



# Regulatory Advisory



Mail-Out #MSC 12-11

Issued July 2012

This replaces Enforcement Advisory Number 394, Last Revised in May 2011

## **REPORTING REQUIREMENTS FOR OWNERS OF IN-USE OFF-ROAD DIESEL VEHICLES EFFECTIVE 4/01/09**

The Air Resources Board's (ARB) regulation for In-Use Off-Road Diesel Vehicles became effective under California law on June 15, 2008. This regulation is intended to reduce harmful emissions from diesel powered construction and mining vehicles operating in California. Among other things, fleet owners are subject to retrofit or accelerated replacement/repower requirements, as well as restrictions on unnecessary idling.

The regulation required all off-road diesel vehicles subject to the off-road diesel regulation to be reported to the ARB in 2009. After reporting, ARB will issue an Equipment Identification Number (EIN) for each vehicle. Beginning on January 1, 2013, all off-road diesel vehicles must be labeled on both sides with their EIN.

### **Initial Reporting Deadlines**

The deadlines for initially reporting off-road diesel vehicles varied from March 1, 2009, to August 1, 2009, depending on the size of the fleet. However **all fleets were required to report no later than August 1, 2009.**

### **Reporting Vehicle Sales and Purchases**

Any person selling or purchasing a vehicle subject to the Off-Road Regulation in California must notify ARB within 30 days of the sale.

### **Non-Compliance**

**Fleets that did not report by the deadline should do so as soon as possible.** Fleets that have not yet reported and are found to be in violation by enforcement personnel before they report themselves will be subject to enforcement action, including fines. Health and Safety Code, Sections 39674 (a) and (b) authorize civil penalties for the violation of the programs for the regulation of toxic air contaminants not to exceed **one thousand dollars or ten thousand dollars respectively for each day in which the violation occurs, which can be applied to each vehicle that is not reported.**

### **Reporting the Vehicle and Engine Information**

Vehicles can be reported via ARB's online reporting system, DOORS. The reporting system and user guides are available online at:

[https://ssl.arb.ca.gov/ssldoors/doors\\_reporting/doors\\_login.html](https://ssl.arb.ca.gov/ssldoors/doors_reporting/doors_login.html)

Paper forms are also available through the mail by calling 1(877) 59-DOORS or by emailing [doors@arb.ca.gov](mailto:doors@arb.ca.gov). However, ARB recommends the use of the online tool as it is faster, more convenient, and includes more help for fleet owners.

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Reporting requirements for owners of in-use off-road diesel vehicles Effective 4/01/09

### **Incomplete Reports**

ARB staff recognizes it is not always possible to find data to complete every reporting field requested, and has provided a guide regarding when it is acceptable to report with incomplete data at:

[https://ssl.arb.ca.gov/ssldoors/doors\\_reporting/doors\\_login.html](https://ssl.arb.ca.gov/ssldoors/doors_reporting/doors_login.html)

ARB staff will evaluate fleets' initial reporting data for completeness upon submission. If the data is unacceptably incomplete, ARB will contact the reporting fleet with a description of the information that was missing, and will provide the fleet additional time to gather information or explain why the data cannot be provided. ARB will reevaluate the resubmitted reporting data and upon finding the report complete or determining that the fleet cannot reasonably provide the missing data, will issue EINs. If the fleet does not respond to the notification and provide additional information on their fleet, their vehicles will not be issued EINs and the fleet will be in violation of the reporting and labeling requirements.

### **Further Information**

After a fleet reports, they will be required to label their vehicles. A labeling frequently asked question (FAQ) document is available in the off-road knowledge center at:

[www.arb.ca.gov/msprog/ordiesel/knowcenter.htm](http://www.arb.ca.gov/msprog/ordiesel/knowcenter.htm)

For further information about the In-Use Off-Road Diesel Vehicle regulation, please visit our website at: [www.arb.ca.gov/ordiesel](http://www.arb.ca.gov/ordiesel). Fact sheets are available at

[www.arb.ca.gov/msprog/ordiesel/knowcenter.htm](http://www.arb.ca.gov/msprog/ordiesel/knowcenter.htm).

If you have questions about reporting, please contact ARB at 1(877) 59-DOORS, or at [doors@arb.ca.gov](mailto:doors@arb.ca.gov).