

REQUEST FOR EARLY EFFECTIVE DATE

Public Transit Bus Fleet Rule and Emission Standards for New Urban Buses

Pursuant to Government Code section 11343.4(d), the Air Resources Board (ARB) requests that paragraph (c)(8), section 1956.2; text referencing the provisions of paragraph (c)(8) in paragraph (a)(11), section 1956.1; in paragraph (c)(5), section 1956.2; and in subsection (3)(a)(ix) in the document entitled "California Motor Vehicle Emission Control and Smog Index Label Specifications" incorporated by reference in section 1965; and clarifying modifications to paragraph (g), section 1956.4, of title 13, California Code of Regulations (CCR), become effective upon filing with the Secretary of State.

Paragraph (c)(8), section 1956.2, describes the criteria that transit agencies on the alternative-fuel path must meet in order to receive an Executive Officer-issued exemption from purchasing urban buses with engines certified to the emission standards for 2004 through 2006 model year diesel-fueled urban bus engines, as specified in paragraph (a)(11), section 1956.1. This exemption is already available to transit agencies on the diesel path, in accordance with paragraph (d)(7), section 1956.2, title 13, CCR. In short, paragraph (c)(8) allows transit agencies to implement an alternative strategy to reduce oxides of nitrogen (NOx) emissions from their urban bus fleets in lieu of purchasing urban buses with engines certified to the required emission standards for 2004 through 2006 model year diesel-fueled urban bus engines, as long as greater NOx emission benefits through the year 2015 will be achieved with the alternative strategy.

The deadline for transit agencies to apply to the ARB for approval to implement an alternative NOx emission reduction strategy is June 30, 2001. This deadline is necessary to ensure that transit agencies that submit an application to implement an alternative NOx emission reduction strategy receive approval to do so in time to make planning decisions affecting the purchase of buses to be delivered beginning in 2004. Transit agencies typically order buses 12 to 18 months prior to their delivery date. The June 30, 2001, deadline ensures that the ARB will be able to thoroughly evaluate each transit agency's application on a case-by-case basis, while providing sufficient time for each transit agency to revise its application should the ARB determine that the first submission does not achieve sufficient NOx reductions. Because each transit agency's application will be based on its individual fleet composition and could include a variety of NOx emission reduction strategies, each application will require an extensive case-by-case review by the ARB. An early effective date will facilitate submittal of the transit agencies' applications to implement an alternative NOx emission reduction strategy and the ARB's ability to assist transit agencies with regulatory compliance.

The ARB has engaged in activities to make the transit bus industry aware of the urban bus regulation's requirements and reporting deadlines, and will continue with ongoing outreach activities. Most recently, the ARB staff conducted a public workshop on April 26, 2001, to discuss the various issues associated with the urban bus regulation,

including the implementation of an alternative NOx emission reduction strategy. Since transit agencies are already aware of the June 30, 2001, reporting requirement, they will not be disadvantaged by the requested early effective date.

Date: May 22, 2001

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