

September 18, 2018

Mary D. Nichols, Chair

California Air Resource Board

1001 I Street

Sacramento, CA 95814

RE: Proposed Innovative Clean Transit Rule

Dear Chair Nichols et al:

On behalf of the California Association for Coordinated Transportation (CalACT), I want to express our appreciation for the extensive time and attention California Air Resources Board staff spent in working with CalACT members on the development of the proposed Innovative Clean Transit Rule. CalACT supports the goal of transitioning to zero emission fleets and the proposed rule recognizes the unique obstacles small transit operators face in achieving this goal. We also want to reiterate our full support of changes made since the first iteration of the Proposed Rule.

The California Association for Coordinated Transportation (CalACT) is a statewide association with over 330 member agencies. CalACT is a non-profit organization that has represented the interests of small, rural, and specialized transportation providers since 1984. Our membership is comprised of individuals and agencies from diverse facets of transportation, including operators of small and large systems, planning and government agencies, social service agencies, suppliers and consultants.

The following outlines areas where CalACT believes are critical to developing a rule that will enable small operators to achieve the goal while maintaining safety net service.

* *CalACT urges the Board to adopt the definition of a “small operator” as defined in the November 9th, 2018 release of the Updated Proposed Innovative Clean Transit Rule.* This update will provide a clear definition already known by transit agencies and used at the Federal & State level.
* *CalACT also strongly supports the delayed compliance for small operators with adopting the rollout plans and purchase mandates.* CalACT’s members are predominantly small operators and additional time will be needed to secure funding for developing and adopting the rollout plans. In some cases operators will need to locate, purchase and build new storage facilities because of inadequate space, or the operators currently rents space from another public entity. The additional time needed to develop the rollout plans support the need for the later purchase mandate timeline. The later purchase mandate should also benefit small operators to take advantage of lower vehicle prices as demand increases and supply chains mature.
* *CalACT also supports the proposed definition of a cutaway bus.* These vehicles are the workhorse of small transit systems due to their lower capital and operating costs. These vehicles are produced in a wide variety of sizes, and the proposed definition specifying vehicles weight of 14,000 pounds to 26,000 pounds is appropriate. In addition, the rule recognizes that a commercially available zero emission cutaway bus is currently not available.

The proposed rule also includes several off-ramps for when technology constraints, manufacturing delays, or fiscal hardship warrant additional time for compliance. Without these off-ramps, and your favorable consideration of the changes proposed above, the ICT Rule would interfere with CalACT member’s ability to maintain service levels and provide critical safety net transportation options. Therefore, on behalf of CalACT thank you for your favorable consideration of these comments.  
  
CALACT would like to thank the California Air Resources Board and staff who took time to thoroughly understand, research, and bridge working relationships with transit agencies across California. The inclusion of congruent small operator definitions, delayed compliance for small operators, and understanding of technology constraints on cutaway vehicles will undoubtedly help rural and small community transit programs comply in the future. We appreciate the updated Proposed Regulation and urge the Air Resources Board to adopt the regulation as updated November 9th, 2018.

Sincerely,

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Jacklyn Montgomery, Executive Director  
California Association For Coordinated Transportation (CALACT)