December 21, 2023

The Honorable Steven S. Cliff, Ph.D.

Executive Officer

California Air Resources Board

1001 I Street

Sacramento, CA 95814

ATTENTION: Clerk’s Office

**RE: Proposed Amendments to the Heavy-Duty Engine and Vehicle Omnibus Regulation – 15-Day Changes**

Dear Dr. Cliff:

On behalf of ABC Companies, I am submitting the following comments in response to the Notice of Availability of Modified Text (Modifications) – Proposed Amendments to the Heavy-Duty Engine and Vehicle Omnibus Regulation (Notice), posted by the Air Resources Board (CARB or Agency) on December 6, 2023.

ABC Companies is the largest dealer distributor in the United States of motorcoach vehicles including 100% battery electric and diesel powered versions. ABC Companies sells, services and supports motorcoach operators across the United States and Canada including several California based customers. ABC Companies has become the leading provider of zero emission motorcoaches to the private market and also operates the largest privately owned charging station in North America at it’s Newark California location to support the growing electrification of customer fleets.

For the past six months, ABC Companies has worked with ABA, and members of the California Bus Association, to engage with CARB on the Heavy-Duty Engine and Vehicle and Omnibus Regulation (Omnibus Regulation) to find a path toward compliance for California bus fleet operators that will not jeopardize their businesses. As the full title of the Omnibus Regulation states, this regulation impacts both engines and ***vehicles***; however, based on our discussions and engagement with CARB to date, the Agency appears to be solely focused on working with original equipment manufacturers (OEM) of engines to the disadvantage of vehicle manufacturers and fleet operators, in the bus and truck industries. From the outset of the process to develop this regulation, it appears CARB engaged engine manufacturers only, without reaching out or engaging vehicle manufacturers or fleet operators. Even in regard to negotiations held earlier this year in response to concerns raised with the Omnibus Regulation, CARB again relied solely on engine OEM input without considering input from or the effects of the amendments on vehicle OEMs and end user fleet operators. Therefore, ABC Companies once again takes this opportunity to restate its position, and incorporates its previous comments submitted in this proceeding by reference, that without providing additional flexibility under the Omnibus Regulation for Model Years 2024-2026, vehicle OEMs will not be in position to provide sufficient compliant motorcoach vehicles for sale in the California market, and California bus fleet businesses and the air quality of the state will suffer.

Appreciating this 15-Day comment period is limited to the proposed Modifications, ABC Companies also provides the following comments specific to this proceeding.

In reference to the proposed modifications to Subsection 1956.8(a)(2)(C)3.b.iv., of Title 13, California Code of Regulations (CCR) and the Diesel Engine Test Procedures incorporated by reference in Section 1956.8(b), of Title 13, CCR. The purpose of these modifications, per the Notice, is to further clarify the intent of these regulations for manufacturers that choose to use either Options 1 or 2. Although ABC Companies appreciates CARB’s intent, we urge CARB to provide further clarification. Specifically, we continue to seek explicit clarification from CARB on what “offset” means, in terms of use of credits to address legacy engine emission deficits.

Again, ABC Companies urges CARB to reconsider its position and provide additional flexibility in the Omnibus Regulation for use of legacy engines in new motorcoaches for market during the MY 2024-2026 period, as was provided for transit operations. Motorcoaches are an environmentally sensitive form of mass transportation that can assist CARB in reaching its emission targets and should be promoted. ABC Companies also urges CARB to provide further clarification, as part of these proposed modifications, and outreach to assist both engine and vehicle OEMS in preparing to comply with the legacy options amendments to the Omnibus Regulation. We also support and encourage CARB to seek every opportunity to reconcile their emissions standards and protocols with federal emissions standards and protocols, in support of national uniform standards that allow businesses to function.

Respectfully,

Thom Peebles

Vice President, Marketing ABC Companies