

The purpose of this document is to provide general guidance. For all requirements and specific regulatory language found in California Code of Regulations, please go to California's Office of Administrative Law (OAL) website at <http://ccr.oal.ca.gov>.

Fleet Rule for Transit Agencies

What Am I Subject To?

Guidance Document

Instructions: To identify whether your agency or vehicles are subject to the requirements of the Fleet Rule for Transit Agencies, answer each question in order. If you reach "Stop," your agency or your vehicles are not subject to the requirements of this regulation. Please read the notes associated with some of the questions for further information on applicability.

<p>1 Are you a Public Transit Agency? "Transit Agency" means a public entity responsible for administering and managing transit services. Public transit agencies can directly operate transit service or contract out for all or part of the total transit service provided.</p>	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">Yes</td></tr> <tr><td style="padding: 5px;">Go to 3</td></tr> </table>	Yes	Go to 3	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">No</td></tr> <tr><td style="padding: 5px;">Go to 2</td></tr> </table>	No	Go to 2
Yes						
Go to 3						
No						
Go to 2						

<p>2 Do you provide transit service for a transit agency? *Note 1: The vehicles you provide may be subject to the requirements of the Fleet Rule for Transit Agencies. Please work with the Transit Agency that you provide service for to obtain vehicle and reporting requirements.</p>	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">Yes</td></tr> <tr><td style="padding: 5px;">*see Note 1</td></tr> </table>	Yes	*see Note 1	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">No</td></tr> <tr><td style="padding: 5px;">Stop</td></tr> </table>	No	Stop
Yes						
*see Note 1						
No						
Stop						

<p>3 Are you a correctional facility, airport, college or non-profit that provides a shuttle service solely for patrons of your organization? *Note 2: Your agency is not subject to this regulation. Your fleet may be subject to the Proposed Particulate Matter Control Measure for On-road Heavy Duty Diesel Fleet Vehicles Owned/Operated by Public Agencies or Utility Companies. More information can be found at the website: http://www.arb.ca.gov/msprog/publicfleets/publicfleets.htm</p>	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">Yes</td></tr> <tr><td style="padding: 5px;">Stop</td></tr> <tr><td style="padding: 5px;">*see Note 2</td></tr> </table>	Yes	Stop	*see Note 2	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">No</td></tr> <tr><td style="padding: 5px;">Go to 4</td></tr> </table>	No	Go to 4
Yes							
Stop							
*see Note 2							
No							
Go to 4							

Questions 4 through 11 focus on regulation applicability to each individual vehicle and classification of the vehicle as an urban bus or as a transit fleet vehicle as defined in the proposed regulation.

<p>4 Is your vehicle a bus that is powered by a heavy-heavy duty truck engine or urban bus engine and operates in fixed route revenue service ?</p>	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">Yes</td></tr> <tr><td style="padding: 5px;">Go to 6</td></tr> </table>	Yes	Go to 6	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">No</td></tr> <tr><td style="padding: 5px;">Go to 5</td></tr> </table>	No	Go to 5
Yes						
Go to 6						
No						
Go to 5						

<p>5 Is your bus 35 feet or longer or does it have a gross vehicle weight rating of 33,000 pounds or greater?</p>	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">Yes</td></tr> <tr><td style="padding: 5px;">Go to 6</td></tr> </table>	Yes	Go to 6	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">No</td></tr> <tr><td style="padding: 5px;">Go to 9</td></tr> </table>	No	Go to 9
Yes						
Go to 6						
No						
Go to 9						

<p>6 Does your bus meet the definition of Emergency Contingency Vehicle (not a spare bus)? "Emergency contingency vehicle" means an urban bus placed in an inactive contingency fleet for energy or other local emergencies, after the urban bus has reached the end of its normal minimum useful life. *Note 3: Your bus is not subject to the requirements of this regulation. It is the transit agency's responsibility to demonstrate that each vehicle in this category meets the definition. Please identify this vehicle on your annual report form as an "Emergency Contingency Vehicle".</p>	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">Yes</td></tr> <tr><td style="padding: 5px;">Stop</td></tr> <tr><td style="padding: 5px;">*see Note 3</td></tr> </table>	Yes	Stop	*see Note 3	<table border="1" style="margin: auto;"> <tr><td style="padding: 5px;">No</td></tr> <tr><td style="padding: 5px;">Go to 7</td></tr> </table>	No	Go to 7
Yes							
Stop							
*see Note 3							
No							
Go to 7							

Fleet Rule for Transit Agencies What Am I Subject To? Guidance Document

7 Is your bus solely in charter or non-revenue service?

A charter bus is used only for excursions and never as a spare bus for fixed route service. Non-revenue service includes training drivers.

Yes Go to 9	No Go to 8
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8 Is your bus a commuter service bus, per the rule?

"Commuter Service Bus" means a passenger-carrying vehicle powered by a heavy heavy-duty diesel engine or of a type normally powered by a heavy heavy-duty diesel engine that is not otherwise an urban bus and which operates on a fixed route primarily during peak commute hours and that has no more than ten scheduled stops per day, excluding park-and-ride lots.

Yes Go to 9	No Urban Bus
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9 Does your vehicle have a gross vehicle weight rating of 8,500 pounds or greater?

***Note 4:** Your vehicle is not subject to the requirements of this regulation. If all vehicles in your fleet are less than 8,500 gvw, your agency is not subject to this regulation.

Yes Go to 10	No Stop <small>*see Note 4</small>
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10 Is your vehicle fueled by diesel or an alternative fuel?

"Alternative fuel" means natural gas, propane, ethanol, methanol, gasoline (when used in hybrid electric buses only), hydrogen, electricity, fuel cells, or advanced technologies that do not rely on diesel fuel. "Alternative fuel" also means any of these fuels used in combination with each other or in combination with other non-diesel fuels.

***Note 5:** Your vehicle is not subject to the requirements of this regulation. If your entire fleet is fueled by gasoline your agency is not subject to this regulation.

Yes Go to 11	No Stop <small>*see Note 5</small>
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11 Is your vehicle in non-revenue service and does it operate no more than 1000 miles per year?

"Low Usage Vehicle" means a non-revenue-generating transit fleet vehicle that operates for no more than 1000 miles per year.

***Note 5:** Your bus is not subject to the requirements of this regulation. It is the transit agency's responsibility to demonstrate that each vehicle in this category meets the definition, such as demonstrating annual mileage. Please identify this vehicle on your annual report form as a "Low Usage Vehicle".

Yes Stop <small>*see Note 5</small>	No Transit Fleet Vehicle
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Urban Bus: If you stop at question 8, your vehicle is classified as an urban bus. All vehicles meeting the definition of urban bus must follow the requirements of title 13, CCR, sections 2023 and 2023.1 (previously section 1956.2)

Transit Fleet Vehicle: If you stop at question 11, your vehicle is classified as a transit fleet vehicle. All vehicles meeting the definition of transit fleet vehicle must follow the requirements of title 13, CCR, sections 2023 and 2023.2, adopted by the Air Resource Board on February 24, 2005.

Below is general guidance. Please go to title 13, CCR, sections 2023 and 2023.1 (previously section 1956.2) for detailed requirements and extensions.

Definitions:

“Active Fleet” means the total number of urban buses, including spare buses operated by a transit agency or under contract to a transit agency, but not emergency contingency vehicles or non-revenue producing vehicles.

“Alternative Fuel” means natural gas, propane, ethanol, methanol, gasoline (when used in hybrid electric buses only), hydrogen, electricity, fuel cells, or advanced technologies that do not rely on diesel fuel. “Alternative fuel” also means any of these fuels used in combination with each other or in combination with other non-diesel fuels.

“Diesel PM Baseline” means the Diesel PM emission total of a transit agencies diesel fuel active fleet on January 1, 2002.

“Diesel PM Emission Total” for the purposes of sections 2023.1 and 2023.2, means the sum of the particulate matter (PM) value, based on the engine certification standard, of each diesel fuel, dual-fuel, bi-fuel (except for heavy-duty pilot ignition engines), and diesel hybrid-electric engine in its active fleet or transit fleet vehicle fleet in g/bhp-hr. For 1987 and earlier engines, the PM exhaust emission value shall be presumed to be 1.0 g/bhp-hr.

“Emergency Contingency Vehicle” means an urban bus placed in an inactive contingency fleet for energy or other local emergencies, after the urban bus has reached the end of its normal minimum useful life.

“NOx Fleet Average” for the purposes of sections 2023.1 and 2023.2 means the average of the oxides of nitrogen (NOx) emissions for all transit fleet vehicles or urban buses, owned, operated, or leased by a transit agency, based on the engine certification standard of each engine. The NOx fleet average is calculated by summing the NOx engine certification standards in g/bhp-hr, of each engine in an active fleet or transit fleet vehicle fleet, and dividing by the total number of vehicles in that fleet.

“Retirement” or “Retire” means an engine will be withdrawn from a transit vehicle fleet in California. The engine may be sold outside of California, scrapped or used in an emergency contingency vehicle or low usage vehicle.

“Spare Bus” means an urban bus that is used to accommodate routine maintenance and repair operations, and to replace a bus in scheduled service that breaks down or is involved in an accident.

“Transit Fleet” means the population of a transit agency's urban buses and transit fleet vehicles, excluding emergency contingency vehicles and low usage vehicles.

Requirements:

1. An urban bus must have a California-certified urban bus engine.

Each engine manufacturer annually certifies its engine families to California's urban bus engine emission standards. A transit agency may only purchase an urban bus with an engine that is certified to the urban bus engine emission standard. The standards for urban bus engines can be found in title 13, CCR, section 1956.1.

2. Follow your fuel path.

Path choice, selected in 2001, sets the transit agencies' purchasing and PM emission reduction requirements; you may not change your fuel path.

Alternative Fuel Path:

85% of urban buses purchased or leased annually must be fueled by alternative fuel. You can apply for a variance to this requirement.

Diesel Path:

Transit Fleets with more than 30 buses purchasing a new MY 2007-2009 diesel bus with a NOx level greater than 0.2 g/bhp-hr must retrofit an existing bus with a Level III DECS with 40% NOx control. See section 2023.1(a)(5).

3. The NOx fleet average is a maximum of 4.8 g/bhp-hr from October 1, 2002 onward.

4. The transit agency must reduce its total diesel PM emissions of all diesel urban buses in the active fleet relative to its diesel PM baseline on January 1, 2002.

	2002	2003	2004	2005	2006	2007	2008	2009
Alternative Path:								
as of January 1:	Baseline		20%	40%		60%		85%
example (g/bhp-hr)	10	10	8	6	6	4	4	1.5
Diesel Path:								
as of January 1:	Baseline		40%	60%		85%		
example (g/bhp-hr)	10	10	6	4	4	1.5	1.5	1.5

Note: The example value provided is the diesel PM emission total of the diesel fueled buses in the active fleet. This value can not be exceeded after January 1, of the year listed.

5. A transit agency shall not operate its diesel urban buses on diesel fuel with a sulfur content in excess of 15 parts per million by weight.

Below is general guidance, please go to title 13, CCR, section 2023 and 2023.1 adopted February 24, 2005 for detailed requirements and extensions.

Definitions:

"Alternative Fuel" means natural gas, propane, ethanol, methanol, gasoline (when used in hybrid electric buses only), hydrogen, electricity, fuel cells, or advanced technologies that do not rely on diesel fuel. "Alternative fuel" also means any of these fuels used in combination with each other or in combination with other non-diesel fuels.

"Commuter Service Bus" means a passenger-carrying vehicle powered by a heavy heavy-duty diesel engine or of a type normally powered by a heavy heavy-duty diesel engine that is not otherwise an urban bus and which operates on a fixed route primarily during peak commute hours and that has no more than ten scheduled stops per day, excluding park-and-ride lots.

"Diesel PM Baseline" means the Diesel PM emission total of a transit agencies diesel fuel transit fleet vehicles on January 1, 2005.

"Diesel PM Emission Total" for the purposes of sections 2023.1 and 2023.2, means the sum of the particulate matter (PM) value, based on the engine certification standard, of each diesel fuel, dual-fuel, bi-fuel (except for heavy-duty pilot ignition engines), and diesel hybrid-electric engine in its active fleet or transit fleet vehicle fleet in g/bhp-hr. For 1987 and earlier engines, the PM exhaust emission value shall be presumed to be 1.0

"Low Usage Vehicle" means a non-revenue-generating transit fleet vehicle that operates for no more than a 1000 miles per year.

"NOx Fleet Average" for the purposes of sections 2023.1 and 2023.2 means the average of the oxides of nitrogen (NOx) emissions for all transit fleet vehicles or urban buses, owned, operated, or leased by a transit agency, based on the engine certification standard of each engine. The NOx fleet average is calculated by summing the NOx engine certification standards in g/bhp-hr, of each engine in an active fleet or transit fleet vehicle fleet, and dividing by the total number of vehicles in that fleet.

"Retirement" or "Retire" means an engine will be withdrawn from a transit vehicle fleet in California. The engine may be sold outside of California, scrapped or used in an emergency contingency vehicle or low usage vehicle.

"Transit Fleet" means the population a transit agency's urban buses and transit fleet vehicles, excluding emergency contingency vehicles and low usage vehicles.

Requirements:

1. A transit agency shall not operate its transit fleet vehicles in excess of a fleet NOx average:

	2007	2010
as of December 31:	3.2 g/bhp-hr	2.5 g/bhp-hr
	or retire all	or retire all
	pre-1998 MY	pre-2002 MY

Note: The Fleet NOx average is the sum of all alternative fuel and diesel fuel transit fleet vehicles engine emission standard for NOx (some standards are NOx plus non-methane hydrocarbon or NMHC, use only the value attributed to NOx emissions) divided by the number of vehicles in the fleet. The TFV fleet NOx average can not exceed the value above after December 31, of the year listed. Optional compliance: If all of the TFV fleet engines are newer than the MY listed. Vehicles fueled by solely gasoline (not a hybrid-electric engine) or are defined as "Low Usage Vehicles" are not included in this calculation.

2. A transit agency shall reduce the total diesel PM total of the diesel buses in its transit fleet vehicle fleet relative to its diesel PM baseline on January 1, 2002 by:

	2005	2007	2010
as of January 1:	Baseline		
as of December 31:	0%	40%	80%
example (g/bhp-hr):	10	6	2

Note: The example value provided is the diesel PM emission total for the diesel transit fleet vehicle (TFV) fleet. The total diesel PM emission is the sum of each of the diesel-fueled buses in the fleet, excluding "Low Usage Vehicles," using the certification standard value of vehicle's engine. The diesel PM emission total value identified can not be exceeded after December 31 of the year listed. A vehicle fueled by alternative fuel or gasoline, or classified as a "Low Usage Vehicle," is not included in this calculation.