

# Frequently Asked Questions

## In-Use Off-Road Diesel Vehicle Regulation

### Fines for Non-Compliance December 2009

**Q – What are the fines for non-compliance with the In-Use Off-Road Diesel Vehicle Regulation?**

A – Fines for non-compliance, as listed in the Health and Safety Code, can be as high as \$10,000 per vehicle per day for particulate matter (PM) violations<sup>1</sup> and \$500 per vehicle per day for oxides of nitrogen (NOx) violations.<sup>2</sup> Therefore, ARB staff encourages fleet owners to comply with the regulation and avoid costly fines for non-compliance.

**Q – Where does the fine money go? Does it return to ARB?**

A – The fine money goes to the California Air Pollution Control Fund (APCF) with the State Treasurer. The APCF funds projects and research to improve California's air quality. The money may then be appropriated back to ARB with up to 25 percent of the fines going to Supplemental Environmental Projects (SEPs), such as ARB's Community College Diesel Education and Training Programs (CCDET) and the California Pollution Control Financing Authority (CPCFA), which provides low interest loans to companies subject to the off-road regulation. For more information on ARB's low interest loan program, please see the Providing Loan Assistance for California Equipment (PLACE) program website at: <http://www.arb.ca.gov/ba/loan/off-road/off-road.htm>.

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<sup>1</sup> As referenced in Health and Safety Code, Section 39674 (b)

<sup>2</sup> As referenced in Health and Safety Code, Section 43016

*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.*