

Second Notice of Public Availability of Modified Text

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

Public Availability Date: June 1, 2026
Deadline for Public Comment: June 16, 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 The actions taken repealed the Drayage, High Priority, and Federal Fleet requirements from the Advanced Clean Fleets (ACF) Regulation, providing greater certainty to those entities that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.

On April 2, 2026, CARB posted proposed modifications (First 15-Day Changes) to its public website and made modified regulatory language available for public comment. The First 15-Day Changes proposed to amend sections 2013, 2013.1, 2013.2, 2013.3, 2013.4, 2013.5, and 2013.6, and to renumber section 2013.7 as section 2049.

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/acfab1594>.

CARB has determined that additional modifications are appropriate for the proposed amendments and has developed the proposed modifications (Second 15-Day Changes) as stated below in the “Summary of Proposed Modifications” section of this notice. These changes make explicit the existing requirement that vehicles being operated by State and local

governments, including those through a contractual arrangement, are part of the government entity's fleet for purposes of the regulation. These proposed amendments remove any apparent ambiguity, as raised in comments on the proposal. The Attachments showing the specific proposed modifications to the text of the proposed regulation being made with these Second 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, 2013.4 and 2049 of Title 13, California Code of Regulations:

- Attachment A-1, Proposed Second 15-Day Modifications to Proposed Regulation Order (compared to version released April 2, 2026, for the First 15-day comments)
- Attachment A-2: ~Alternative format to Attachment A-1~
- Attachment A-3: Cumulative Proposed Modifications to the existing Regulation (First and Second 15-Day Modifications and 45-Day Modifications combined and compared to original regulatory text) in Alternative format

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) and the First 15-Day Changes (proposed regulatory language as posted on April 2, 2026) are shown in "normal type." The deletions and additions to the first 45-Day Changes and the First 15-Day Changes that comprise the Second 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 indication additions.

In the version denoted Attachment A-2, the Second 15-Day Changes are provided in a tracked-changes format to meet the requirement for accessible electronic documents. The 45-Day Changes and the First 15-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 Second 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) with the First 15-Day Changes incorporated 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 First and Second 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 Second 15-Day Changes available for comment and its companion/alternate version A-2 to view an accessible version showing the Second 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 second 15-day comment period that are responsive to this notice 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.

1. In section 2013(a)(1), Fleet Applicability, the language “Except for excluded vehicles as specified in section 2013(c)” was deleted, and the language “rents, contracts for the operation of” was added. This change is necessary to remove unnecessary redundancy because the vehicle exclusions of section 2013(c) language is already included in the existing “Vehicle Scope” language of section 2013(a)(1)(2). The addition of “rents, contracts for the operation of” was added to explicitly state the applicability of the regulation to such vehicles being operated by or for government entities subject to the regulations. This interpretation follows the intent and necessarily implicit meaning of the original regulation. These changes are being proposed in response to stakeholder requests for clarification during the first 15-day public comment period. These Second 15-Day Changes provide the necessary language to ensure consistent interpretation between State or local government agencies that operate their own fleet, rent or lease vehicles in their fleet, and contract for the operation of their fleet.
2. In section 2013(b) in the definition for “Fleet” or “total fleet,” the language “or operated” was added. And the language “rental or leased” was replaced with “contracted.” These changes are necessary to make explicit that the fleet includes all vehicles being operated by or for the governmental entity, including those under contract, and are necessary to conform with the changes made to section 2013(a)(1), Fleet Applicability.
3. In section 2013(b) in the definition for “Fleet owner,” the language “rents, leases, operates, or contracts for the operation of” was added. This change is necessary to conform with the changes made to section 2013(a)(1), Fleet Applicability, for the same reasons.
4. In section 2013(b) in the definition for “Removed from the California fleet,” the language “its,” “fleet,” and “removed from a contract” were added. This change is necessary to ensure a consistent interpretation that when a State or local government agency removes a vehicle from its California fleet, this also includes an act to remove any vehicles no longer under a contract. These changes are necessary to ensure a

consistent interpretation that a State or local government agency's compliance requirements do not include vehicles that have been removed from their California fleet.

5. In section 2013(b) in the definition for "Vehicle purchase" or "purchase," the language "has placed an order to acquire the legal or equitable title to a vehicle or to convert a vehicle to a ZEV; or entered into a lease agreement with a contract term of one year or more" was deleted. This is necessary because those actions are already listed in more detail in subsections (A) to (D). The language "adds a vehicle to its California fleet" was added. These changes are necessary to ensure a consistent interpretation that a State or local government agency's ZEV Purchase Schedule compliance requirements are based on when they add a vehicle to their California fleet.

The language "or service contract" was added. These changes are necessary for consistency that an act of adding a vehicle to the "California Fleet" does not include renewing a service contract for a vehicle that is already in its California Fleet. These changes are also necessary to provide consistency in applying the regulation to vehicles operated by a State or local government entity in a leasing contract and those operated by another entity on behalf of a State or local government entity in a contract for vehicle services.

The language in subsection (D), "between a fleet owner and the manufacturer or authorized dealer" was deleted. This change is necessary to explicitly state that the fleet owner's action of adding a vehicle to their California fleet means all executed agreements which conforms with the previous changes.

6. In section 2013.4(b), Operator Documentation, the language "Contract" and the language "copies of any agreement contracting for vehicles or services using vehicles" was added. This change is necessary to conform with the changes made to section 2013(a)(1), Fleet Applicability.

The language "documentation identifying the entity responsible for paying the driver who is not a state or local government agency employee and any applicable shipping documentation or other documentation that identifies the origin and destination of the cargo and the pick-up and termination destination of the cargo vehicles under contract" was deleted. This change is necessary to remove confusion after the repeal of the Drayage Truck requirements. Verification of a responsible party under a common ownership and control business model is unnecessary for a State or local government agency and would be unclear.

7. In section 2049(a)(1), the language "hires and dispatches vehicles" was changed to "hires a State or local government agency or dispatches State or local government agency vehicles." These changes are necessary to explicitly state this section is applicable to agreements between a hiring entity and a State and local government agency and does not apply to an agreement with other nongovernmental entities. These changes are being proposed in response to stakeholder requests for clarification during the first 15-day public comment period.
8. In section 2049(c)(1), the language "as defined in Section 2013(b), that" and "as defined in Section 2013(b)," were added. This change is necessary as the First 15-Day

Changes renumbered this section into a new article and inadvertently removed references to these definitions. These changes are necessary to be explicit that these requirements apply to the State and Local Government Fleet definitions of “fleet owner” and “fleet.”

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.

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 standardization of terms to maintain the provisions of the regulation as applied to State and local governments. Therefore, no additional environmental analysis is required.

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 will 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 § 7921.00 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.

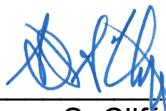
In order to be considered by the Executive Officer, comments must be directed to CARB in one of the two forms described above and received by CARB no later than the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to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



Steven S. Cliff, Ph.D.,
Executive Officer

Date: May 29, 2026

Attachment(s)

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](http://ww2.arb.ca.gov) (ww2.arb.ca.gov).