Frequently Asked Questions

Regulation for In-Use Off-Road Diesel-Fueled Fleets

(Off-Road Regulation)

Public Fleet Size Determination FAQ
Revised December 2014

Q – Why is fleet size important in the Off-Road Regulation?

A – Compliance requirements for ARB’s Off-Road Regulation vary for each fleet, and are determined based on the total off-road horsepower contained in the fleet. In the Off-Road Regulation, there are three “fleet size categories”: small, medium, and large; a fleet will have different reporting and compliance requirements depending upon their fleet category classification.

To determine the fleet size category, the horsepower of all mobile off-road vehicles under common ownership or control must be summed. Low-use vehicles, dedicated snow-removal vehicles, and vehicles used solely for emergency operations should not be included in this sum when determining the fleet size category.

Q – What do you mean by common ownership or control?

A – If vehicles are under common ownership or control, this means they are owned or managed day to day by the same person, corporation, partnership, or association. Vehicles managed by the same directors, officers, or managers, or by corporations controlled by the same majority stockholders are considered to be under common ownership or control even if their title is held by different business entities.

Q – How do Federal and State agencies determine their fleet size?

A – Vehicles owned by agencies of the United States and the State of California, or agencies thereof (i.e., an agency in the judicial, legislative, or executive branch of the federal or state government), must meet the large fleet requirements. In order to correctly calculate fleet requirements, federal agencies must report a Parent DOORS ID of 9 and State agencies must report a Parent DOORS ID of 10 on the ‘Owner Information’ page in DOORS.

While this document is intended to assist fleets with their compliance efforts, it does not alter or modify the terms of any CARB regulation, is not a substitute for reading the regulation, nor does it constitute legal advice. It is the sole responsibility of fleets to ensure compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets.
While this document is intended to assist fleets with their compliance efforts, it does not alter or modify the terms of any CARB regulation, is not a substitute for reading the regulation, nor does it constitute legal advice. It is the sole responsibility of fleets to ensure compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets.
Q – How do local municipalities determine their fleet size?

A – For the purpose of determining the fleet size category of a local municipality, a municipality should first determine if it is a low-population county local municipality fleet (see below). Such fleets are considered small no matter what their horsepower. Then, local municipalities must consider that departments within a county or city or other local municipality are considered under common ownership and control because they are under the same management or “director”. Therefore, the total horsepower of all the departments must be summed to determine the overall fleet size category of small, medium, or large to be used for each department’s fleet*. The departments of a city or county or other local municipality can still report and comply separately; however, they must comply with the requirements of the fleet size category of the local municipality. For example, if the road maintenance department of a county was a small fleet, but the county overall contained over 5,000 hp (a large fleet), the road maintenance department could report and comply separately from the rest of the county fleets, but they would still have to meet the requirements of a large fleet beginning in 2014.

However, if a separate agency related to a city or county, such as a special district, has its own funding source and management, it would be considered a separate local municipality and fleet because it is not under common ownership or control with the city or county. A local municipal fleet of this type would determine its fleet size category based solely on the total horsepower in its fleet, and would not have to comply with the fleet size category requirements of the city or county in which it resides.

Q – What is a low-population county local municipality fleet?

A – A “low-population county local municipality fleet” is a fleet that meets one of the following criteria:

- A fleet owned by a local municipality that is located in a county as defined in title 13, CCR, section 2022(b)(2) and identified in section 2022(c)(2), Table 2. The low population counties per title 13, CCR, section 2022(c)(2) are: Alpine,

* This is different than how fleet ownership is handled in ARB’s Fleet Rule for Public Agencies and Utilities. Under that regulation, individual departments in a city or county can be completely separate fleets because the regulation’s provisions do not differ based on fleet size.

While this document is intended to assist fleets with their compliance efforts, it does not alter or modify the terms of any CARB regulation, is not a substitute for reading the regulation, nor does it constitute legal advice. It is the sole responsibility of fleets to ensure compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets.
While this document is intended to assist fleets with their compliance efforts, it does not alter or modify the terms of any CARB regulation, is not a substitute for reading the regulation, nor does it constitute legal advice. It is the sole responsibility of fleets to ensure compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets.
Q – What is a captive attainment area fleet?

A – Captive attainment area fleets are fleets or fleet portions in which all of the vehicles operate exclusively within the following counties: Alpine, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Monterey, Plumas, San Benito, San Luis Obispo, Santa Barbara, Santa Cruz, Shasta, Sierra, Siskiyou, Trinity, Tehama, Yuba, and the portion of Sonoma County that lies within the boundaries of the North Coast Air Basin. Captive attainment area fleets are treated as small fleets even if their total horsepower exceeds 2,500 horsepower. Federal and State agencies cannot be considered captive attainment area fleets and must meet the large fleet requirements.

Q – What is a non-profit training center, and what is my fleet size if I qualify as this type of fleet?

A – A non-profit training center is an entity that operates a program for training in the use of off-road vehicles and that (A) is a community college program that trains students in the use of off-road vehicles or (B) qualifies as a non-profit or not-for-profit organization under title 26 Internal Revenue Code section 501(a), (c)(3), (c)(5), or (c)(6). Any vehicles that are not used for an off-road training program are not considered part of a non-profit training center and must be considered a separate fleet. Non-profit training centers are treated as small fleets even if their total horsepower exceeds 2,500 horsepower.

Q – My fleet’s total horsepower is less than 500 hp. Do I still have to meet the small fleet requirements?

A – No. As an option, you can choose to phase out all of your fleet’s Tier 0 and Tier 1 vehicles and replace them with Tier 2 or greater vehicles according to the phase-out schedule specified in section 2449(e), and shown below.
Optional Compliance Schedule for Fleets with 500 HP or Less

<table>
<thead>
<tr>
<th>Compliance Date: January 1 of Year</th>
<th>Percent of Fleet (by horsepower) Which Must Have a Tier 2 or Higher Engine</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>25</td>
</tr>
<tr>
<td>2022</td>
<td>50</td>
</tr>
<tr>
<td>2026</td>
<td>75</td>
</tr>
<tr>
<td>2029</td>
<td>100</td>
</tr>
</tbody>
</table>

Q – Are public fleets responsible for reporting contractors’ vehicles?

A – No. Every fleet owner is only responsible for the reporting and compliance of the vehicles they own. However, please note that for vehicles leased for more than one year, the lessee may be responsible for the reporting and compliance of those vehicles if it is stated as such in the lease or rental contract. For more information on rental/leased vehicles, please refer to the Rental/Leased Equipment FAQ, which is available under “Regulation FAQ’s” in the Off-Road Zone at http://arb.ca.gov/offroadzone.

While this document is intended to assist fleets with their compliance efforts, it does not alter or modify the terms of any CARB regulation, is not a substitute for reading the regulation, nor does it constitute legal advice. It is the sole responsibility of fleets to ensure compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets.