout. This change is necessary to conform with previous changes allowing fleet expansions. The language “chassis or complete vehicle” was added to provide more detail regarding the needed ZEV or NZEV.
40. In new section 2013.2(d)(2)(B)(1) the language “After receiving a complete submission” was deleted. This language was deleted because it is unnecessary and duplicative of requirements explained in section 2013.3(i). The language “in lieu of submitting the documentation specified in section 2013.2(d)(2)(B), if the vehicle is being purchased under a request for proposal or similar public bid process and receives no responsive bids for ZEVs or NZEVs, the fleet owner shall submit an electronic copy of the request for proposal and all bids received, if any. The fleet owner may redact identifying information as necessary to prevent breach of confidentiality agreements in their bid process” was added. This change is necessary to allow fleets that utilize a bidding process to submit documentation they already have to reduce the paperwork burden on fleet owners. This change also addresses stakeholder concerns about breaching confidentiality agreements while retaining CARB’s ability to assess information needed to process the exemption request.
41. In section 2013.2(d)(2)(C), the language “the” was added for readability. The language “and business” was deleted. This change is necessary for consistency with the term “good engineering judgement” used throughout the regulation order. The language “solicit public feedback regarding the” was replaced with the word “disclose.” This change is necessary to align with the actions the Executive Officer takes when gathering information used to determine if the application meets the criteria as specified previously in the section. The language “submitted by the fleet owner specified in section 2013.2(d)(2)(A) from” and the word “and” were deleted and replaced with the language “about the needed” and “configuration provided in

the application to vehicle.” This change is necessary to let a fleet owner know what information shall be disclosed. The language “on the CARB Advanced Clean Fleets webpage, available at <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets>, to assist in making the.” was deleted. This change is necessary because the information shall be not be disclosed on the website. The language “and body outfitters to make their” was added. This change is necessary because body outfitters may be contacted to provide the necessary information.

42. The new section 2013.2(d)(2)(D)6. the language “the chassis or complete vehicle manufacturer shall have been issued an Executive Order(s) to certify vehicles or chassis that can be sold in California for one or more chassis or complete vehicles for at least 3 model years of the previous 5 model years” was added. This change is necessary to add additional protections for stakeholders. Stakeholders indicated concerns that startup/new manufacturers may not be reliable and may not be able to service vehicles.
43. The new section 2013.2(d)(2)(D)7., the language “the manufacturer is not in bankruptcy or in bankruptcy proceedings; and” was added. This change is necessary to add additional protections for stakeholders. Stakeholders indicated concerns they may be forced to purchase a vehicle from a company that is or shall be bankrupt.
44. In new section 2013.2(d)(2)(D)8., the language “the manufacturer offers a powertrain warranty period for at least three years or 50,000 miles, whichever occurs first, for zero-emission powertrain components” was added. This addition is necessary to ensure vehicle longevity and manufacturer support for vehicles sold.
45. In section 2013.2(d)(2)(E), the language “applicant” was removed. This change is necessary as it is redundant with the defined term “fleet owner.”
46. In section 2013.2(d)(2)(G), the language “and business” was deleted. This change is necessary for consistency with the term “good engineering judgement” used throughout the regulation order.
47. In section 2013.2(d)(3), the language “a vehicle being replaced pursuant to the exemption in section 2013.2(d) shall be removed from the California fleet within 30 days of receiving the replacement vehicle” was removed. This change is necessary to conform with previous changes in 2013.2(d)(2) to allow fleet expansions with exemptions as described above.
48. Former section 2013.2(d)(4) was removed entirely. This change is necessary to conform with other changes removing definitions for public agency utility and traditional utility -specialized vehicles, and the changes allowing all public fleets to access exemptions earlier than when vehicles being replaced reach 13 years old. It was also removed to respond to stakeholder concerns that the exemption process is too burdensome and to streamline the process by eliminating the ePTO considerations when applying for exemptions.
49. In section 2013.2(e), the language “Mutual Aid Assistance” was replaced with “Fleet Resiliency Exemption for the reasons explained previously in section 2013.1(f)(5).

The word “either” was added to conform with changes allowing a fleet owner to either purchase a new ICE vehicle as specified in this section or designate an existing ICE vehicle as specified in section 2013.6(f)(6). The language “ICE vehicle or use this exemption to designate an existing ICE vehicle to address any fleet resiliency concerns such as emergency response support, towing, or range limitations for any ICE vehicle in the fleet” was added. This change is necessary to broaden this exemption to cover any of their operational resiliency concerns or other situations, such as intermittent towing and payload constraints, that are not already covered by other exemptions, including the ZEV Purchase and Daily Usage exemptions. This change is also necessary to give fleet owners flexibility in managing and planning for their public agency emergency response support and recovery due to increasingly frequent catastrophic severe weather events and natural disasters caused by climate change.

The language “the total number of new ICE vehicles allowed to be” and “under this” was replaced with “or designated pursuant to a granted” to conform with changes allowing a fleet owner to either purchase a new ICE vehicle as specified in this section or designate an existing ICE vehicles as specified in section 2013.6(f)(6) and described previously.

The language “shall not exceed 25 percent” was moved to section 2013.2(e)(1)(D). This organizational change is necessary for readability. The language “may operate as part” was added for clarity. The language “total number of vehicles in the fleet owner’s” was removed.

The language “in the calendar year the exemption is approved, less the number of ICE vehicles already in the fleet purchased pursuant to a granted exemption” was moved to section 2013.2(e)(1)(D) and language changes are explained in that subsection below. The language “fleet owners shall have a mutual aid agreement to send vehicles to assist other entities during a declared emergency event to apply” was modified and moved to section 2013.2(e)(1)(A). The language “the California fleet shall be comprised of ZEVs in the following minimum proportions to apply: at least 25 percent until January 1, 2032; 50 percent until January 1, 2035; and 75 percent thereafter” was moved to section 2013.2(e)(1)(B) and modified to allow for more flexible eligibility criteria as explained in that subsection below. These changes are necessary, as all criteria were moved into new sections 2013.2(e)(1)(A-D) in order to standardize the exemption structure for readability and usability.

Lastly, the language that excluded “pickup trucks, buses, box trucks, vans, tractors, or” was deleted. This change is necessary, as, while these vehicle body types are widely available as ZEVs, utility stakeholders have raised concerns regarding the ability of ZEVs to serve all the functions an ICE vehicle can currently fulfill. For example, secondary responders sometimes use pickup trucks to serve large, rural territories and may be away from the fleet’s facilities for days at a time. Under this change, if the operator is concerned that public ZEV infrastructure or mobile fueling options are not readily available to meet their needs, they would be able to use the exemption for their pickups.

50. In renumbered section 2013.2(e)(1), the language “in sections 2013.2(e)(1) through (5)” was removed and replaced with “by the fleet owner”. This change is necessary to conform with the restructuring of the regulation.

The language “if all the criteria in section 2013.2(e)(1)(A) through (D) are met, then the Executive Officer shall grant the Fleet Resiliency Exemption. Starting January 1, 2030, the Executive Officer shall use the criteria specified in section 2013.2(e)(3) when determining whether to grant or deny a Fleet Resiliency Exemption” was added. This change is necessary to specify what criteria shall be used by the Executive Officer in determining whether to grant an exemption. January 1, 2030, was selected as the date to align with the starting date in section 2013.2(e)(3).

51. In new section 2013.2(e)(1)(A), the language “fleet owners shall have a mutual aid agreement to send vehicles to assist other entities during a declared emergency event to be eligible” was moved from section 2013.2(e) to maintain existing language limiting this exemption to fleets with mutual aid agreements.

52. In new section 2013.2(e)(1)(B), the language “to apply, the California fleet shall be comprised of at least 5 percent ZEVs as of the date the application is emailed to CARB” was added to replace previous language in section 2013.2(e), which required that “the California fleet shall be comprised of ZEVs in the following minimum proportions to apply: at least 25 percent until January 1, 2032; 50 percent until January 1, 2035; and 75 percent thereafter.” This change is necessary to ensure fleets are making a minimum level of progress towards ZEVs or NZEVs. At the same time, this change also meets Board direction to improve access to exemptions. This change also ensures that fleets can access this exemption more quickly, since reaching 5% ZEVs shall happen significantly sooner than reaching 25% ZEVs. In addition, removing the increasing thresholds in 2032 and 2035 simplifies the regulation and reduces uncertainty for fleet owners in determining whether they shall meet the threshold for this exemption in the future.

53. In new section 2013.2(e)(1)(C), the language “the number of exemptions shall not exceed the number of ZEVs in the California fleet as of the date the application is emailed to CARB; and” was added. This new criterion is necessary to avoid situations where numerous exemptions are being granted to fleets with minimal ZEVs. Due to the delayed requirements under the ZEV Purchase Schedule and other changes giving earlier access to the Fleet Resiliency exemption, there are numerous scenarios where fleets may be able to apply for the Fleet Resiliency exemption and then halt ZEV progress for several years. The addition ensures that fleets continue to make progress towards meeting the regulation’s emission reduction goals, while still providing significantly more flexibility than the previous regulation text, which did not allow for any Mutual Aid exemptions prior to the fleet reaching 25% ZEVs.

54. In new section 2013.2(e)(1)(D), the language “the total number of exemptions shall not exceed 25 percent of the total number of vehicles in the California fleet less the number of ICE vehicles already in the fleet purchased pursuant to a granted exemption as of the date the application is emailed to CARB” was modified for readability and moved from previous section 2013.2(e) This change is necessary to

maintain existing language placing a cap on the number of vehicles that can be granted a Fleet Resiliency exemption.

55. In renumbered section 2013.2(e)(2), the language “CARB at” was added. This change is necessary to improve readability of the existing language from previous section 2013.2(e).
56. In new section 2013.2(e)(2)(A), the language “TRUCRS identification number for the fleet” was added. This change is necessary to ensure fleet owners submit their TRUCRS identification number, which is needed by CARB to process exemptions.
57. In new section 2013.2(e)(2)(B), the language “the compliance year to which the exemption is applicable” was added. This change is necessary to ensure CARB staff know which compliance year an exemption is for, given a fleet owner may be submitting an exemption for the current compliance year, the following year, or up to two years in advance.
58. In new section 2013.2(e)(2)(C), the language “the VIN number of an existing ICE vehicle being designated under the exemption if applying under section 2013.6(f)(6), or the,” “and,” and “of the ICE vehicle to be purchased; and” was added. This change is necessary to improve readability and conform to changes made allowing a fleet owner to designate existing ICE vehicles under this exemption if they are following the ZEV Milestones option of section 2013.6(f)(6).

The language “the title or name” was added. This change is described in new section 2013.2(e)(2)(D). The removal of “a photograph of the needed ICE vehicle” is necessary to expand access to the Fleet Resiliency Exemption to cases where the fleet needs a vehicle configuration that is currently not in their fleet and submitting a photograph would be unnecessary. The language “documentation from each manufacturer offering ZEVs for sale of the same configuration and weight class as the ICE vehicle identified in section 2013.2(e)(1) describing the charging or fueling connector and charging or fueling time capability” and “documentation from three mobile ZEV fueling providers, with mobile fueling options that are compatible with the vehicle’s charging or hydrogen fueling connector and system identified in section 2013.2(e)(2) to show the ZEV cannot be refueled from 10 to 80 percent of the ZEV’s rated energy capacity within one hour. If less than three mobile ZEV fueling providers have compatible mobile fueling options for the ZEV, documentation shall be submitted from all mobile ZEV fueling providers that do have compatible mobile fueling options” was removed. This is necessary due to a section restructuring, which moved the language to sections 2013.2(e)(3)(A) and (B).

59. In new section 2013.2(e)(2)(D), the language “copy” was removed and replaced with “the title or name and effective year” of the mutual aid agreement. This change is necessary to reduce the amount of documentation submitted – namely, a lengthy mutual aid document that CARB staff does not need – but maintains sufficient documentation to assist CARB staff in the event an audit is needed. In former section 2013.2(e)(4), the previous language This requirement was simplified and moved to section 2013.2(e)(2)(D).

60. In section 2013.2(e)(3), the language “starting January 1, 2030, the Executive Officer shall evaluate whether fast mobile fueling options are available for ZEV chassis or complete ZEVs in the same weight class and configuration as the vehicles being requested to be designated or purchased under this exemption. The Executive Officer shall rely on information gathered from fleet owners or manufacturers, including information gathered to comply” was added. This addition is necessary to shift the assessment of available mobile fueling options from a fleet requirement to an assessment by the Executive Officer. This change is responsive to both Board direction and stakeholder feedback requesting CARB streamline and simplify exemption criteria. This language is also necessary to specify which vehicles the Executive Officer shall evaluate.

The language “entities to assist with affected vehicles during declared emergency events; and” was deleted. This change is necessary to remove duplication with the criteria already provided in section 2013.2(e)(1)(A).

The language “CARB -administered programs, manufacturer websites, manufacturer documentation, authorized dealers, mobile fueling provider websites and documentation, CARB-issued Executive Orders, and their good engineering judgement to determine whether the mobile fueling option is commercially available from any manufacturer for use in California” was added. This addition is necessary to establish the sources of information on which the Executive Officer shall rely when determining whether mobile fueling options meet the criteria.

The language “if any one of the criteria in sections 2013.2(e)(3)(A-C) are not met, the fleet resiliency exemption shall be granted” was added. This language is necessary to refer to the language in sections 2013.2(e)(3)(A-C), formerly in section 2013.2(e)(3), which contains the criteria by which the Executive Officer shall evaluate mobile fueling.

In former section 2013.2(e)(10), the language “a letter to the Executive Officer that has an explanation of the reason for the exemption request” was removed. This is necessary due to Board direction to simplify and streamline the regulation where possible. The requirement to explain Mutual Aid exemption requests adds administrative burden to fleet owners and does not provide any emissions benefit, as it was designed to gather information. Instead of a general requirement, CARB staff can work with stakeholders directly and maintain ongoing dialogues to track the necessity and cause of exemption requests.

61. In new section 2013.2(e)(3)(A), the language “the ZEV is capable of refueling from 10 to 80 percent of its rated energy capacity within one hour” was added. This change is necessary to establish that the ZEV itself is capable of recharging from 10 to 80 percent of its rated energy capacity within one hour.

62. In new section 2013.2(e)(3)(B), the language “the mobile fueling option is compatible with the available ZEV’s charging or hydrogen fueling connector and capable of refueling the ZEV from 10 to 80 percent of its rated energy capacity within one hour; and” was added. This change is necessary to maintain existing language from previous section 2013.2(e)(8).

63. In new section 2013.2(e)(3)(C), the language “the mobile fueling option is not a demonstration, test, or experimental unit” was added. This addition is necessary to ensure the Executive Officer shall not consider unproven mobile fueling options when making their determination, as this would potentially result in fleet owners being dependent on unproven mobile fueling options during emergency events.

#### **(D) § 2013.3. State and Local Government Fleet Reporting.**

1. In section 2013.3(c)(1)(I), the language “will permanently” was removed. This change is necessary because fleets can swap between the ZEV Purchase Schedule and the ZEV Milestones Option for the reasons described in section 2013(e). An “s” was added to the end of “opt” and the hyphen between “opt-in” was removed and the space between “in” and “to” was deleted to conform with the change.
2. In former section 2013.3(c)(1)(J), the language “whether the fleet owner is a public agency utility” was deleted because it is no longer necessary. This change is necessary as the regulation no longer has any unique requirements for public agency utilities for the reasons explained in section 2013(b).
3. In former section 2013.3(c)(2)(J) the language “is” replaced “will be”. This change is necessary to provide clarity that the vehicle designation has already occurred. The language “and if the vehicle meets the definition of a traditional utility-specialized vehicle” was deleted because it is no longer necessary. This change is necessary as the regulation no longer has any unique requirements for public agency utilities for the reasons explained in section 2013(b).
4. Former section 2013.3(c)(2)(N) was also removed. This change is necessary to conform with previous changes in 2013.2(d)(2) and to allow fleet expansions with exemptions as described above in section 2013(f).
5. Section 2013.3(c)(2)(O) was renumbered to section 2013.3(c)(2)(N), and the language “or stolen” was added in consideration of circumstances in which a vehicle is stolen from a fleet, which would be outside of the fleet’s control. The language “non-repairable” was replaced with “non-recoverable.” This change is necessary due to the modification of the Non-recoverable Vehicle Exemption for the reasons explained in section 2013.1(f)(7).
6. In new section 2013.3(c)(2)(P), the language “identify whether the vehicle is designated under section 2013.6(h) as a low-NOx ICE vehicle” was added. This information is necessary for the Executive Officer to identify which vehicles are low-NOx ICE vehicles, which is required for the Executive Officer’s determination to grant a Captive Biofuel Use Exemption as specified in section 2013.6(f)(8).
7. In section 2013.3(g), “Exemption ICE” was removed, and “Fleet Resiliency, ZEV,” and “and Daily Usage Exemptions” was added. These changes are necessary to include Daily Usage and Fleet Resiliency exemptions in this section and to specify for which exemptions these additional documents shall be submitted. The language “an ICE” was changed to “a” to improve readability. The language 2013.2 “(e)” was added to reflect the Fleet Resiliency exemption being added to this section. These

changes improve clarity as to which exemptions require reporting of supporting documentation that shall improve enforcement and auditing capabilities. The supporting documentation is essential for CARB staff to verify that vehicles purchased subsequent to the exemption being granted align with those requested under the exemption application, which prevents a fleet owner from circumventing compliance requirements where fleets would purchase ICE vehicles other than those evaluated and approved. The language “ICE” was removed. This change is necessary because these documents apply more broadly to other types of vehicles.

8. In section 2013.3(g)(2), the language “clear and legible digital photographs of the license” was added. This change is necessary to improve readability and more clearly establish the requirements.
9. In section 2013.3(g)(3), the language “clear and legible digital photographs of the entire” was added. This change is necessary to improve readability and more clearly establish the requirements.
10. In section 2013.3(g)(4), the language “clear and legible digital photographs of the entire” was added. This change is necessary to improve readability and more clearly establish the requirements.
11. In new section 2013.3(g)(5), the language “if approved for a Daily Usage Exemption in section 2013.2(b) conditioned on purchasing BEVs specified in section 2013.2(b)(5), submit all purchase agreements for the BEVs along with the new ICE vehicle documentation required in sections 2013.3(g)(1-4) to show you have met the BEV purchase condition specified in section 2013.2(b)(5). This documentation only needs to be submitted with the first ICE vehicle received and reported” was added. This change is necessary to improve enforcement and auditability to prevent a fleet owner from circumventing compliance requirements where fleets could place ICE vehicle purchase orders and never place the required ZEV purchase orders. The documents only need to be submitted when the first ICE vehicle is received and reported to streamline the process. This allows CARB staff to verify that the fleet has purchased all the required BEVs prior to adding ICE vehicles to the fleet as required.
12. In new section 2013.3(g)(6), the language “if approved for a ZEV Purchase Exemption as specified in section 2013.2(d), submit the body make and model if applicable, frame attachments if applicable, and whether the vehicle has AWD, crew cab, or cabover” was added. This change is necessary for CARB staff to verify that the new vehicle complies with the granted exemption.
13. In section 2013.3(h), the language “hard-copy documentation submitted shall be signed by the responsible official” was removed. This change is necessary as there is no hard-copy documentation required.
14. In section 2013.3(i), the language “as specified in sections 2013.2(b-e) and 2013.6(g-h)” was added to specify the exemptions and extensions that are required to be submitted to [TRUCRS@arb.ca.gov](mailto:TRUCRS@arb.ca.gov). The language “receipt of” was deleted and replaced with “the date,” and the word “submission” was replaced with “application is

received.” These changes are necessary to specify the start date for counting the 45 calendar days the Executive Officer has to approve a complete application.

The language “if the fleet owner does not provide enough information to demonstrate they meet the necessary criteria, then the Executive Officer may ask the fleet owner to modify their application before the application is considered complete” was added. This change is necessary to let a fleet owner know that the process for requesting approval for exemptions or extensions, as specified in sections 2013.2(b-e) and 2013.6(g-h), may involve information exchange beyond the initial emailed application. Adding this language is necessary because in cases where the Executive Officer determines the application is incomplete and communicates to the applicant requesting the missing information, the 45-calendar day approval window does not start until all the necessary information is received and the application is deemed complete by the Executive Officer.

15. In former section 2013.3(j), all the “Late Reporting” language was removed. This is in response to Board direction to reduce the administrative burden on reporting entities and simplify the requirements.
16. In renumbered section 2013.3(j), Intermittent Snow Removal Vehicle Reporting, the language “good” was added. This change is necessary to provide consistency throughout the regulation by using the phrase “good engineering judgement.” The language “calendar” was added to provide clarity and consistency with the 45 calendar days as specified in the previous section 2013.3(i).
17. In new section 2013.3(l), the language “ZEV Infrastructure Delay Extension Reporting. Fleet owners utilizing the Infrastructure Delay extension shall have 30 calendar days at the end of the extension to report ZEVs added to the fleet” was added. This language is necessary to determine a fleet’s compliance with the ZEV Purchase Schedule or ZEV Milestones requirements at the end of the extension period. Requiring that added ZEVs shall be reported within 30 calendar days at the end of the extension report necessarily provides a reasonable timeframe for a fleet owner to report such changes and is consistent with other reporting requirements. The language “the fleet owner shall submit an email to TRUCRS@arb.ca.gov with a copy of the approved extension and the following information” was added. These additions are necessary to clearly identify where fleets owners should submit information to and were added for consistency with other exemptions and extensions reporting requirements.
18. In new section 2013.3(l)(1), the language “clear and legible digital photographs of the VIN/GVWR label (typically located on the driver side door or door jamb)” was added. The purpose of this addition is to set forth reporting requirements. This change is necessary for CARB to have visually identifying information for each reported VIN in the fleet for tracking compliance to ultimately improve enforceability of the regulation. It is necessary to specify “digital photographs” so that the acceptable photo formats for submission are clear to the fleet owner. Print or physical images cannot be emailed and shall be converted into digital formats for submittal.

19. In new section 2013.3(l)(2), the language "clear and legible digital photographs of the license plate with driver side of the vehicle visible" was added. The purpose of this addition is to set forth reporting requirements. This change is necessary for CARB to have visually identifying information for each reported license plate in the fleet for tracking compliance to ultimately improve enforceability of the regulation. The photo is necessary to capture a visual image of the vehicle for staff to audit in order to ensure that the vehicle matches the reported VIN. It is necessary to specify "digital photographs" so that the acceptable photo formats for submission are clear to the fleet owner. Print or physical images cannot be emailed and shall be converted into digital formats for submittal.
20. In new section 2013.3(l)(3), the language "location at which the vehicle is domiciled; and either (4) or (5)" was added. The purpose of this addition is to set forth reporting requirements. This change is necessary to identify where the compliant vehicle is located, as some fleets may have multiple sites where fleet vehicles are stored. Adding the language "either (4) or (5)" is necessary to indicate that the fleet shall comply with an additional reporting requirement, depending on whether the fleet is complying with the ZEV Purchase Schedule or the ZEV Milestones Option.
21. In new section 2013.3(l)(4), the language "if using the ZEV Purchase Schedule of Section 2013.1, the fleet owner shall identify to what year each ZEV purchase should be counted for compliance and what existing vehicles shall be removed from delay status; or" was added. The purpose of this addition is to set forth reporting requirements. This change is necessary to properly allocate the purchased ZEVs toward the correct year's compliance requirement.
22. In new section 2013.3(l)(5), the language "if using the ZEV Milestones Option of Section 2013.6, the fleet owner shall identify what existing vehicles shall be removed from delay status" was added. The purpose of this addition is to set forth reporting requirements. The reporting criteria is necessary to determine a fleet's compliance with the ZEV Milestones Option at the end of the extension period.

#### **(E) § 2013.4. State and Local Government Fleet Recordkeeping.**

1. In section 2013.4(g), the language "Mutual Aid Assistance" was replaced with "Fleet Resiliency Exemption" in two locations. This change is necessary to align with the name change of the exemption for the reasons described in 2013.2(e). The language "the mutual aid agreement in effect with other entities to assist with affected vehicles during declared emergency events and the" was added. This change is necessary, as the mutual aid agreement no longer has to be submitted with the exemption application for the reasons explained in section 2013.2(e)(2)(D). The language "and 2013.3(g)" was added. This change is necessary to reference newly added requirements to submit information if granted a fleet resiliency exemption.

2. In section 2013.4(j), the language “Non-repairable Vehicle” was replaced with “Non-recoverable Vehicle.” This change is necessary to be consistent with the changes in section 2013.1(f)(7).
3. In former section 2013.4(l), all the language about “Traditional Utility-Specialized Vehicle Early Access Documentation” was removed. This change is necessary due to Board direction to extend the AB 1594 flexibilities to all State and local government agencies, which makes a specific requirement for traditional utility-specialized vehicles no longer necessary.
4. Section 2013.4(m), Waste and Wastewater Fleet Option Documentation, was renumbered as section 2013.4(l), and the language “evidence of” was replaced with “records demonstrating.” This change is necessary to improve readability, provide consistency in the language throughout the regulatory text, and ensure appropriate stakeholder interpretation of the requirements. The language “if applicable” was added to consider circumstances where the listed documentation is not relevant for a fleet utilizing this provision. For example, only eligible tractor trucks would keep documentation under subpart (2). As such, that section is not applicable to rear-, side-, and front-loader compactor trucks. Including the term “if applicable” is simpler than listing each circumstance separately for which each of the required records would be applicable.
5. In renumbered section 2013.4(l)(1), the language “documentation to show a waste fleet owner’s eligibility shall have provisions requiring the collecting, hauling, and/or processing of diverted in-state organic waste. Documentation shall include” was removed, and part of the language was moved to the end of the paragraph. The language “includes the above eligibility provisions” was deleted and replaced with “requires the fleet owner to either collect, haul, or process diverted in-state organic waste.” This change is necessary for readability and to remove the vague “and/or” language.
6. In renumbered section 2013.4(l)(2), the language “documentation to show a waste fleet’s tractors are exclusively used as transfer trucks for transferring waste are” was removed. This change is necessary to improve readability of the language and coincide with changes made to section 2013.4(m)(1).
7. In renumbered section 2013.4(l)(3), the language “documentation to show a wastewater fleet’s eligibility are” was removed. This change is necessary to improve readability of the language and coincide with changes made to section 2013.4(m)(1).
8. In renumbered section 2013.4(l)(4), the language “documentation to show vehicles are fueled exclusively using biomethane are records of” was removed. This change is necessary to improve readability of the language and coincide with changes made to section 2013.4(m)(1). The language “a copy of” was added to be consistent with other recordkeeping requirements in this section.
9. In renumbered section 2013.4(l)(5), the language “documentation to show wastewater vehicles are owned or exclusively assigned to the wastewater entity are”

was removed. This change is necessary to improve readability of the language and coincide with changes made to section 2013.4(m)(1).

10. In new section 2013.4(m), the language “Captive Biofuel Use Exemption: A fleet owner utilizing an exemption pursuant to section 2013.6(h) shall keep copies of documents submitted as specified in section 2013.6(h). In addition, fleet owners utilizing an exemption pursuant to section 2013.6(h) shall keep the following waste or wastewater treatment facility records” was added. This change is necessary to ensure that CARB can verify a fleet’s compliance with the regulation by allowing CARB staff to perform an audit through such records. Subsequently, this change improves enforceability of the regulation.
11. In new section 2013.4(m)(1), the language “a copy of the local ordinance, regulation, code, or contract that requires the fleet owner to haul, transfer, or process diverted in-state organic waste” was added. This change is necessary to confirm the fleet owner is subject to Senate Bill (SB) 1383 (Lara, Chapter 395, Statutes of 2016) to show eligibility for the exemption.
12. In new section 2013.4(m)(2), the language “dispensed renewable biofuel volume records” was added. This change is necessary in the event calculations used in sections 2013.3(m) and 2013.6(h) need to be validated or audited.
13. In new section 2013.4(m)(3), the language “total renewable biofuel capacity calculations along with any assumptions; and” was added. This change is necessary in the event calculations used in sections 2013.3(m) and 2013.6(h) need to be validated or audited.
14. In new section 2013.4(m)(4), the language “a copy of a permit or license to operate, or proof of ownership of, a waste or wastewater treatment facility” was added. This information is needed if the eligibility for the Captive Biofuel Use Exemption needs to be validated or verified.
15. In new section 2013.4(n), the language “Approval Documentation. If approved for the exemptions and extensions specified in sections 2013.2(b-e) and 2013.6(g-h), fleet owners shall keep a copy of the approval letter” was added. This change is necessary to ensure that fleets maintain copies of documents related to their approved exemption applications.

**(F) § 2013.5. State and Local Government Agency Fleet Enforcement.**

1. In former section 2013.5(b)(1), all the language on “Late Reporting Penalties” was removed. This change is necessary because it reduces the administrative burden on fleets, simplifies the regulation, and conforms to the changes made to delete former language in section 2013.3(j).
2. In former section 2013.5(d), all the language on “Fleet Owner Enforcement” was removed. This change is necessary because rental and leasing entities are no

longer regulated for the reasons explained in section 2013(b) in the “Fleet Owner” definition.

### **(G) § 2013.6. ZEV Milestones Option.**

1. In section 2013.6(a), the language “if a vehicle is operated in California at any time during a calendar year, it shall be considered part of the California fleet for the entire calendar year for purposes of calculating the ZEV Milestone of section 2013.6(c) and (d)” was removed. This change is necessary to ensure that the ZEV Milestone requirements are focused on vehicles that are predominantly operating in California and consider circumstances in which a fleet operates vehicles outside of the state. The language “California Vehicle Code” was shortened to the acronym “CVC” to be consistent.

The language “or used” was added. This change is necessary as some exemptions, such as the Backup Vehicle exemption, are not granted by the Executive Officer but are used by the fleet owner. The language “sections 2013.6(g)(2), 2013.6(g)(5), and 2013.6(g)(7)” was replaced with “sections 2013.6(f)(2), 2013.6(f)(5), and 2013.6(f)(8) and existing ICE vehicles designated under the exemption specified in section 2013.6(f)(6).” This change is necessary to ensure the appropriate references are made due to section renumbering. It is also necessary to include existing ICE vehicles designated under the exemptions specified in section 2013.6(f)(6) to coincide with changes made to section 2013.6(f)(6).

2. In section 2013.6(a)(1), the language “section” was added, as it was erroneously omitted from the original text.
3. Former section 2013.6(b) was removed, and all definitions were moved to section 2013(b). This change is necessary for ease of use by consolidating all definitions in one section. The section was renamed “ZEV Milestones,” which was formerly section 2013.6(c). All section references were updated accordingly throughout the regulation order.
4. In renumbered section 2013.6(b), the language Table “B” was updated to “A.” This change is necessary to conform with the removal of Table A. The language “applicable” was added. This change is necessary in consideration of circumstances in which a fleet does not consist of vehicle types from each milestone group. The language “ZEV” was added as it was erroneously omitted from the original text. This change aligns with the original intent of the language and ensures appropriate stakeholder interpretation of the requirements.
5. In renumbered section 2013.6(b)(1), the language “Table B” was updated to “Table A.” This change is necessary given that Table A is the first and only table in the regulatory text.
6. The ZEV Milestone Calculation was renumbered from section 2013.6(d) to 2013.6(c) to adjust for the movement of the definitions section to 2013(b). In renumbered section 2013.6(c)(1), the language “annual” was removed. This change is necessary to more appropriately characterize the ZEV Milestone, as it consists of continuous,

as opposed to annual, requirements. The language Table “B” was updated to “A.” This change is necessary to conform with the removal of Table A. The language “excluding vehicles as specified in sections 2013.6(c)(1)(A) and (B)” was added. This change is necessary to clearly establish that the identified exempt vehicles are excluded from the ZEV Milestone calculation. This change centralizes all factors affecting the ZEV Milestone calculation into one location. Additionally, the language “Milestone” was added. This change is necessary to identify the type of year to ensure appropriate stakeholder interpretation of the requirements.

7. In new section 2013.6(c)(1)(A), the language “existing ICE vehicles designated for fleet resiliency as specified in section 2013.6(f)(6); and” was added. This change is necessary to establish that designated ICE vehicles under the Fleet Resiliency exemption are to be excluded from the ZEV Milestone calculation.
8. In new section 2013.6(c)(1)(B), the language “vehicles purchased pursuant to a used or granted exemption as specified in sections 2013.6(f)(1), 2013.6(f)(2), 2013.6(f)(5), 2013.6(f)(7), and 2013.6(f)(8), for each of the three Milestone Groups listed in Table A” was added. This change is necessary to establish that vehicles purchased under the specified exemptions are to be excluded from the ZEV Milestone calculation.

“) = ZEV Milestone” was removed from equation 1. This change is necessary to simplify the language and reduce redundancy.

9. In renumbered section 2013.6(f), the language “ZEV Milestones Option” was added to the title. This change is necessary for readability and ease of use. The language “if an exemption is granted pursuant to sections 2013.6(f)(2) or 2013.6(f)(5), the fleet shall be considered in compliance until the next calendar year” was added. This change clearly states that CARB shall consider a fleet in compliance if they have been granted a ZEV Purchase or Daily Usage exemption. This change is necessary because a fleet may not meet the current year’s ZEV Milestone due to the granted exemption. The language also lets a fleet owner know they have until the next calendar year to meet ZEV Milestone’s compliance requirements.
10. In renumbered section 2013.6(f)(1), the language “applicable” was added. This change is necessary in consideration of circumstances in which a fleet does not consist of vehicle types from each milestone group.
11. In renumbered section 2013.6(f)(2), the language “one year” was replaced with “45 calendar days.” This change is necessary to align with the minimum amount of time CARB has to review complete exemption applications as specified in 2013.3(i). The language “upcoming” was removed. This change is necessary to remove redundancy.

The language “the Executive Officer shall grant this exemption only if the fleet owner demonstrates their next applicable ZEV Milestone cannot be reached without exemptions by requesting and obtaining exemptions for all other ICE vehicles in their California fleet” was modified and moved to new section 2013.6(i). This change is necessary to streamline the requirements as directed by the Board. The change is

also necessary to be responsive to stakeholders' concern that the criteria make their compliance using the ZEV Milestones Option too burdensome and challenging.

12. In renumbered section 2013.6(f)(3), the language "replaced" was replaced with "purchased." This change is necessary to align with the changes made that allow for fleet expansion. The language "fleet owners may delay the purchase of ZEVs during the extension period and are required to be in full compliance with the ZEV Milestones Option at end of the extension period" was added. This change is necessary to more clearly establish that the exemption allows for a delay of ZEV purchases. This change also specifies the timeframe in which the fleet shall be in full compliance with the ZEV Milestones Option.

The language "and no earlier than two years" was added to be consistent with the other exemptions and extension deadlines listed in section 2013.6(f). The language "upcoming" was removed. This change is necessary to remove redundancy.

13. In renumbered section 2013.6(f)(4), the language, "next" was deleted. This change is necessary because it is redundant with the term "applicable."
14. In renumbered section 2013.6(f)(5), the language "one year" was replaced with "45 calendar days." This change is necessary to align with the minimum amount of time CARB has to review complete exemption applications as specified in 2013.3(i). The language "upcoming" was removed. This change is necessary to remove redundancy. The language "the Executive Officer shall grant the following exemptions only if the fleet owner demonstrates their next applicable ZEV Milestone cannot be reached without exemptions by requesting and obtaining exemptions for all other ICE vehicles in their California fleet" was removed and replaced with new section 2013.6(i). This change is necessary to streamline the requirements as directed by the Board. The change is also necessary to be responsive to stakeholders' concern that the criteria make their compliance using the ZEV Milestones Option too burdensome and challenging.
15. In renumbered section 2013.6(f)(5)(A), the language "Streamlined" was added to the title. This change is necessary to align with the name of the list that is currently published. The language "shall receive" was replaced with "can use." This change is necessary to more appropriately characterize the requirements by removing the implication that a fleet owner is guaranteed to receive an exemption.
16. In renumbered section 2013.6(f)(6), the title "Mutual Aid Assistance" was replaced with "Fleet Resiliency Exemption." This change is necessary to consider other situations, such as intermittent towing and payload constraints, which extend beyond the scope of the previous title. The language "at any time, fleet" was added. This change is necessary to specify that fleet owners are not limited to a specific timeframe in which a Fleet Resiliency Exemption may be requested.

The language "purchase new ICE vehicles and" and "them" was removed, and the language "an existing or newly added ICE vehicle" was added. This change is responsive to stakeholder requests to provide more flexibility to fleets that provide mutual aid and aligns with the ZEV Milestone Option, where compliance is not based

on annual purchases. The language “fleet owners shall request and obtain this exemption” was removed. This change is necessary to streamline the language and improve readability. The language “purchased” was replaced with “designated” to conform with changes described previously.

17. In new section 2013.6(f)(8), the language “Captive Biofuel Use Exemption. Until January 1, 2035, fleet owners may request and obtain this exemption within 30 calendar days of receiving the new low-NOx ICE vehicle to exclude it from the Milestone Calculation specified in section 2013.6(c) pursuant to the criteria specified in section 2013.6(h)” was added. This change is necessary to establish that this exemption shall cover new ICE vehicle purchases made up until January 1, 2035, and that such purchases shall be excluded from the ZEV Milestones calculation. This change is necessary to meet Board direction to provide eligible fleet owners more time to utilize recent infrastructure built pursuant to SB 1383 by dispensing fuel into captive fleets. Thirty calendar days was chosen as a reasonable timeframe to provide a fleet owner flexibility to report such vehicle acquisitions to CARB and request an exemption, and it aligns with the requirements for reporting changes to an existing fleet in section 2013.3(e).
18. In renumbered section 2013.6(g)(2), the language “ZEV Purchase Exemption” was replaced with “exemptions.” This change is necessary given that the specified exemptions consider circumstances in which a ZEV is not available to purchase.
19. In renumbered section 2013.6(g)(4), the language “applicant” was replaced with “fleet owner” to provide consistency.
20. A new section 2013.6(h), titled “Captive Biofuel Use Exemption,” was added to address the Board’s concerns about public entities flaring excess renewable biogas instead of directing the renewable biogas towards beneficial uses, such as vehicle fuel, pipeline injection, and electricity generation. The language “fleet owners may request an exemption for a low-NOx ICE vehicle that utilizes excess renewable biofuel capacity at the fleet owner’s waste or wastewater treatment facility as specified in section 2013.6(f)(8)” was added. This change is necessary for the reasons specified in section 2013.6(f)(8). The language “the Executive Officer shall rely on information submitted by the fleet owner specified in section 2013.6(h)(2) and their good engineering judgement to determine whether the criteria in section 2013.6(h)(1) are met. If so, they shall grant the low-NOx ICE vehicle an exemption based on any excess renewable biofuel capacity at the waste or wastewater treatment facility” was added. This change is necessary to list the information and process the Executive Officer shall use to determine whether the waste or wastewater treatment plant shall have excess renewable biofuel capacity to support the eligible low-NOx vehicle.
21. In new section 2013.6(h)(1), the language “the Executive Officer shall approve this exemption if all of the following criteria are met” was added. This change is necessary to establish the criteria for which an exemption shall be approved.
22. In new section 2013.6(h)(1)(A), the language “the fleet owner shall be subject to a requirement to haul, transfer, or process in-state organic waste, or shall be in a

contract with another entity subject to a requirement to haul, transfer, or process in-state organic waste” was added. This change is necessary to limit the exemption to waste and wastewater fleets that are implementing SB 1383 as directed by the Board.

23. In new section 2013.6(h)(1)(B), the language “the fleet owner shall own and operate either a waste or wastewater treatment facility producing excess renewable biofuel” was added. This change is necessary to establish that an eligible waste and wastewater fleet owner would need to have already reported information about their captive biofuel facility, in advance of requesting this exemption. This change is necessary to ensure the Executive Officer has the required information on excess renewable biofuel capacity.
24. In new section 2013.6(h)(1)(C), the language “the vehicle shall be a low-NOx ICE vehicle” was added. This change is necessary to limit the exemption to only low-NOx ICE vehicles, which is consistent with Board direction to offer this exemption only to vehicles that have lower NOx emissions than the applicable NOx standard.
25. In new section 2013.6(h)(1)(D), the language “the low-NOx ICE vehicle shall be fueled exclusively at the facility where the excess renewable biofuel is produced; and” was added. This change is necessary to meet Board direction that this exemption is intended for captive fleets owned by facility operators who are producing excess biofuels that can be dispensed into their own vehicles and for the reasons explained in section 2013.6(h).
26. In new section 2013.6(h)(1)(E), the language “the facility shall have enough excess renewable biofuel capacity to fully fuel the low-NOx ICE vehicle as demonstrated by fuel production and usage data from the prior year” was added. This change is necessary to limit the number of exemptions to the number of vehicles the site can actually fuel and for the reasons explained in section 2013.6(h).
27. In new section 2013.6(h)(2), the language “the fleet owner shall submit all of the following by email to [TRUCRS@arb.ca.gov](mailto:TRUCRS@arb.ca.gov) to apply” was added. This change is necessary to inform the fleet owner of the required information that shall be submitted in their emailed application to CARB, as well as information that shall be reported prior to their application submittal. This change is also necessary to inform a fleet owner of the appropriate email address to submit their information to. Further, this change is necessary to provide CARB staff with the information needed to determine whether an exemption shall be granted or not.
28. In new section 2013.6(h)(2)(A), the language “a clear and legible digital photograph of the ICE vehicle’s emissions control label (typically located in the engine compartment)” was added. This change is necessary to specify where a fleet owner can locate the ICE vehicle’s engine emission levels. This information is necessary for the fleet owner to apply for the low-NOx ICE vehicle designation. It is necessary to specify “digital photograph” so that the acceptable photo formats for submission are clear to the fleet owner. Print or physical images cannot be emailed and shall be converted into digital formats for submittal.

29. In new section 2013.6(h)(2)(B), the language “clear and legible digital photographs of the VIN/GVWR label (typically located on the driver side door or door jamb)” was added. This change is necessary to identify and track the ICE vehicle as well as specify where a fleet owner can locate the label. It is necessary to specify “digital photographs” so that the acceptable photo formats for submission are clear to the fleet owner. Print or physical images cannot be emailed and shall be converted into digital formats for submittal.
30. In new section 2013.6(h)(2)(C), the language “clear and legible digital photographs of the license plate with driver side of the vehicle visible” was added. This change is necessary to identify and track the ICE vehicle. It is necessary to specify “digital photographs” so that the acceptable photo formats for submission are clear to the fleet owner. Print or physical images cannot be emailed and shall be converted into digital formats for submittal.
31. In new section 2013.6(h)(2)(D), the language “the average amount of renewable biofuel the ICE vehicle shall use in a year based on manufacturer -stated average fuel efficiency and expected annual mileage” was added. This change is necessary as the ICE vehicle’s expected annual fuel volume is necessary for CARB staff to determine whether the fleet facility’s excess capacity is greater.
32. In new section 2013.6(h)(2)(E), the language “the waste or wastewater treatment facility location” was added. This is necessary to ensure CARB staff can cross-reference and validate information about the facility’s location with other datasets.
33. In new section 2013.6(h)(2)(F), the language “if the facility is generating LCFS credits, the Low Carbon Fuel Standard pathway certification number of the facility” was added. This is necessary to ensure CARB staff can cross-reference and validate information about the facility’s location with other datasets.
34. In new section 2013.6(h)(2)(G), the language “the total volume of renewable biofuel dispensed in diesel gallons equivalent for the previous calendar year; and” was added. This is necessary to calculate the amount of excess renewable biofuel capacity as required in section 2013.6(f)(8).
35. In new section 2013.6(h)(2)(H), the language “the renewable biofuel capacity of the facility in diesel gallons equivalent for the previous calendar year” was added. This is necessary to calculate the amount of excess renewable biofuel capacity as required in section 2013.6(f)(8).
36. New section 2013.6(i), titled “ZEV Purchase and Daily Usage Exemptions Expected Purchase Information,” was added. The addition of this section is necessary to establish the process by which ZEV Purchase and Daily Usage exemptions shall be granted. The language “the Executive Officer shall grant the exemptions specified in sections 2013.6(f)(2) and 2013.6(f)(5)(B) if the following criteria are met” was added. This change is necessary to inform fleet owners of the criteria CARB requires to be met when granting the specified exemptions.
37. In new section 2013.6(i)(1), the language “the fleet owner shall demonstrate all ICE vehicles with a vehicle model year 10 years old or older in their California fleet,

except those already operating under an exemption, cannot be replaced by ZEVs by submitting documentation to show that all such vehicles are eligible for any of the exemptions specified in section 2013.2” was added. This change reduces regulatory burden on the fleet owners by narrowing the amount of vehicles that shall be evaluated when requesting an exemption. This change is also necessary to ensure that older, higher-emitting vehicles are prioritized for replacement as opposed to granting exemptions for newer vehicles in the fleet. Ten years was selected as a reasonable timeframe to ensure that a newer vehicle is used in the fleet for the majority of its useful life should older vehicles exist in the fleet.

38. In new section 2013.6(i)(2), the language “the fleet owner shall submit to TRUCRS@arb.ca.gov with their exemption application information about ICE vehicle purchases planned for the calendar year for which they are requesting the exemptions as specified in 2013.1(g)(1) and (3); and” was added. This change is necessary to provide clear direction to fleet owners on how and when to apply for the specified exemptions.
39. In new section 2013.6(i)(3), the language “if the Executive Officer determines that any of the existing ICE vehicles specified in section 2013.6(i)(1) or those planned to be purchased as specified in section 2013.6(i)(2) are available to be purchased as ZEVs, the exemption request shall be denied” was added. This change is necessary to establish the process by and circumstances in which the Executive Officer shall deny requests for the specified exemptions.

#### **(H) § 2049. Hiring Compliant Fleets.**

1. Section 2013.7 was renumbered as a new Article 8 in Section 2049 in California Code of Regulations (CCR), Title 13, Chapter 1. Section 2049 was created to stand alone as a consolidation of the requirements related to any person or entity that is required to hire a compliant truck fleet. This change is necessary as several existing regulations have hiring requirements that apply to any person or entity that hires truck fleets. A unified section that centralizes requirements and definitions improves clarity for hiring entities.
2. In renumbered section 2049(a)(1), the language “with a GVWR greater than 8,500 lbs.” was added. This change is necessary to identify which vehicles are included in the requirement.
3. In renumbered section 2049(d)(2), the language “screenshot” was replaced with “digital image.” This change is necessary because the term screenshot is not commonly understood and is synonymous with the more common term, digital image.

In addition to the modifications described above, additional modifications correcting grammar, punctuation and spelling have been made throughout the proposed changes. These changes are nonsubstantive.

## Environmental Analysis

The proposed modifications do not change implementation of the regulation in any way that affects the conclusions of the environmental analysis included in the Staff Report because the proposed modifications primarily consist of structural changes to approve readability and organization of the requirements and standardization of terms to ensure clarity of the proposed amendments. In addition, the proposed modifications better align the regulation's requirements with the current and expected state of the ZEV market. Therefore, no additional environmental analysis is required.

## Additional Documents Added to the Record

In the interest of completeness and in accordance with Government Code section 11347.1, subdivision (a), staff has also added to the rulemaking record and invites comments on the following additional documents:

- American Trucking Association (ATA). February 17, 2026. ATA urges the EPA to implement Non-Conformance Penalties and credit market flexibilities. (web link: <https://www.trucking.org/sites/default/files/2026-02/ATA%20Letter%20to%20EPA%20HD%20Standards%202.17.26.pdf>, last accessed 3/6/26).
- American Trucking Associations, What the Pending Federal NOx Standards Mean for Trucking, November 20, 2025 (weblink: <https://www.trucking.org/news-insights/what-pending-federal-nox-standards-mean-trucking>, last accessed December 9, 2025).
- Arvind Thiruvengadam, Marc C. Besch, Seungju Yoon, John Collins, Hemanth Kappanna, Daniel K. Carder, Alberto Ayala, Jorn Herner, and Mridul Gautam. Characterization of Particulate Matter Emissions from a Current Technology Natural Gas Engine. *Environmental Science & Technology* 2014 48 (14), 8235-8242. DOI: 10.1021/es5005973 (weblink: <https://pubs.acs.org/doi/10.1021/es5005973>, last accessed 3/11/2026).
- Bouma F, Janssen NA, Wesseling J, van Ratingen S, Strak M, Kerckhoffs J, Gehring U, Hendricx W, de Hoogh K, Vermeulen R, Hoek G. Long-term exposure to ultrafine particles and natural and cause-specific mortality. *Environ Int.* 2023 May;175:107960. doi: 10.1016/j.envint.2023.107960. Epub 2023 May 8. PMID: 37178608.
- California Air Resources Board. 2023. Emissions Analysis.
- California Air Resources Board. 2023. Updated Advanced Clean Fleets Cost Analysis.
- California Air Resources Board. February 2026. Updated Emissions Analysis.
- California Air Resources Board. December 12, 2025 New Funding Availability. The Clean Truck and Bus Voucher Incentive Project (HVIP) is reopening with \$125 Million (web link: <https://content.govdelivery.com/accounts/CARB/bulletins/3fdf084>, last accessed 2/27/2026).

- California Air Resources Board, Public Workshop on Drive Forward Heavy-Duty Vehicle Standards and Strategies, December 3, 2025, (web link: <https://content.govdelivery.com/accounts/CARB/bulletins/3f85aae>, last accessed on February 20, 2026).
- California Air Resources Board, LCFS Data Dashboard, Figure 10b. (web link: [https://ww2.arb.ca.gov/sites/default/files/classic/fuels/lcfs/dashboard/Fig10b\\_data\\_2024.csv](https://ww2.arb.ca.gov/sites/default/files/classic/fuels/lcfs/dashboard/Fig10b_data_2024.csv), last accessed on 2/24/26).
- California Air Resources Board, LCFS Guidance 20-04 Requesting EER-Adjusted Carbon Intensity Using a Tier 2 Pathway Application Energy Efficiency Ratio, 2020 (web link: [https://ww2.arb.ca.gov/sites/default/files/classic/fuels/lcfs/guidance/lcfsguidance\\_20-04.pdf](https://ww2.arb.ca.gov/sites/default/files/classic/fuels/lcfs/guidance/lcfsguidance_20-04.pdf), last accessed January 2022).
- California Air Resources Board, *Overview: Diesel Exhaust & Health | California Air Resources Board*, (web link: <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health>, last accessed March 2022).
- California Air Resources Board. 2026. Cost Analysis.
- California Energy Commission Website. GFO-25-604 – California’s National Electric Vehicle Infrastructure Formula Program - Solicitation 4 (web link: <https://www.energy.ca.gov/solicitations/2026-01/gfo-25-604-californias-national-electric-vehicle-infrastructure-formula>, last accessed 3/2/26).
- California Energy Commission Website. GFO-25-606 - California’s National Electric Vehicle Infrastructure Formula Program - Solicitation 5 (South) (web link: <https://www.energy.ca.gov/solicitations/2026-02/gfo-25-606-californias-national-electric-vehicle-infrastructure-formula>, last accessed 3/2/26).
- CleanTechnica. March 10, 2026. Largest California Utility Could Have 3,800 Electric Fleet Vehicles By 2030 (web link: <https://cleantechnica.com/2026/03/10/largest-california-utility-could-have-3800-electric-fleet-vehicles-by-2030/>, last accessed 3/16/2026.)
- Commercial Carrier Journal, EPA won’t delay 2027 NOx rule, but plans ‘major changes,’ November 17, 2025 (weblink: <https://www.ccdigital.com/regulations/emissions/article/15771994/epa-rejects-trucking-industry-pleas-shall-keep-2027-nox-rule-timeline>, last accessed December 2, 2025).
- California Energy Commission. Sept. 24, 2025. Press Release California Exceeds 200,000 Electric Vehicle Chargers. (web link: <https://www.energy.ca.gov/news/2025-09/california-exceeds-200000-electric-vehicle-chargers>, last accessed 2/25/2026).
- Environmental Science & Technology, Ambient and Emission Trends of Toxic Air Contaminants in California, 2015 (web link: <https://pubs.acs.org/doi/full/10.1021/acs.est.5b02766>, last accessed May 2022).
- E. R. Jayaratne, N. K. Meyer, Z. D. Ristovski, and L. Morawska. Volatile Properties of Particles Emitted by Compressed Natural Gas and Diesel Buses during Steady-State and Transient Driving Modes. *Environmental Science & Technology* 2012 46 (1), 196-203. DOI:

10.1021/es2026856<https://gcc02.safelinks.protection.outlook.com/?url=https://pubs.acs.org/doi/10.1021/es2026856&data=05|02|molly.munz@arb.ca.gov|236d182155a54448870408de7e350791|9de5aaee778840b1a438c0ccc98c87cc|0|0|639086963421735605|Unknown|TWfPbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOilwLjAuMDAwMCIsIlAiOiJXaW4zMilslkFOljoiTWFpbClslldUljoyfQ==|0||&sdata=gC0wMpi94C7wfrs2vqaDBDnXsoD6cvApOqqz/GM5phA=&reserved=0>. (web link: <https://pubs.acs.org/doi/10.1021/es2026856>, last accessed 3/11/2026).

- Gage, D. December 15, 2025. Close to 1,400 Natural Gas Stations Set to Service Clean Transport Industry in 2026. (web link: <https://transportproject.org/2025/12/15/close-to-1400-natural-gas-stations-set-to-service-clean-transport-industry-in-2026>, last accessed 2/25/2026).
- International Council on Clean Transportation, Impacts of California Low Carbon Fuel Standard amendments on support for medium- and heavy-duty vehicle electrification, October 2025 (weblink: <https://theicct.org/publication/impacts-of-california-lcfs-amendments-on-meeting-hdv-sector-electrification-targets-oct25/>, last accessed December 22, 2025).
- International Council on Clean Technology. May 2023. 2030 California Renewable Natural Gas Outlook: Resources Assessment, Market Opportunities, and Environmental Performance. (web link: <https://theicct.org/wp-content/uploads/2023/05/california-rng-outlook-2030-may23.pdf>, last accessed on 12/3/2025).
- Luke D. Knibbs, Tom Cole-Hunter, Lidia Morawska. A review of commuter exposure to ultrafine particles and its health effects, *Atmospheric Environment*, Volume 45, Issue 16, 2011, Pages 2611-2622, ISSN 1352-2310. (web link: <https://www.sciencedirect.com/science/article/pii/S1352231011002299>, last accessed 3/11/2026).
- Mainspring Energy, Inc.; NapaSan; NextEra Energy. June 20, 2023. NapaSan Teams With NextEra Energy Resources for New Biofuel Mainspring Linear Generator. (weblink: <https://www.prnewswire.com/news-releases/napasan-teams-with-nextera-energy-resources-for-new-biofuel-mainspring-linear-generator-301853809.html>, last accessed 2/25/26).
- Marie Bergmann, Pascale Haddad-Thoelke, Haeran Jeong, et al. Systematic review and meta-analysis on the health effects of long-term exposure to ultrafine particles, *European Respiratory Review* 2026 35(179): 250156; DOI: <https://doi.org/10.1183/16000617.0156-2025> (web link: <https://publications.ersnet.org/content/errev/35/179/250156>, last accessed 3/11/2026).
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- Raven SR Press Release. November 17, 2025. Raven SR Awarded Authority to Construct World's First Organic Waste-to-Hydrogen Facility in Richmond, CA (web link: <https://ravensr.com/raven-sr-awarded-authority-to-construct-worlds-first-organic-waste-to-hydrogen-facility-in-richmond-ca/>, last accessed 11/20/2025).
- Su WC, Lee J, Afshar M, Zhang K, Han I. Feb 20, 2024. Assessing community health risks from exposure to ultrafine particles containing transition metals in the Greater Houston Area. *Sci Total Environ.*;912:169067. doi: 10.1016/j.scitotenv.2023.169067. Epub 2023 Dec 2. PMID: 38049001; PMCID: PMC11215817 (web link: <https://www.iqair.com/om/newsroom/ultrafine-particles>, last accessed 2/24/26).
- *South Coast Air Quality Management District R1118.1 Final Beneficial Use Technical Assessment - Rule 1118.1 – Control of Emissions from Non-Refinery Flares Final Beneficial Use Technical Assessment Alternatives to Gas Flaring*, posted September 8, 2023 (web link: <https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1118.1/r1118-1-final-beneficial-use-technical-assessment.pdf>, last accessed 2/24/2026).
- Transport Topics, EPA to Proceed With 2027 NOx Rules Timeline, November 19, 2025 (weblink: <https://www.ttnews.com/articles/epa-proceed-2027-nox-rules>, last accessed December 1, 2025).
- Tuggy, Benjamin. 2025. 2025–2026 Investment Plan Update for the Clean Transportation Program. California Energy Commission. Publication Number: CEC-600-2025-033-CMF (web link: <https://efiling.energy.ca.gov/GetDocument.aspx?tn=268050&DocumentContentId=105063>, last accessed 3/3/26).
- Wikipedia. Definition for “four-wheel drive”. (weblink: [https://en.wikipedia.org/wiki/Four-wheel\\_drive](https://en.wikipedia.org/wiki/Four-wheel_drive), last accessed 3/2/26).

These documents are available for inspection at the California Air Resources Board, 1001 I Street, Sacramento, California, 95814, between the hours of 9:00am to 4:00pm, Monday through Friday (excluding holidays). To inspect these documents, please contact Roberta Ruch, Regulations Coordinator, at (279) 208-7881.

## Agency Contacts

Inquiries concerning the substance of the proposed regulation may be directed to Paul Arneja, Air Resource Supervisor, Mobile Source Control Division, at (279) 208-7342 or (designated back-up contact) Molly Munz, Air Pollution Specialist, Mobile Source Control Division, at (279) 208-7179.

## Public Comments

Written comments shall only be accepted on the modifications identified in this Notice. Comments may be submitted by postal mail or by electronic submittal no later than the due date to the following:

Postal mail: Clerks' Office, California Air Resources Board  
1001 I Street, Sacramento, California 95814

*Electronic submittal:* <https://ww2.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and verbal comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

In order to be considered by the Executive Officer, comments shall be directed to CARB in one of the two forms described above and received by CARB no later than the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above -described modifications to the text of the regulations shall be considered by the Executive Officer.

If you need this document in an alternate format or another language, please contact the Clerks' Office at (916) 322-5594 or by facsimile at (916) 322-3928 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si necesita este documento en un formato alternativo u otro idioma, por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de cinco (5) días laborales a partir de la fecha del lanzamiento de este aviso. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

California Air Resources Board



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Steven S. Cliff, Ph.D.,

Executive Officer

Date: April 2, 2026

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see [CARB's website](https://ww2.arb.ca.gov) (ww2.arb.ca.gov).*