

Frequently Asked Questions

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

(Off-Road Regulation)

Transfer of Fleet Ownership FAQ

September 2014

Q – What do I need to consider before purchasing a fleet of off-road diesel vehicles?

A – When purchasing an off-road diesel vehicle fleet, an important thing to consider is the compliance status of your existing fleet (if applicable) and the compliance status of the fleet that you are interested in purchasing, since this will affect which vehicles may be added.

If you do not currently own an off-road diesel vehicle fleet (i.e., you will be a new fleet owner) and you are considering purchasing a fleet or fleet portion that is NOT in compliance with the In-Use Off-Road Diesel Vehicle Regulation (Off-Road Regulation), you will be required to meet the new fleet requirements laid out in § 2449(d)(4). You can find more information in the “New and Out-of-State Fleets” Frequently Asked Questions (FAQ) document, available on the Frequently Asked Questions page in the [Off-Road Zone](http://www.arb.ca.gov/offroadzone) at www.arb.ca.gov/offroadzone.

For example, if you do not currently own any off-road diesel vehicles and, in March 2014, you purchase a large fleet that is not in compliance with the Off-Road Regulation, the newly purchased fleet must meet the next large fleet average requirement (i.e., the January 1, 2015 fleet average target) immediately.

If you currently own an off-road diesel vehicle fleet (i.e., you are an existing fleet owner) and you are considering purchasing a fleet or fleet portion that is NOT in compliance with the Off-Road Regulation, or your existing fleet is not in compliance, the newly acquired vehicles must meet the adding vehicle requirements in § 2449(d)(6). You can find more information in the “Restrictions on Adding Vehicles” FAQ, available on the Frequently Asked Questions page in the [Off-Road Zone](http://www.arb.ca.gov/offroadzone) at www.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.

For example, if a large fleet that is currently compliant with the Off-Road Regulation acquires, in June 2014, a fleet that is not in compliance with the Off-Road Regulation, the fleet will only be able to add the Tier 2 or higher vehicles from the newly purchased fleet, since large fleets are prohibited from adding Tier 0 and Tier 1 vehicles after January 1, 2014.

On the other hand, if you are a new fleet owner and you are considering purchasing a fleet that is currently in compliance with the Off-Road Regulation and meeting the BACT requirements instead of the fleet average requirements, the fleet or fleet portion may continue meeting the BACT requirements and is not required to meet the new fleet requirements.

If you are an existing fleet owner and you are considering purchasing a fleet that is currently in compliance with the Off-Road Regulation, you may acquire the fleet or fleet portion without condition. For example, if a large fleet that is currently compliant with the Off-Road Regulation purchases another fleet that is also compliant with the Off-Road Regulation, the fleet may add all the vehicles from the newly acquired fleet (including any Tier 0 and Tier 1 vehicles) and may continue complying as separate fleet portions or as one combined fleet.

Q – If I purchase an off-road diesel vehicle fleet that is currently complying with the Off-Road Regulation, how do I take over its reporting and compliance in (DOORS)?

A – To find the Transfer of Fleet Ownership form, please see the forms in “ORD Change Request”, which is available under “DOORS Resources” in the [Off-Road Zone](#) at www.arb.ca.gov/offroadzone. The Off-Road Regulation provides several options for incorporating the acquired fleet/fleet portion into your existing fleet:

1. Keep the acquired fleet/fleet portion under its current DOORS fleet ID number (i.e., keep the acquired fleet/fleet portion as its own entity, separate from the other fleets or vehicles you may own) and have it assigned a new username and password. This means you will have a separate username and password for the newly acquired fleet. Please note that if you choose this option, credits previously earned by the acquired fleet/fleet portion will be retained by the fleet portion. For more information, see the Fleet Portions FAQ, available on the Frequently Asked Questions page in the [Off-Road Zone](#) at www.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.

2. Keep the acquired fleet/fleet portion under its current DOORS fleet ID number (i.e., keep the acquired fleet/fleet portion as its own entity, separate from the other fleets or vehicles you may own), and have it assigned to your current username and password. This means that when you sign into your DOORS account under your current username and password, you will see the newly acquired fleet in addition to your current fleet(s). Please note that if you choose this option, credits previously earned by the acquired fleet will be retained by the fleet portion.
3. Combine the vehicles of the acquired fleet with the vehicles you already own (i.e., the acquired fleet will no longer have its own DOORS fleet ID number and will instead have its vehicles incorporated with those you already own and will be identified by the DOORS fleet ID number of the fleet you owned before the acquisition). Please note that if you choose this option, most credits previously earned by the acquired fleet will not be retained (only those earned from retrofits or repowers will be retained).

Q – I purchased another company that I thought was compliant and later found out that some of the vehicles were never reported as part of their fleet. Will I be able to add the vehicles to my fleet?

A – The vehicles may only be added to a fleet if they meet the “adding vehicles” requirements that are currently in effect. In some cases, this may mean that only Tier 2 or higher vehicles may be added. For more information about the current restrictions in place, see our “Restrictions on Adding Vehicles” FAQ, available on the Frequently Asked Questions page in the [Off-Road Zone](http://www.arb.ca.gov/offroadzone) at www.arb.ca.gov/offroadzone.

Q – If I acquire a fleet that is out of compliance, when will my company be required to bring the acquired fleet into compliance?

A – It depends on which option is selected from the DOORS Transfer of Ownership form. If the acquired fleet is left as a separate entity or fleet portion in DOORS (Options #1 and #2), the purchasing fleet is required to meet each compliance date subsequent to the date it purchased the fleet. For example, if a large fleet is acquired in September 2014, the acquired fleet and the purchasing fleet must both meet the January 1, 2015 compliance date, as well as each compliance date thereafter.

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.

If Option #3 is selected and the company opts to combine the newly acquired fleet with their existing fleet in DOORS, compliance for the acquired fleet will be delayed, since compliance requirements are based on the fleet's December 31st horsepower from a year prior. For example, if a large fleet is acquired in September 2014, the combined compliance requirements for the two fleets would begin on January 1, 2016 (the combined horsepower is calculated on December 31, 2014 for the first time and is used to determine the January 1, 2016 compliance requirements).

Q – If I want to purchase just some of the vehicles in another fleet, do I still need to worry about that fleet's compliance status?

A – No, but the vehicles you purchase will have to meet the "adding vehicles" requirements that are currently in effect at the time. For more information about the current restrictions in place, see our "Restrictions on Adding Vehicles" FAQ, available on the Frequently Asked Questions page in the [Off-Road Zone](http://www.arb.ca.gov/offroadzone) at www.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.