

Re: Questions regarding the Advanced Clean Fleets Regulation

Steve Gallant <SGallant@maragen.com>

Tue 8/15/2023 5:58 PM

To: ARB ZEV Fleet <zevfleet@arb.ca.gov>

Cc: ARB 600.(TRUCRS) Truck Regulation Upload Compliance <TRUCRS@arb.ca.gov>

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No problem submitting my email.

Thanks,
Steve

Sent from my iPhone

On Aug 15, 2023, at 3:44 PM, ARB ZEV Fleet <zevfleet@arb.ca.gov> wrote:

Hi Steve,

As we are currently in a 15-day comment period for the ACF regulation, I need to include a disclaimer at the end of this email. Please review it and let me know if you would like your email submitted to our ACF comment docket as a comment on the proposed 15-day changes. I will need a response from you, otherwise I am obligated to add your email to our comment period (even though none of these questions are really directed at our proposed 15-day changes).

To answer your questions:

One statement says that vehicles exceed the minimum useful life after 18 years. Another says after 13 years. Which one is correct? How are the years calculated i.e. engine model year, vehicle model year?

- The regulation defines "minimum useful life" as "the minimum time period a vehicle may remain in the California fleet. It is the later of the dates specified in subsection (A) or (B) below, as modified by subsection (C):
 - o (A) Thirteen years commencing from the model year that the engine and emissions control system in a vehicle was first certified for use by CARB or United States Environmental Protection Agency (U.S. EPA); or
 - o (B) The date that the vehicle exceeded 800,000 vehicle miles traveled or 18 years from the model year that the engine and emissions control system of that vehicle was first certified for use by CARB or U.S. EPA (whichever is earlier).
 - o (C) If the vehicle no longer has its originally equipped engine, or the model year of the originally equipped engine is not able to be determined, the model year of the vehicle less one year must be used to determine when the thresholds described in subsections (A) and (B) above are met.
- Useful life is set in California Statute, and this definition tracks that statute. Essentially this statute says that CARB cannot make a regulation requiring the retirement, retrofit, replacement, or repowering of a commercial vehicle until at least 13 years

from the model year of the engine, and up to 18 years, or 800,000 miles, whichever comes first.

- Here is a link to the regulation language for you to view: [Final Regulation Order Attachment A-2 Advanced Clean Fleet Regulation High Priority and Federal Fleet Requirements \(ca.gov\)](#) section 2015(b) has all defined terms, including minimum useful life.

One statement says that in 2024 all new vehicles purchased must be ZEV's if available. Another statement says that you can purchase an ICE (Internal Combustion Engine) vehicle in 2024 if it has a 2010 or newer engine. Which statement is correct?

- If choosing to comply with the Model Year Schedule, only ZEVs may be added to the California fleet starting January 1, 2024. Legacy ICE vehicles may be reported and operated until the end of their useful life in California. There are limited exemption and extension options in the regulation, and a couple of those (ZEV Purchase Exemption, Daily Usage Exemption, and Mutual Aid Exemption) that allow for purchases of an ICE vehicle instead of a ZEV in certain circumstances. The language specifying that ICE vehicles added to the California fleet after January 1, 2024 must have certain years of engine is referring to this flexibility.
- Additionally, if choosing to comply with the ZEV Milestones Option, a fleet owner may add ICE vehicles to the California fleet at any time, as long as the ZEV Milestones are met. The language specifying that ICE vehicles added to the California fleet after January 1, 2024 must have certain years of engine also applies to ICE vehicles added under this compliance option, and any granted exemptions.
- See <https://ww2.arb.ca.gov/resources/fact-sheets/advanced-clean-fleets-regulation-high-priority-and-federal-fleets-overview> for information about the Model Year Schedule, and <https://ww2.arb.ca.gov/resources/fact-sheets/advanced-clean-fleets-regulation-zev-milestones-option> for the ZEV Milestones Option.
- We have also released a fleet calculator if you want to plug your fleet details in and compare the two compliance paths: <https://ww2.arb.ca.gov/resources/documents/advanced-clean-fleets-calculator>

Do we need to register our fleet in 2024 if we choose the Milestones Option?

- Every fleet subject to ACF must meet the reporting requirements - you must report your California fleet no later than February 1, 2024, as it was comprised January 1, 2024. This is the same for both Model Year Schedule and the ZEV Milestones Option. Reporting will be in the TRUCRS reporting system, and we anticipate having the system updated for ACF reporting in late fall/early winter.

We need assistance in understanding how GVWR translates into groups: 8,500 GVWR <=14,000 is what group? 14,001 GVWR <=26,000 is what group? 26,001 GVWR <=33,000 is what group? 33,001+GVWR is what group?

- The ZEV Milestones Option is based on defined vehicle types. All vehicles within the vehicle scope (section 2015(a)(2)) of the regulation would need to be included in the California fleet, then to determine which Milestones Group, you would use the defined Milestones Group terms in the regulation.
- Vehicle scope: "Vehicle Scope. Except as provided in the exemptions specified in section 2015(c), vehicles subject to this regulation are vehicles that: have a gross

- vehicle weight rating (GVWR) greater than 8,500 lbs., are light-duty package delivery vehicles, or are yard tractors, and that are operated in California."
- "Milestone Group 1" means the light-duty package delivery vehicles, box trucks, vans, buses with two axles, and yard tractors in the California fleet.
 - "Milestone Group 2" means the work trucks, day cab tractors, pickup trucks, and buses with three axles in the California fleet.
 - "Milestone Group 3" means the sleeper cab tractors and specialty vehicles within the California fleet.
 - Each of the above terms are defined in the regulation as well.
 - o "Box truck" means a single-unit vehicle with a fully- or partially enclosed space with a roof and at least three sides designed for transporting cargo or payload, excluding the driver and passengers. Examples of included vehicles are those commonly referred to as step vans, refrigerated vans, dry vans, chipper trucks, and box reefer trucks.
 - o "Bus" means any vehicle designed, used, or maintained for carrying more than ten persons, including the driver, and is configured with seats for the primary purpose of transporting persons including the driver.
 - o "Day cab tractor" means an on-road tractor without a berth designed for resting or sleeping at the back of the cab and is not a yard tractor.
 - o "Light-duty package delivery vehicle" means a motor vehicle with a GVWR equal to or less than 8,500 lbs. with equal to or greater than 100 cubic feet of cargo-carrying volume, as defined in title 49, C.F.R. section 523.2 as it existed on June 3, 2022, which is incorporated by reference herein, that is regularly used to deliver packages, parcels, or mail.
 - o "Pickup truck" means a vehicle originally manufactured as a complete vehicle with an open box-type bed and meets the definition set forth in CVC section 471. A "pickup truck" with removable bed covers or camper shells installed are considered "pickup trucks" for the purpose of this regulation.
 - o "Sleeper cab tractor" means a tractor with a berth designed for resting or sleeping at the back of the cab.
 - o "Specialty vehicle" means one of the following:
 - (A) A vehicle with a GVWR greater than 33,000 lbs. and with a heavy front axle; or
 - (B) A vehicle with a GVWR greater than 33,000 lbs. that is not designed to carry cargo and is configured to perform work that can only be done while the vehicle is stationary and the auxiliary mechanism to perform that work is an integral part of the vehicle design. Examples include vehicles commonly known as vacuum trucks, digger derricks, drilling rigs, and concrete pump trucks.
 - o "Van" means a single unit vehicle configured with seats to transport passengers or with an enclosed space for the primary purpose of transporting cargo and equipment.
 - o "Work truck" means a vehicle that does not meet any of the definitions of box truck, van, bus, light-duty package delivery vehicle, day cab tractor, sleeper cab tractor, or specialty vehicle.
 - o "Yard tractor" means a vehicle that has a movable fifth wheel that can be elevated and is used in moving and spotting trailers and containers at a location or facility. Yard tractors are also commonly known as yard goats, hostlers, yard dogs, trailer spotters, or jockeys.
 - Any vehicle that meets the vehicle scope would need to be categorized and counted within the appropriate Milestones Group in determining compliance with the option.

- If you elect to follow the ZEV Milestones Option, you can phase ZEVs into the fleet over time, depending on the composition of your fleet. This option would allow you to add combustion vehicles to your fleet at any time, as long as you are meeting the required ZEV percentages in the fleet.
- For the ZEV Milestones Option, you would need to ensure your fleet is comprised of ZEVs based on the following table:
 - <image.png>
- Keep in mind this regulation applies to all combustion powered vehicles owned, operated, or under common ownership or control in California that are over 8,500 lbs. GVWR in the fleet (this is roughly F250 pickup size all the way up to semi-tractors), any yard tractors (on- or off-road), and any light-duty package delivery vehicles the fleet may own (these are defined in the regulation as under 8,500 lbs. GVWR, but have at least 100 cu ft cargo space and are regularly used to deliver mail, packages, or parcels). Here is a visual example of how the Milestones option would work for a mixed fleet:
 - <image.png>
- The total (bottom row) is what we would look at for compliance with this option. ANY ZEV may count toward this total (pickups, yard trucks, box trucks, tractors, or any combination of any vehicles from these groups) as long as they are vehicles within the scope of the regulation (typically GVWR 8,500+ lbs.; light duty cars would not count).

Hope this helps!

Disclaimer:

Thank you for the email. The [Second 15-day](#) public comment period for the Advanced Clean Fleets rulemaking is currently open until August 21, 2023. To be considered and addressed in the Final Statement of Reasons, please submit your comment to the electronic docket for this rulemaking by August 21, 2023 (linked below). If you do not wish to have your email considered by the Board and addressed in the Final Statement of Reasons, please let me know.

Note: Written comments will only be considered and responded to on the modifications identified in the [Second 15-day Notice](#).

Electronic Docket: <https://www.arb.ca.gov/lispub/comm/bclist.php>

CARB's Rulemaking Webpage: <https://ww2.arb.ca.gov/rulemaking/2022/acf2022>

Please note that under the California Public Records Act (Gov. Code, § 6250 et seq.) and the California Administrative Procedure Act (Gov Code §11347.3(b)(6)), your email, written comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) submitted to CARB in connection to a rulemaking must be compiled for this rulemaking file and will become part of the public record and may be subject to disclosure to the public upon request.

Chris Franceschi
Air Pollution Specialist

From: Steve Gallant <SGallant@maragen.com>

Sent: Tuesday, August 15, 2023 2:30 PM

To: ARB 600.(TRUCRS) Truck Regulation Upload Compliance <TRUCRS@arb.ca.gov>; ARB ZEV Fleet

<zevfleet@arb.ca.gov>

Subject: Questions regarding the Advanced Clean Fleets Regulation

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My name is Steve Gallant with Marathon General, Inc. #19061. I have reviewed some of the information about the Advanced Clean Fleets Regulation Order and want to be proactive by asking some questions. Attached please find a list of our questions, and if you could be so kind to answer them it will greatly assist us in preparing to be compliant with the order.

Thanks you