

June 4, 2021

Liane Randolph, Chairwoman
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Proposed Amendments to the Heavy-Duty Engine and Vehicle Omnibus Regulation and Associated Amendments

Chairwoman Randolph and Board Members:

On behalf of the California Transit Association, I am writing to you today to enthusiastically support the proposed amendments related to compliance flexibility for transit agencies included in the *Proposed Amendments to the Heavy-Duty Engine and Vehicle Omnibus Regulation and Associated Amendments*, released for public comment on May 5.

The proposed amendments related to compliance flexibility for transit agencies, captured in **Subsection 1956.8(a)(2)(F)**, respond directly to concerns raised by the Association and our members in August 2020, as the Omnibus Regulation was being reviewed by the Board. The concerns we presented at that time were narrow and expressly related to certain unintended consequences of the Omnibus Regulation, which would have made it impossible for transit agencies to legally procure diesel buses, starting in 2024. While our industry has committed to fully transitioning to zero-emission transit bus technologies by 2040, the schedule for this transition – outlined in the Innovative Clean Transit regulation and negotiated over four years between the Board, the Association and a variety of stakeholders – did not contemplate such an abrupt break in the conventional technologies available for purchase by California’s transit agencies in the near-term.

We greatly appreciate that, in accordance with the Board’s Resolution 20-23, ARB staff worked dutifully and constructively with the Association’s membership to draft proposed amendments to institute narrow compliance flexibility for transit agencies in the Omnibus Regulation. The proposed amendments ensure that transit agencies can continue to follow the transition schedule to zero-emission technologies as well as the compliance requirements of the ICT regulation, as adopted. The proposed amendments also help address an unforeseen circumstance, which would have significantly increased procurement costs for transit agencies at a time when they are still struggling to recover from the pandemic’s impact on their operating budgets. As we advance implementation of the ICT regulation, please know that the Association and our members continue to work with Congress, the Legislature, and the Newsom Administration to secure new funding to support the transition to zero-emission technologies, allowing for the elective acceleration of this transition.

The proposed amendments, captured in Subsection 1956.8(a)(2)(F) have been thoroughly reviewed by a subgroup of the Association's Zero-Emission Bus Task Force, and have received universal support by its members to move forward. With that, the Association voices its full support for the proposed amendments related to compliance flexibility for transit agencies included in the *Proposed Amendments to the Heavy-Duty Engine and Vehicle Omnibus Regulation and Associated Amendments* and urge their adoption by the Board.

In closing, we wish to communicate our profound appreciation to ARB staff for their attention to the needs of the transit industry during a harrowing year and for devising a productive and collaborative amendments process. As always, we thank you for your consideration.

Please feel free to contact me at 916-446-4656 x1034, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Pimentel". The signature is fluid and cursive, with a large initial "M" and "P".

Michael Pimentel
Executive Officer

cc: Richard Corey, Executive Officer, California Air Resources Board
Sydney Vergis, Chief, Mobile Source Control Division
Kim Heroy-Rogalski, Chief, Mobile Source Regulatory Development Branch
Annmarie Rodgers, Chief, Compliance Assistance & Outreach Branch
Yachun Chow, Manager, Zero-Emission Truck & Bus Section