

Frequently Asked Questions In-Use Off-Road Diesel Vehicle Regulation

On-Rail Equipment and Locomotives FAQ Revised October 2015

Q – Is on-rail equipment subject to the In-Use Off-Road Diesel Vehicle Regulation (Off-Road Regulation)?

A – On-rail equipment that can only be used on stationary rails or tracks is exempt from the requirements of the regulation, including reporting and labeling, because such equipment are not considered to be vehicles under California law (see Vehicle Code § 670). However, on-rail vehicles, which have tires or mounted tracks, that allow the vehicle to be used off of stationary rails or tracks are included within the Off-Road Regulation.

For example, the railcar mover, sweeper, and the wheel crane in the pictures below have rubber tires which allow them to be driven off of the rail, **and are therefore subject to the Off-Road Regulation.**



Railcar Mover



Wheel Crane



Rail Sweeper

While this document is intended to assist fleets with their compliance efforts, it does not alter or modify the terms of any ARB regulation, nor does it constitute legal advice. It is the sole responsibility of fleets to ensure compliance with the In-Use Off-Road Diesel-Fueled Fleets Regulation.

The tamper, flatbed rail transportation equipment, rail sweepers, and rail mounted gantry (RMG) cranes below do not have tires or a mounted track that allows them to be operated off of stationary rails or tracks, and **are therefore exempt from the Off-Road Regulation**. The RMG cranes may be subject to local air district portable or stationary rules.

Note: the equipment below are not exempt because of their function, but rather because they operate exclusively on stationary rails or tracks.



Tamper



Rail Sweeper and Grader



Rail Sweeper and Salvage



Flat-bed or Bucket Rail Transport



Rail Mounted Gantry Crane (RMG)



RMG Crane Steel Wheel Trolley

While this document is intended to assist fleets with their compliance efforts, it does not alter or modify the terms of any ARB regulation, nor does it constitute legal advice. It is the sole responsibility of fleets to ensure compliance with the In-Use Off-Road Diesel-Fueled Fleets Regulation.

Locomotives, such as those shown below, are also **not** part of the Off-Road Regulation.



Q – What about equipment mounted on a railcar?

A – For excavators, cranes, or other off-road diesel vehicles which are permanently modified and mounted to a rail car that can only be used on rail, the Off-Road Regulation does not apply.

If the diesel engine does not provide propulsive power to the rail car, even if the car could be used off-road, the Off-Road Regulation does not apply.

Q – What if the on-rail equipment operates at a port or intermodal rail yard?

A – Rubber-tired on-rail equipment operating at a port or intermodal rail yard for the purposes of handling cargo or for performing routine or predictable maintenance or repair activities is not covered by the Off-Road Regulation and is instead subject to ARB's Cargo Handling Equipment (CHE) Regulation. More information is available at <http://www.arb.ca.gov/cargo>.

This clarification regarding the inclusion of rail vehicles, those which can also be used off-road, will not change the applicability of any vehicles or equipment subject to the CHE Regulation, and will not cause the Off-Road Regulation to apply to these vehicles if they are covered by the CHE Regulation.

While this document is intended to assist fleets with their compliance efforts, it does not alter or modify the terms of any ARB regulation, nor does it constitute legal advice. It is the sole responsibility of fleets to ensure compliance with the In-Use Off-Road Diesel-Fueled Fleets Regulation.