

Advanced Clean Fleets (ACF) FAQ June 2023

When does ACF begin?

The ACF regulation begins January 1, 2024.

Who is impacted?

The ACF regulation applies to fleets performing drayage operations, those owned by State, local, and federal government agencies, and high priority fleets.

High priority fleets are entities that own, operate, or direct at least one vehicle in California, and that have either \$50 million or more in gross annual revenues, or that own, operate, or have common ownership or control of a total of 50 or more vehicles (excluding light-duty package delivery vehicles).

The regulation affects medium- and heavy-duty on-road vehicles with a gross vehicle weight rating greater than 8,500 pounds, off-road yard tractors, and light-duty mail and package delivery vehicles.

What regulatory options exist for refuse fleet operators?

High-priority fleets must meet one of two compliance pathways:

- 1. The default Model Year Schedule begins in 2024 and allows fleets to continue using their existing trucks until the earlier of 18 years or 800,000 miles, but all new purchases must be zero-emission vehicles or
- 2. The Zero Emission Vehicle (ZEV) Milestones Option that requires them to meet their ZEV Fleet Milestones as follows:

Table A: ZEV Fleet Milestones by Milestone Group and Year

Percentage of vehicles that must be	10%	25%	50%	75%	100%
ZEVs					
Box trucks, vans, two-axle buses, yard	2025	2028	2031	2033	2035 and
trucks					beyond
Work trucks, day cab tractors, three-	2027	2030	2033	2036	2039 and
axle buses					beyond
Sleeper cab tractors and specialty	2030	2033	2036	2039	2042 and
vehicles					beyond

Near-Zero Emission Vehicles (NZEVs) are treated as Zero Emission Vehicles (ZEV) until 2035. A NZEV is a vehicle that can operate like a ZEV for a minimum number of miles (e.g., hybrid).

Waste and wastewater fleet owners may elect to delay compliance with the ZEV Milestones Option until 2030 for the vehicles in the California fleet as of January 1, 2024, that meet the following criteria:

- (1) Must exclusively be fueled with biomethane.
- (2) Eligible garbage vehicle configurations are rear-, side-, and front-loader compactor trucks, tractors exclusively used as transfer trucks, and roll-off trucks.
- (3) Eligible wastewater vehicle configurations are all vehicles that directly support the operation of facilities that collect and process diverted in-state organic waste to produce biomethane.
- (4) Each vehicle that no longer meets the criteria specified in section 2015.3(e)(1) through (3) will reduce the number of eligible vehicles from each originally designated Milestone Group by one, unless the vehicle is replaced with a ZEV or another eligible internal combustion engine (ICE) vehicle that is exclusively fueled with biomethane.
- (5) Fleet owners utilizing this section must report fleet and vehicle information as specified in sections 2015.4(c)(1)(J) and keep records as specified in section 2015.5(m).
- (6) ZEV Milestone Calculation Adjustment. For vehicles that meet the criteria, each year the count of eligible waste and wastewater fleet vehicles in Milestone Group 1 will be subtracted from the count of vehicles in Milestone Group 1 and added to Milestone Group 3, and the count of eligible waste and wastewater fleet vehicles in Milestone Group 2 will be subtracted from the count of vehicles in Milestone Group 2 and added to Milestone Group 3, as specified in section 2015.2(e). No adjustment will be made for eligible waste and wastewater vehicles that already are designated in Milestone Group 3.

How do I calculate my ZEV Fleet Milestones?

Beginning January 1, 2025, fleet owners must continuously meet or exceed the ZEV Fleet Milestone percentage requirements set forth above in Table A: ZEV Fleet Milestones by Milestone Group and Year for their California fleets.

The annual ZEV Fleet Milestone is calculated by counting the vehicles in the California fleet for each of the three Milestone Groups listed in Table A, then multiplying the number of vehicles in each Milestone Group by the ZEV percentage requirement for that year. If the sum of the ZEV Fleet Milestones is not a whole number, the value must be rounded using standard rounding convention.

Any ZEV from any Milestone Group can be used to count toward the fleet's ZEV Fleet Milestone requirement.

How are specialty vehicles defined?

"Specialty vehicle" means one of the following:

- (A) A vehicle with a gross vehicle weight rating (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.

How is heavy front axle defined?

"Heavy front axle" means any front steering axle whose gross weight imposed upon the highway by the wheels is rated to exceed 12,500 lbs. The axle weight rating is typically found on the manufacturer's affixed certification label which contains the gross axle weight ratings and the GVRW.

What reporting obligations do fleets have?

No later than February 1 of each year until February 1, 2045, fleet owners must annually submit a compliance report that includes all the information specified in section 2015.4 for their California fleet as it is composed as of January 1 of the corresponding calendar year. The initial report must be submitted by February 1, 2024.

Fleet owners must report all the following:

- (1) Entity Information.
 - (A) Entity name;
 - 1. Fictitious business name, if applicable;
 - (B) Entity owner name;
 - (C) Entity physical and mailing addresses;
 - (D) Designated contact person name;
 - (E) Designated contact person phone number;
 - (F) Designated contact person email;
 - (G) Federal Taxpayer Identification Number;
 - (H) The following operating authority numbers, if applicable: motor carrier identification number, United States Department of Transportation number, California Carrier Identification number, California Public Utilities Commission transportation charter permit number, International Registration Plan number;
 - (I) Identify whether the fleet is a federal, state, or local government fleet;
 - (J) Identify whether the fleet owner is an interstate rental fleet owner or is a waste or wastewater fleet owner;
 - (K) Identify which of the following apply:
 - 1. The reported fleet is owned by an entity with total annual gross revenue in the year prior to submitting the report that exceeds \$50 million;
 - 2. The reported fleet owns, or operates under common ownership and control with other fleets, 50 vehicles or more; or

- 3. The reported fleet is not in the scope of the regulation and is voluntarily being reported to be recognized as a "ZEV fleet".
- (L) Newly formed or newly subject fleets must report the date the fleet was either formed or became subject to the regulation;
- (M) Fleets that fall below the threshold of the scope and applicability of this regulation must report the date the fleet became no longer subject to the regulation;
- (N) Identify whether the fleet owner has elected to opt-in to the ZEV Milestones Option specified in section 2015.2; and
- (O) Name of the responsible official.
- (2) Vehicle Information. The fleet owner must report all the following information for each vehicle in the California fleet:
 - (A) Vehicle identification number (VIN);
 - (B) Vehicle make and model;
 - (C) Vehicle model year;
 - (D) Vehicle license plate number and state or jurisdiction of issuance;
 - (E) Vehicle GVWR (Less than or equal to 8,500 lbs., greater than 8,500 lbs. and equal to or less than 14,000 lbs., greater than 14,000 lbs. and equal to or less than 26,000 lbs., or greater than 26,000 lbs.);
 - (F) Vehicle body type;
 - (G) Fuel and powertrain type;
 - (H) Date vehicle purchase was made;
 - (I) Date vehicle was added to or removed from the California fleet;
 - (J) Whether the vehicle will be designated under or was purchased pursuant to any exemption or extension specified in section 2015.3;
 - (K) Odometer, or if applicable, hubodometer readings for vehicles as specified in section 2015.4(f);
 - (L) Engine family for: any vehicles added to the California fleet after January 1, 2024; tractors with a vehicle model year that is 12 years old or older; and all other vehicles with a vehicle model year that is 17 years old or older;
 - (M) Engine model year for: any vehicles added to the California fleet after January 1, 2024; tractors with a vehicle model year that is 12 years old or older; and all other vehicles with a vehicle model year that is 17 years old or older;
 - (N) Whether the vehicle being reported by the controlling party is owned by another entity, if applicable;
 - (O) Funding contract start and end date for vehicles purchased with California Statefunding if the vehicle is to be excluded during the funding contract period as specified by the funding program;
 - (P) Identify whether the vehicle has a heavy front axle;
 - (Q) Five-day Pass Reporting. Fleet owners claiming a five-day pass for the vehicle must report the first day the pass will be used;
 - (R) ZEV Purchase Reporting. Fleet owners utilizing the Model Year Schedule specified in section 2015.1 that are replacing a vehicle pursuant to the ZEV Purchase Exemption

specified in section 2015.3(e) must identify which vehicle is being replaced pursuant to the minimum useful life limitations specified in section 2015.1(c)(5); and (S) Identify whether the vehicle is replacing another vehicle that was in an accident and is non-repairable, if applicable.

What exemptions and extensions exist?

<u>Fleet owners complying with the Model Year Schedule specified in section 2015.1 may utilize</u> the following exemptions and extensions if the specified criteria are met:

- (1) Backup Vehicle Exemption. Fleet owners may exclude a vehicle from the ICE Vehicle Removal requirements compliance date specified in section 2015.1(b) if the vehicle is designated as a backup vehicle as specified in section 2015.3(a).
- (2) Daily Usage Exemption. Fleet owners may request an exemption from the ZEV Addition requirement of section 2015.1(a) to purchase a new ICE vehicle. Fleet owners must request and obtain this exemption pursuant to the criteria specified in section 2015.3(b). The fleet owner must request this exemption no later than one year before the applicable compliance date specified in the ICE Vehicle Removal requirement of section 2015.1(b), and no earlier than when the model year of the ICE vehicle being replaced reaches 16 years old, or when the vehicle reaches 700,000 miles, whichever occurs first.
- (3) ZEV Infrastructure Delay Extension. Fleet owners may request an extension from the ICE Vehicle Removal requirements compliance date specified in section 2015.1(b) for an ICE vehicle that is otherwise required to be removed from the fleet. The fleet owner must request and obtain this extension pursuant to the criteria specified in section 2015.3(c). The fleet owner must request this extension no later than 45 calendar days before the applicable compliance date specified in section 2015.1(b) for the ICE vehicle to be replaced.
- (4) Vehicle Delivery Delay Extension. Fleet owners may request an extension from the ICE Vehicle Removal requirements compliance date specified in section 2015.1(b) for an existing ICE vehicle that is otherwise required to be removed from the fleet. Fleet owners must request and obtain this extension pursuant to the criteria specified in section 2015.3(d). The fleet owner must request this extension no later than February 1 of the same calendar year as the compliance date specified in the ICE Vehicle Removal requirement specified in section 2015.1(b).
- (5) ZEV Purchase Exemptions. Fleet owners must use the exemption in section 2015.3(e)(1) or request the exemption of section 2015.3(e)(2) no later than one year before the compliance date specified in section 2015.1(b) and no earlier than when the model year of an existing ICE vehicle that is otherwise required to be replaced reaches 16 years old, or when the vehicle reaches 700,000 miles, whichever occurs first:
 - (A) ZEV Purchase Exemption List. Fleet owners shall receive an exemption from the ZEV Addition requirement specified in section 2015.1(a) to purchase a new ICE vehicle, and shall receive an extension from the ICE Vehicle Removal requirements compliance date

specified in section 2015.1(b) for the ICE vehicle being replaced, which shall remain in effect until the new ICE vehicle they have ordered is received. Fleet owners must meet the criteria specified in section 2015.3(e)(1) to qualify.

- (B) ZEV Purchase Exemption Application. Fleet owners may request and obtain an exemption from the ZEV Addition requirement specified in section 2015.1(a), pursuant to the criteria specified in section 2015.3(e)(2), to purchase a new ICE vehicle. If approved, the fleet owner shall also receive an extension from the ICE Vehicle Removal requirements compliance date specified in section 2015.1(b) for the ICE vehicle being replaced, which shall remain in effect until the ordered new ICE vehicle is received.
- (6) Declared Emergency Response. Fleet owners may exclude vehicles that are performing emergency operations from the Model Year Schedule requirements specified in section 2015.1 during declared emergency events pursuant to the criteria specified in section 2015.3(f)(1).
- (7) Mutual Aid Assistance. Fleet owners may request an exemption from the ZEV Addition requirement in section 2015.1(a) to purchase new ICE vehicles. Fleet owners must request and obtain this exemption pursuant to the criteria specified in section 2015.3(f)(2) at any time. ICE vehicles purchased pursuant to a granted exemption may operate as part of the regular California fleet and are not restricted solely to mutual aid functions.
- (8) Five-day Pass. Fleet owners may report to claim a five-day pass to exclude any vehicle from the California fleet for five consecutive days once per calendar year per vehicle in their fleet pursuant to the criteria specified in section 2015.3(g).
- (9) Non-repairable Vehicles. Fleet owners that need to temporarily replace a vehicle due to an accident or other onetime event due to circumstances beyond the fleet owner's control, such as fire or catastrophic failure, that damages both the engine and vehicle such that the vehicle is not repairable may request and obtain an exemption from the ZEV Addition requirement specified in section 2015.1(a) If approved, they may purchase a used ICE vehicle of the same configuration and with an engine with the same or newer model year as the non-repairable vehicle no later than 180 calendar days from the date the vehicle became non-repairable. The fleet owner may also exclude it from the ICE vehicle removal requirement specified in section 2015.1(b) until the end of the useful life of the non-repairable vehicle as determined by the criteria specified in section 2015.1(b). The useful life of the replacement will be based on the engine model year of the non-repairable vehicle and the mileage accrued on the non-repairable vehicle plus the mileage accrued on the replacement vehicle. Fleet owners must report the replacement vehicle within 30 calendar days of adding it to the California fleet as specified in section 2015.4 and keep records for both vehicles as specified in section 2015.5(n). By using this option, fleet owners must acknowledge that they knowingly and voluntarily waive the provisions of Health and Safety Code 43021(a), specific to the replacement vehicle in this section, that would otherwise apply to any purchased commercial motor vehicles as defined in CVC section 34601, except for new ICE vehicles purchased pursuant to an exemption specified

in section 2015.3. To apply, fleet owners must submit the following information and documentation to TRUCRS@arb.ca.gov prior to adding the used vehicle to the California fleet:

- 1. A copy of a police report, statement from the insurance company, or signed attestation from a federal fleet owner's governing board indicating the vehicle is non-repairable;
- 2. The VIN of the non-repairable vehicle;
- 3. The following clear and legible digital photographs of the replacement used vehicle:
 - a. VIN/GVWR label (typically located on the driver side door or door jamb);
 - b. License plate with driver side of the vehicle visible;
 - c. Entire left side of the vehicle with doors closed showing the vehicle's body configuration; and
 - d. Entire right side of the vehicle with doors closed showing the vehicle's body configuration;

<u>Fleet owners complying with the ZEV Milestones Option specified in section 2015.2 may utilize</u> the following exemptions and extensions if the specified criteria are met:

- (1) Backup Vehicle Exemption. Fleet owners may exclude designated backup vehicles from the vehicle count for each Milestone Group when determining the ZEV Milestone Calculation specified in section 2015.2(b) if it is designated as a backup vehicle as specified in section 2015.3(a).
- (2) Daily Usage Exemption. Fleet owners may request an exemption to purchase a new ICE vehicle and exclude it from the ZEV Fleet Milestone Calculation specified in section 2015.2(b). Fleet owners must request and obtain this exemption pursuant to the criteria specified in section 2015.3(b) no later than one year before the next applicable upcoming ZEV Fleet Milestone compliance date specified in section 2015.2(a). The Executive Officer will grant this exemption only if the fleet owner demonstrates their next applicable upcoming ZEV Fleet Milestone cannot be reached without exemptions by requesting and obtaining exemptions for all other ICE vehicles in their California fleet.
- (3) ZEV Infrastructure Delay Extension. Fleet owners may request an extension to count an ICE vehicle being replaced as a ZEV when determining compliance with the ZEV Milestone Calculation specified in section 2015.2(b). The fleet owner must request and obtain the extension pursuant to the applicable criteria specified in section 2015.3(c) no later than 45 calendar days before the next applicable upcoming ZEV Fleet Milestone compliance date specified in section 2015.2(a).
- (4) Vehicle Delivery Delay Extension. Fleet owners may request an extension to count an ICE vehicle as a ZEV when determining compliance with the ZEV Milestone Calculation specified in section 2015.2(b). Fleet owners must request and obtain this extension pursuant to the criteria specified in section 2015.3(d). Fleet owner must request this extension no later than February 1 of the same calendar year as the next applicable ZEV Fleet Milestone compliance date specified

in section 2015.2(a). The fleet owner may transfer the extension to another vehicle in the fleet if the criteria specified in section 2015.3(d)(2) are met.

- (5) ZEV Purchase Exemption. Fleet owners must use the exemption in section 2015.3(e)(1) or request the exemption in section 2015.3(e)(2) no later than one year before the next applicable upcoming ZEV Fleet Milestone compliance date specified in section 2015.2(a). The Executive Officer will grant the following exemptions only if the fleet owner demonstrates their next applicable upcoming ZEV Fleet Milestone cannot be reached without exemptions by requesting and obtaining exemptions for all other ICE vehicles in their California fleet:
 - (A) ZEV Purchase Exemption List. Fleet owners shall receive an exemption to purchase a new ICE vehicle and exclude it from the ZEV Milestone Calculation specified in section 2015.2(b) pursuant to the criteria specified in section 2015.3(e)(1).
 - (B) ZEV Purchase Exemption Application. Fleet owners may request and obtain an exemption to purchase a new ICE vehicle and exclude it from the ZEV Milestone Calculation specified in section 2015.2(b) pursuant to the criteria specified in section 2015.3(e)(2).
- (6) Declared Emergency Response. Fleet owners may exclude vehicles that are performing emergency operations from the ZEV Milestones Option requirements specified in section 2015.2 during declared emergency events pursuant to the criteria specified in section 2015.3(f)(1).
- (7) Mutual Aid Assistance. Fleet owners may request an exemption to purchase new ICE vehicles and exclude them from the ZEV Milestone Calculations specified in section 2015.2(b). Fleet owners must request and obtain this exemption pursuant to the criteria specified in section 2015.3(f)(2). ICE vehicles purchased pursuant to a granted exemption may operate as part of the regular California fleet and are not restricted solely to mutual aid functions.
- (8) Five-day Pass. Fleet owners may report to claim a five-day pass to exclude any vehicle from the California fleet for five consecutive days once per calendar year per vehicle in their fleet pursuant to the criteria specified in section 2015.3(g).
- (9) Intermittent Snow Removal Vehicles. Fleet owners shall receive an exemption to exclude designated intermittent snow removal vehicles from the ZEV Milestone Calculation specified in section 2015.2(b) until January 1, 2030, if the Executive Officer designates the vehicle as an intermittent snow removal vehicle pursuant to the criteria in section 2015.4(m).

How will CARB enforce these regulations?

Any person who fails to comply with the requirements of ACF, who fails to submit any information, report, or statement required by this regulation, or who knowingly submits any false statement or representation in any application, report, statement, or other document filed, maintained, or used for the purposes of compliance with this regulation may be subject to penalties.

We also anticipate CARB will be working with the DMV to prevent registration of vehicles that are not in compliance with the regulations. More information regarding enforcement is expected soon.

Where can I get more information, including incentive opportunities? Information about all medium- and heavy-duty zero-emission regulations, funding, and background can be found at <u>ZEV TruckStop</u>.