

Transport Refrigeration Unit (TRU) Regulation

Broker-Forwarder-Shipper-Receiver-Carrier-Driver
Requirements



TUTORIAL, Last Updated: January 16, 2013

California Environmental Protection Agency
 **Air Resources Board**

This tutorial explains the new broker, forwarder, shipper, receiver, carrier and driver requirements that went into effect January 2013 under the California Air Resources Board's Transport Refrigeration Unit, or TRU, Regulation.

TRUs are refrigeration systems powered by integral internal combustion engines designed to control the environment of temperature sensitive products that are transported in trucks, trailers, shipping containers and railcars.

The TRU Regulation also affects TRU generator sets, which provide electric power to electrically driven refrigeration units, such as shipping containers and some semi-trailer vans.

When this tutorial refers to TRUs, TRU gen sets are also included, unless otherwise noted.

Overview

- Regulation Status
- In-Use Performance Standards
- Registration Requirements
- 2011 Amendments
 - New Requirements
- Most Common Q&As
- Additional Information Links & Contacts






This slide shows an overview list of what will be covered by this tutorial. First, some background information about the original TRU Regulation. Then the 2011 Amendments to the TRU Regulation will be discussed, including the new requirements for brokers, forwarders, shippers, receivers, carriers, and drivers. Some of the common questions will be covered that were received during the rulemaking workshops, public hearings, and comment periods. Links and contacts for additional information are also provided.

Regulation Status

- Original regulation adopted in 2004
- Became law January 2009
- Enforcement began January 2010
- Amended October 2011
- Amendments became effective October 2012
 - Added requirements for brokers, forwarders, shippers, receivers, carriers, and drivers

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- The original TRU Regulation became law in December 2004.
- Enforcement began in January 2010.
- The TRU ATCM was amended October 2011 and the amendments became effective October 2012.
- These amendments included the new requirements for brokers, forwarders, shippers, receivers, carriers and drivers.

Who and What is Affected		TRU Regulation
Requirement	Who/What is Affected	
In-Use Performance Standards	TRUs and TRU generator sets that operate in California (regardless of where based)	
ARBER Registration	Owners of California-based TRUs and TRU generator sets	
Operator Reports	Operators of California terminals	
Hire/Contract-for Compliant Carriers		Hiring business entity
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This is a brief overview of the existing TRU Regulation and a segue into the new requirements.

- The in-use standards apply to ALL TRU engines that operate in California, including TRUs that are based outside of California.
- California-based TRUs are required to register in ARB's equipment registration system, or ARBER.
- Operators of California terminals where TRUs are operated, garaged, or maintained are also required to submit and maintain Operator Reports.
- The last row in this table shows the new requirements to only hire or contract with carriers that can dispatch compliant TRUs. These new requirements apply to the business entity that arranges the transport and hires or contracts for refrigerated transport of perishable goods on California highways or railways. More details on these new requirements are provided below.

In-Use Performance Standards (PM)

- Low-Emission TRU (LETRU)
 - Level 2 VDECS retrofit (diesel particulate filter)
 - Tier 4f (<25 hp), Tier 4i (25-50 hp) engine
- Ultra-Low-Emission TRU (ULETRU)
 - Level 3 VDECS retrofit
 - Use Alternative Technology (hybrid electric)
 - Tier 4f (25-50 hp) engine (available in new 2013 units)
- Alternative Technology
 - Must eliminate diesel PM emissions at distribution centers and limit engine operation at retail delivery point facilities to less than 30 minutes

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There are two levels of stringency for the in-use engine performance standards for TRUs.

- LETRU stands for Low-Emission TRU In-Use Performance Standard.
- ULETRU stands for Ultra-Low-Emission TRU In-Use Performance Standard – which is the more stringent of the two standards.
- Alternative Technologies, such as hybrid electric (or electric standby) also meet ULETRU if they are used in a way that eliminates diesel PM emissions at distribution centers and limits operation at retail delivery points to no more than 30 minutes. To qualify, hybrid electric systems must be plugged into electric power while at a nonretail delivery or pick-up location, such as a distribution center, packing shed, or cold storage warehouse.

Once an engine meets ULETRU, there are no further in-use standard requirements.

In-Use Compliance Schedule TRU Regulation

Engine Model Year	Step 1 Compliance Date ¹	Step 2 Compliance Date ³
2001 and older	LETRU original 12-31-2008 LETRU delayed 12-31-2009	ULETRU by 12-31-2017 ULETRU by 12-31-2016
2002	LETRU by 12-31-2009	ULETRU by 12-31-2017
2003	LETRU ² or ULETRU by 12-31-2010	ULETRU by 12-31-2018
<25 hp, 2004	LETRU ² or ULETRU by 12-31-2011	ULETRU by 12-31-2018
≥25 hp, 2004	ULETRU by 12-31-2011	None
→ 2005	ULETRU by 12-31-2012	None
2006	ULETRU by 12-31-2013	None
2007	ULETRU by 12-31-2014	None
2008	ULETRU by 12-31-2015	None
2009	ULETRU by 12-31-2016	None
2010	ULETRU by 12-31-2017	None
2011	ULETRU by 12-31-2018	None
2012	ULETRU by 12-31-2019	None
2013	ULETRU by 12-31-2020	None

Note 1: The first compliance date is December 31st of model year plus 7 years. MY 2001 and older delayed 1 year.

Note 2: 2010 Amendments gave MY 2003 and <25 hp MY 2004 engines the option of meeting LETRU or ULETRU, but if LETRU is chosen, must still meet ULETRU at step 2 compliance date.

Note 3: 2011 Amendments extended the second compliance dates as shown, if LETRU was met at step 1.

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The table on this slide shows that the In-Use Performance Standard compliance dates are phased in, based on the engine model year.

As note 1 indicates, the in-use standards must be met by the end of the seventh year after the engine model year.

For example, model year 2005 engines must meet the ULETRU in-use standard by the end of 2012.

Registration Requirements

- What TRUs must be registered?
 - California-based TRUs
 - Out-of-state TRUs registration is voluntary
 - Several advantages to registration – including compliance certification
- Register online at ARB's Equipment Registration (ARBER) system at:
 - <http://www.arb.ca.gov/arber/arber.htm>
 - ARBER issues identification numbers (IDN)
 - Owner must affix IDN to both sides of unit housing

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All California-based TRUs are required to be registered and have an ARB Identification Number, or IDN.

Registration of out-of-state TRUs is voluntary; but, more out-of-state TRUs are being registered because there are advantages to registering in ARBER, such as certifying a TRU for compliance with the in-use requirements.

Most owners register their TRUs online at ARB's Equipment Registration system, also known as ARBER. The website address is shown on the slide. If the registration is complete, ARBER issues an ARB identification number, or IDN, for each unit.

The owner must then buy plastic adhesive labels and affix (or paint) the numbers on both sides of the unit housing.

Example IDN Pictures



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Here is a picture of an ARB IDN on a TRU housing, circled in red.

This is the normal horizontal orientation.

If there is a space issue, IDNs may also be oriented vertically, reading from top to bottom.

2011 Amendments

- Added requirements for freight brokers, forwarders, shippers, and receivers
- General requirements:
 - Requires the party that arranges the transport of perishable goods to only hire carriers that will dispatch compliant TRUs
 - Applies if perishable goods will be transported on California highways
 - Effective January 1, 2013
- These new requirements are needed to address high noncompliance rates and ensure a level playing field

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Now we'll discuss the 2011 amendments that were approved by the Board in October 2011.

- Effective January 1, 2013, new requirements apply to freight brokers, forwarders, shippers, receivers, carriers, and drivers.
- The main thrust of these new requirements is that the party that arranges the transport of perishable goods on California highways or railways must only hire or contract with carriers that are compliant with the in-use standards.
- The hiring entity must require this and the carrier must agree to only supply TRUs that comply with the in-use standards.
- These new requirements are needed because compliance with the in-use standards has not been acceptable. We need to ensure that owners that have invested in cleaner equipment to be in compliance, are on a level playing field with those carriers that are not playing by the rules.
- Regulatory Guidance has been published that provides more details on these amendments. Links to this guidance are provided later. More detail on these requirements follows.

2011 Amendments

Requirements for freight brokers and freight forwarders, if they hire the carrier to transport perishable goods on California highways or railways:

- Only hire carriers that will dispatch compliant TRUs
- Include written requirements in agreement with carriers they hire to only dispatch compliant TRUs
- Provide broker or forwarder contact information to carrier for their dispatched driver:
 - Broker/forwarder company name
 - Street address, city, state, and Zip Code
 - Contact person's name and business phone number

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The 2011 Amendments include specific requirements for freight brokers and forwarders that apply if they hire the carrier to transport perishable goods on California highways or railways.

The broker or forwarder must:

- Require the carriers they hire or contract with to dispatch only equipment that is equipped with TRUs that comply with the in-use performance standards
 - This requirement – to only dispatch compliant TRUs - needs to be included in the contract or tender that the carrier signs
- The broker or forwarder is also required to provide their contact information to the carrier so that the carrier can provide this document to the driver. This information includes:
 - Broker/forwarder company name;
 - Street address, city, state, and Zip Code;
 - And a contact person's name and business phone number.

2011 Amendments

Requirements for shippers and receivers:

- If they own or lease TRU-equipped trucks, trailers, shipping containers or railcars that travel on California highways or railways, they must only dispatch equipment with TRUs that comply with the in-use standards
- If they hire carriers, they must:
 - Only hire carriers that will dispatch compliant TRUs
 - Provide shipper and receiver contact information to carrier for their dispatched driver
 - Provide contact information for a person with knowledge about the transport arrangements
- If they hire a broker or forwarder to arrange transport, they should require the broker or forwarder to hire carriers that only dispatch compliant equipment

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The 2011 Amendments also include specific requirements for shippers and receivers.

- If the shipper or receiver owns or leases TRU-equipped trucks, trailers, shipping containers, or railcars that travel on California highways or railways, they must only dispatch TRUs that comply with the in-use standards.
- If the shipper or receiver hires the carrier, they must only hire carriers that will dispatch equipment that is equipped with TRUs that comply with the in-use performance standards.
 - Again, this requirement – to only dispatch compliant TRUs - needs to be included in the contract or tender that the carrier signs.
- The hiring business entity is also required to provide the shipper and receiver contact information to the carrier so that the carrier can provide this document to the driver. This includes:
 - Shipper and receiver company names, street addresses, cities, states, and Zip Codes.
- The hiring business entity is also required to provide contact information for a person with knowledge about the transport arrangements, so that inspectors or investigators can follow up, if necessary.

2011 Amendments

- **New requirements for motor carriers:**
 - Only dispatch trucks, trailers, or shipping containers on California highways that are equipped with TRUs that comply with in-use standards
 - Provide carrier contact information to driver
 - Provide the driver with shipper and receiver contact information provided by the hiring entity
 - Provide the driver with contact information on the business entity that arranged, hired, or contracted for the transport of perishable goods

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The 2011 Amendments also include new requirements for motor carriers.

- Carriers must only dispatch trucks, trailers, or shipping containers on California highways or railways that are equipped with TRUs that meet the in-use standards.
- They must provide the driver with the shipper and receiver contact information that is provided by the hiring business entity.
- Carriers also need to make sure they pass on to their drivers the contact information for the business entity that hired the carrier.

2011 Amendments

- **New requirements for drivers:**

- Upon request by authorized enforcement personnel, provide:
 - Driver's license;
 - Truck or tractor registration;
 - Trailer registration
 - Bill of lading, freight bill, or other document(s) with:
 - Origin and destination of freight being transported;
 - Shipper business name and address;
 - Receiver business name and address;
 - Motor carrier business name and contact person's name and phone number that dispatched the driver;
 - Company name and contact information for business entity that arranged, hired, or contracted for the transport of perishable goods

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The 2011 Amendments also include new requirements for drivers.

- Upon request by authorized enforcement personnel, the driver must provide:
 - Their driver's license;
 - The truck or tractor registration, and the trailer registration (if pulling a trailer);
 - Also, the bill of lading, freight bill, or other documentation about the load that includes information about the origin and destination of the freight being transported, the shipper and receiver business name and address, and the hiring business entity's company name, and contact information.

Q & A

What if the hiring business entity is based outside of California?

- New requirements apply to the business entity that hires a carrier, regardless of where they are based or conducting business
- Examples:
 - Broker in Arizona
 - 3PL freight forwarder in Texas
 - Shipper in Florida
 - Receiver in Chicago

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Next is the Q&A section, covering some of the most frequently asked questions. The first question is:

What if the hiring business entity is based outside of California?

The answer is that the new requirements apply to the business entity that hires a carrier, regardless of where they are based or conducting business.

Some examples are listed here.

Q & A

Is the hiring business entity required to inspect TRUs?

- **No.** The TRU Regulation does not require brokers, forwarders, shippers, or receivers to inspect TRUs for compliance.
- Brokers, forwarders, shippers and receivers are required to take steps to ensure they hire only carriers that can, and agree to, dispatch compliant equipment.
- The hiring business entity must ensure the carrier can supply a compliant TRU.
- The hiring business entity should require the carrier or their agent to sign a document that certifies they are supplying a compliant TRU.

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Some folks were concerned that **the hiring business entity would be required to inspect TRUs**

No, the TRU Regulation does not require brokers, forwarders, shippers, or receivers to inspect TRUs for compliance.

Brokers, forwarders, shippers and receivers **are** required to take steps to ensure they hire only carriers that dispatch compliant equipment. Part of that would be making sure the carrier can, and agrees to, supply compliant equipment. The best approach is to require the carrier to provide their ARBER Certification Pages for the equipment they will dispatch.

The hiring business entity should make sure the carrier or their agent (for example - driver) signs a document (such as a bill of lading) that certifies they **are** supplying a compliant TRU.

Q & A

Is the loading dock required to inspect TRUs and turn away noncompliant TRUs?

- **No.** The TRU Regulation does not require loading docks to inspect TRUs for compliance.
- The hiring business entity is required to take steps to ensure they hire only carriers that **can** dispatch compliant equipment.
- The hiring business entity should require the carrier or their agent to sign a document that certifies they **are** supplying a compliant TRU.

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A similar question is: **Is the loading dock required to inspect TRUs and turn away noncompliant TRUs?**

No -- The TRU Regulation does not require loading docks to inspect TRUs for compliance.

Again, the hiring business entity is required to take steps to ensure they hire only carriers that can dispatch compliant equipment and agree to dispatch compliant equipment.

And again, the hiring business entity should make sure the carrier or their agent signs a document that certifies they are supplying a compliant TRU, such as a bill of lading.

Q & A

How does the hiring business entity know which carriers have compliant TRUs?

- Option #1: Require carriers to provide proof of compliance
 - Carriers that register in ARBER can provide a current ARBER Certification Page that identifies their TRU and shows compliance status and “Compliant Until” date
 - Build a file of current Certification Pages
 - For all carriers that you hire
 - For all TRUs owned by the carrier that will be dispatched to California
 - Update annually to keep current Certification Pages on file

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How does the hiring business entity know which carriers have compliant TRUs?

The hiring business entity should require carriers to provide proof of compliance before they hire them.

Carriers that register in ARBER can print out and provide a current ARBER Certification Page that identifies their TRU and shows compliance status and “Compliant Until” date.

So, one option for a hiring business entity is to require the carriers they do business with to send a current Certification Page for each TRU they will use in California.

Build a file of current Certification Pages for each refrigerated carrier, that includes the Certification Pages for each TRU that the carrier will dispatch to California. Then, get annual updates to keep this file current.

Consider using computer tools or systems to speed up access to this information.

ARBER Certification Page

This is what an ARBER Certification Page looks like. Page 1 is on the left. Page 2 is on the right.

On page 1, the top ellipse is where the carrier company name is located. ARB is the company in this example.

The center ellipse is the date the Certification Page was printed.

The bottom ellipse contains the compliance status (“compliant” in this example-case), the compliant until date (12-31-2015 in this example), and the ARB IDN.

Certification pages also include unit, engine, vehicle (if applicable) and other identifying information, as shown on page 2.

Q & A

How does the hiring business entity know which carriers have compliant TRUs? (Cont'd)

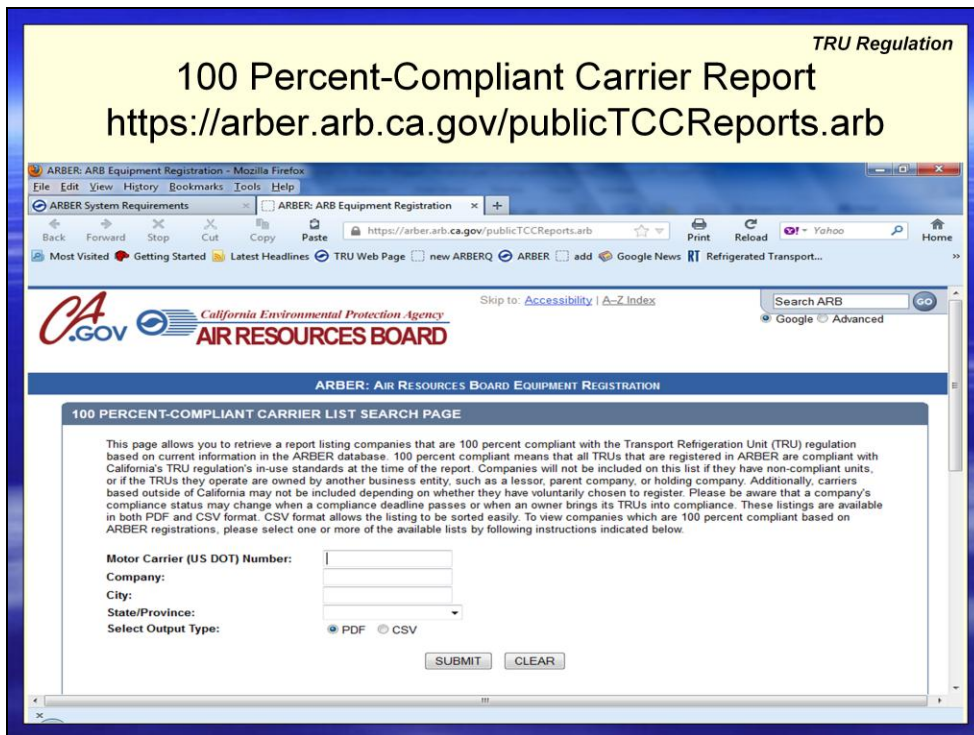
- Option #2: The hiring entity can check to see if the carrier is listed on ARB's 100 Percent Compliant-Carrier Report, which is based on ARBER registration data
 - Enter carrier company name or U.S. DOT or CA Motor Carrier Number, or
 - Download a list of compliant carriers by Zip Code, city, or state/province
 - Available in PDF and CSV formats
 - CSV format can be used with Excel to sort or format the list for other database uses.

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Another option, is to see if the carrier is listed on ARB's 100 Percent Compliant-Carrier Report, which is based on ARBER registration data. You can easily search the database a number of ways:

- Enter carrier company name or U.S. DOT or CA Motor Carrier Number to get information for a specific carrier.
- Download a list of compliant carriers by Zip Code, city, or state/province.
- The download is available in PDF and CSV formats.
- CSV format can be used with Excel to sort or format this data for your internal database uses.

This list is updated continuously, so make sure you are working with a current list.



This is a screen shot of the 100 Percent Compliant-Carrier Report search webpage.

The instructions in the text tell you how to use it and indicate that the list is based on ARBER registration data.

100 Percent-Compliant Carrier Report
<https://arber.arb.ca.gov/publicTCCReports.arb>

Please be advised:

1. Out-of-state carriers may not be on list if they chose not to register in ARBER.
2. Compliance status may change after compliance deadline passes.
3. Compliance status in ARBER may not be current if owner failed to update ARBER.
4. Carrier may not be listed if TRU is owned by lessor, parent company, or holding company

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Several warnings apply to using the 100 Percent Compliant-Carrier List:

1. The list is based on ARBER registration data. Carriers that don't have TRUs based in California may not have elected to register TRUs in ARBER. So carriers based outside California may not be listed on the 100 Percent Compliant-Carrier Report.
2. If the unit was not brought into compliance after a compliance deadline passes, the compliance status will change to noncompliant. Be sure to use a current report.
3. If the unit was brought into compliance, the compliance status in ARBER may not be current if the carrier failed to update ARBER with the compliance information or they entered inaccurate or incomplete information in ARBER.
4. The carrier may also not be listed if the TRU(s) operated by the carrier is(are) owned by another business entity, such as a lessor, parent company, or holding company.

Q & A

How does the hiring business entity know which carriers have compliant TRUs? (Cont'd)

- Option 3: Look up the TRU's compliance status in the ARBER TRU Compliance Search Page using:
 - ARB IDN,
 - Vehicle Identification Number (VIN), or
 - License plate number
 - Railcar reporting mark
 - BIC code (multi-modal trailers, TRU gen sets, domestic shipping containers)

The ARBER TRU Compliance Search Page is at:

<https://arber.arb.ca.gov/publicTruSearch.arb>

This search page is available to the public and provides the compliance status of a specific TRU or TRU gen set

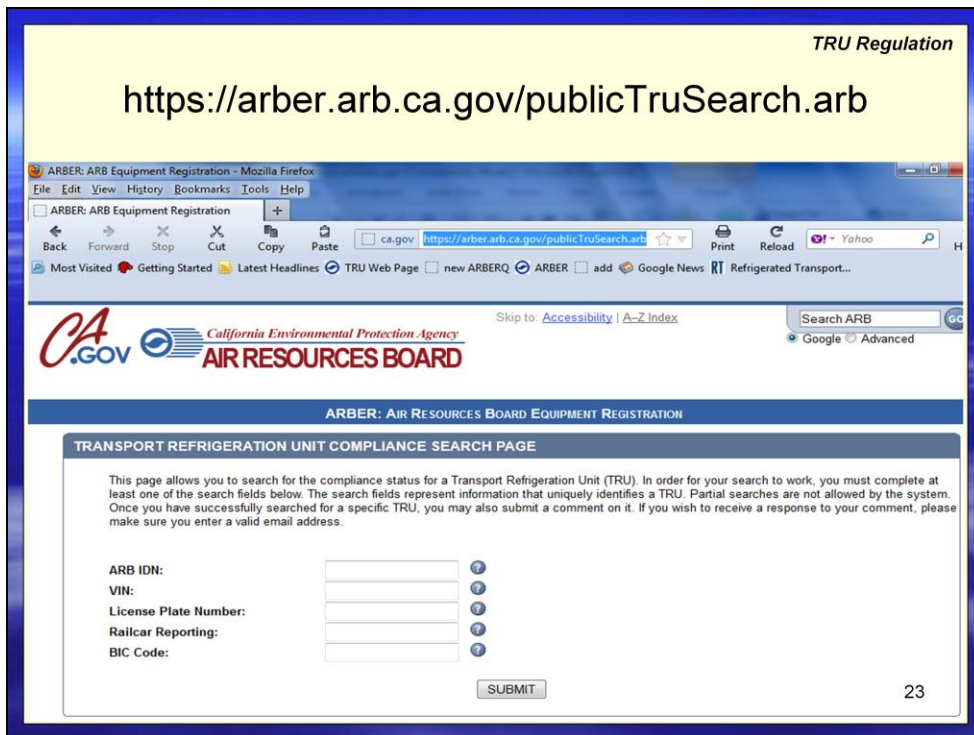
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Another option is to use the ARBER TRU Compliance Search Page, which is available to the public to check compliance status for a specific TRU.

If you know the ARB IDN, the VIN, or the vehicle license plate number, you can look up the compliance status of a specific TRU.

The railcar reporting mark can be used if it's a refrigerated railcar.

The BIC Code can be used if it's a multi-modal trailer that gets loaded onto a flatcar, a TRU gen set that is pinned onto a shipping container, or a domestic shipping container that travels on a railcar or trailer chassis.



This is a screen-shot of the TRU Compliance Search Page. Enter at least one piece of identification information for a TRU or TRU gen set to get the compliance status. The results of the query will include the owner's company name, as well as the compliance status.

Q & A

How does the hiring business entity know which carriers have compliant TRUs? (Cont'd)

TRU Compliance Check Resources Page

Links to the above TRU compliance-check resources are combined on one webpage at:

https://arb.ca.gov/diesel/tru/tru_compliance_check_resources.htm

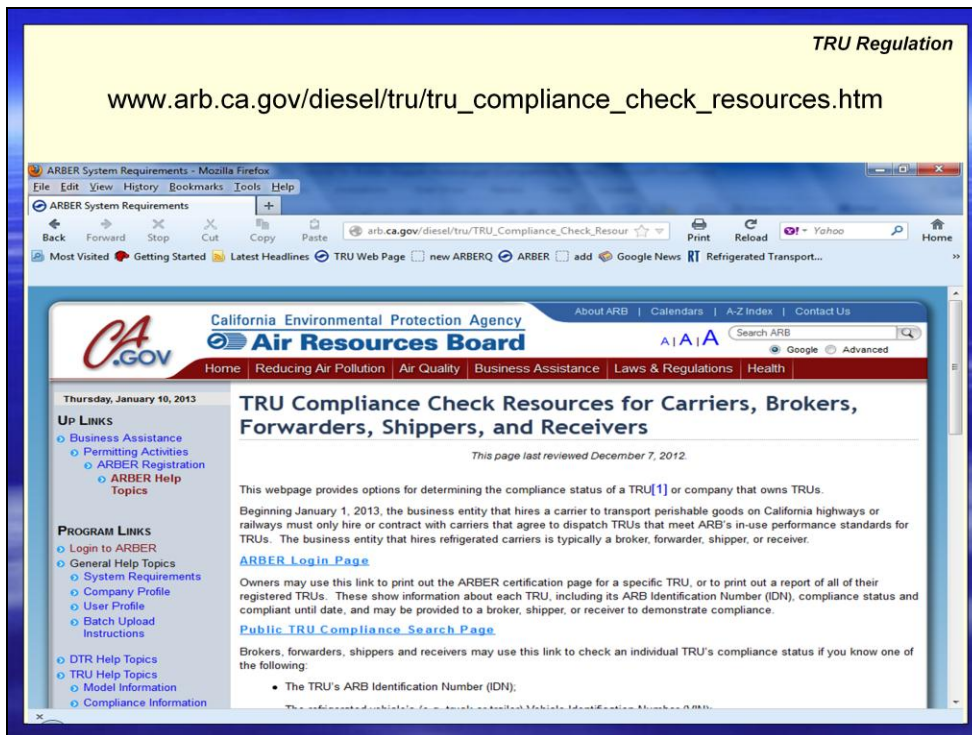
This includes links to:

- ARBER Login Page
- Public TRU Compliance Search Page
- TRU 100 Percent Compliant-Carrier Report Page

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TRU Compliance Check Resources Page: Links to the compliance search tools described above are listed on one webpage to facilitate quicker access to these resources.

- ARBER Login Page: Carriers can print out ARBER certification pages.
- Public TRU Compliance Search Page: Look up the compliance status of individual TRUs.
- TRU 100 Percent Compliant-Carrier Report: Check to see if all of the TRUs registered under a company are compliant.



This is a screen-shot of the top portion of the TRU Compliance Check Resources Page.

Q & A

What are some strategies a hiring entity can use to hire compliant carriers?

- Hiring entities could send an annual notice to carriers they typically do business with making them aware that they will only hire compliant carriers
- Urge your carriers to stay in compliance, update ARBER with their compliance information, and make sure they are on ARB's 100 Percent Compliant-Carrier Report
- When you advertise for the transport of a load of perishable goods, specify that the TRU must meet California's in-use engine standards
- Specify California-compliant equipment on load boards:
 - **California-compliant reefer required**

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We've been asked: **What are some strategies a hiring entity can use to hire compliant carriers?**

- One suggestion is to help get the word out to carriers about these new requirements. Hiring business entities could send an annual notice to the carriers they typically do business with, making them aware that they will only hire compliant carriers.
- Urge your carriers to stay in compliance and update ARBER with their compliance information. Urge them to do what is necessary to be included on ARB's 100 Percent Compliant-Carrier Report.
- When a hiring business entity advertises for the transport of a load of perishable goods, they should clearly specify that the TRU must meet California's in-use engine standards.
- Load boards should include "California-compliant reefer" in the equipment specification.

Q & A

What are some strategies a hiring entity can use to hire compliant carriers? (Cont'd)

- Document steps taken in hiring process, demonstrating that carrier was notified that ARB-compliant TRU is required and carrier confirmed they understood this requirement and agreed to only dispatch compliant equipment.
- Include contract language in hiring agreements that requires carriers to only dispatch compliant equipment and get the carrier's signature or initials next to that language.

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- Document the steps you take in the hiring process, demonstrating that the carrier was notified that an ARB-compliant TRU is required.
- Also, document that the carrier confirmed they understood this requirement by initialing the contract next to the requirement language, indicating they agree to only dispatch compliant equipment.
- Revise hiring contracts to include language that requires carriers to only dispatch compliant equipment and provide a space for their initials next to that language.

Q & A

What are some strategies a hiring entity can use to hire compliant carriers? (Cont'd)

- If a carrier is found to have violated the requirement to only dispatch ARB-compliant TRUs, the hiring business entity should:
 - Take steps to ensure they don't hire that carrier in the future, unless carrier demonstrates they are in full compliance with ARB's in-use requirements; and
 - Evaluate carrier hiring processes to ensure they are sufficient to avoid future hiring of noncompliant carriers

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If a carrier is found to have violated the requirement to only dispatch ARB-compliant TRUs, the hiring entity should be proactive about making sure it doesn't happen again:

- Take steps to ensure you don't hire that carrier in the future, unless the carrier has demonstrated they are in full compliance with ARB's in-use requirements.
- Also, evaluate your hiring processes and makes changes when necessary to ensure they are sufficient to avoid future hiring of noncompliant carriers.
- As mentioned in a previous slide, ARB investigators will be looking for evidence that the hiring business entity is using due diligence in hiring compliant carriers and this extends to identifying the root cause of the problem when a violation occurs and taking corrective action to prevent a repeat of the same problem.

Q & A

What are some strategies a hiring entity can use to hire compliant carriers? (Cont'd)

- If a shipper or receiver hires a broker or forwarder, they should include in their contract, the requirement to only hire compliant carriers
- If that broker hires a carrier that is found to have dispatched noncompliant TRUs:
 - The shipper or receiver should take steps to ensure they don't hire that broker or forwarder in the future, unless the broker or forwarder demonstrates they have corrected their hiring processes sufficiently to ensure they will not hire noncompliant carriers

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The strategy we just discussed also applies to shippers and receivers hiring brokers.

- When shippers or receivers hire brokers, they should include in their contract that the broker must only hire compliant carriers.
- And if the broker hires a carrier that dispatches a noncompliant TRU, resulting in a violation, the shipper or receiver should take steps to ensure they don't hire that broker or forwarder in the future, unless the broker or forwarder demonstrates they have corrected their hiring processes sufficiently to ensure they will not hire noncompliant carriers in the future.

Q & A

What happens when a violation is found?

- Inspector may cite the carrier, broker, freight forwarder, shipper, receiver, and/or driver if they find a noncompliant TRU
- ARB investigator will determine:
 - Who the hiring entity is
 - What requirements were violated
- ARB will audit the hiring business entity to determine if they used due diligence in their hiring processes.
- If requested, ARB conducts settlement conference to give parties an opportunity to present new information and consider any mitigating factors.
- ARB issues a settlement offer that includes appropriate steps to prevent future violations and penalties.
- ARB will consider the relevant circumstances, including how carefully the hiring party chose its carrier.

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Some folks are concerned about: **What happens when a violation is found?**

Depending on the circumstances, an ARB inspector may cite the carrier, broker, freight forwarder, shipper, receiver, and/or driver if they find a noncompliant TRU and it's unclear at the time who is responsible. The driver could be cited if they fail to provide all of the documentation to the inspector upon request. The number of citations could be limited if the paperwork clearly shows the hiring business entity used due diligence. If necessary, an ARB investigator will be assigned to the case to determine who the hiring entity is, and what requirements were violated. They will audit the hiring business entity and issue a citation if due diligence is lacking.

If requested, ARB conducts a settlement conference to give parties an opportunity to present new information and consider any mitigating factors. ARB then issues a settlement offer that includes appropriate steps to prevent future violations and may assess a penalty, or penalties if there are multiple parties at fault.

In resolving violations, ARB will consider the relevant circumstances, including how carefully the hiring party chose its carrier to ensure they are compliant and whether there were any past violations. If there were past violations, ARB will look at what corrective actions the hiring business entity took to prevent future violations and why those actions failed. Again, investigators will be looking for due diligence and effective follow-up.

Information & Contacts

- Regulatory Guidance for Brokers, Forwarders, Shippers, Receivers, Carriers, and Drivers: http://www.arb.ca.gov/diesel/tru/documents/guidance_broker-shipper-receiver.pdf
- TRU Website: <http://www.arb.ca.gov/diesel/tru/tru.htm>
- TRU Compliance Search Page (Public): <https://arber.arb.ca.gov/publicTruSearch.arb>
- 100 Percent Compliant-Carrier Report: <https://arber.arb.ca.gov/publicTCCReports.arb>
- ARBER website (registration): <http://www.arb.ca.gov/arber/arber.htm>
- ARBER email: arber@arb.ca.gov
- TRU Help Line: 1-888-878-2826
- TRU List Serve: <http://www.arb.ca.gov/listserv/tru.htm>

This slide shows where you can find more detailed compliance information.

You should also consider signing up for the TRU List Serve so that you get emails from us when there is news about the TRU regulation.