

Frequently Asked Questions In-Use Off-Road Diesel-Fueled Fleets Regulation (Off-Road Regulation)

New and Out-of-State Fleets FAQ Revised January 2018

Q – What is considered a new (or out-of-state) fleet?

A – A new fleet is any fleet that is newly formed in-state or a fleet that is acquired or enters California on or after January 1, 2012. Such fleets may include new California businesses or out-of-state businesses that bring vehicles into California for the first time on or after January 1, 2012.

Q – Are new fleets subject to the Off-Road Regulation?

A – Yes. New fleets are subject to the Off-Road Regulation immediately upon being purchased in, formed in, or entering California for the first time.

Q – Are the requirements for new fleets different from the requirements for fleets already operating in California?

A – Yes. The requirements for new fleets are more stringent than the requirements for fleets that have previously been operating in California. The requirements for new fleets are described in more detail in response to the questions below.

Q – What are the reporting and labeling requirements for new fleets?

A – Currently, if a new fleet is formed or is entering California for the first time, the fleet must comply with all applicable off-road regulatory requirements that are in effect at that time, in addition to the new fleet requirements. This includes reporting all applicable fleet information to the California Air Resources Board (CARB) using DOORS, CARB's online reporting system, within 30 days of acquiring the vehicles or bringing them into the State. For more information on reporting, please see the DOORS User Guides, which are available at <https://www.arb.ca.gov/msprog/ordiesel/knowcenter.htm#guides>. Additionally, a fleet must label all vehicles with an equipment identification number (EIN).

Q – What are the requirements for new fleets?

A – Fleets must meet all applicable requirements in the Off-Road Regulation. For more information on the Off-Road Regulation and the requirements that are

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currently in effect, please see the “Overview Fact Sheet” which is available at https://www.arb.ca.gov/msprog/ordiesel/faq/overview_fact_sheet_dec_2010-final.pdf. In addition to the initial reporting and labeling requirements described above, a fleet must also:

- complete annual reporting;
- comply with the five minute idling restrictions;
- create an idling policy (if applicable);
- disclose to purchasers when selling vehicles subject to the regulation that the vehicles being sold may be subject to the Off-Road Regulation; and
- comply with the adding vehicles and emission performance requirements described in more detail below.

Adding Vehicles Requirements for all New Fleets:

All new fleets must meet the adding vehicles requirements in section 2449(d)(6) immediately upon purchasing vehicles subject to the Off-Road Regulation or bringing vehicles into California for the first time on or after January 1, 2012. For example, if a new medium or large fleet is formed (or enters the state) in 2018, the new fleet may not own or operate vehicles with Tier 0, Tier 1, or Tier 2 engines, or buy Tier 0, Tier 1, or Tier 2 engines at a later date. For more information on the adding vehicles requirements, please see the “Adding Vehicles FAQ” which is available at <https://www.arb.ca.gov/msprog/ordiesel/faq/addingvehicles.pdf>.

Emission Performance Requirements for all New Fleets:

New fleets must meet the next fleet average requirements in sections 2449.1(a)(1), for large and medium fleets, and 2449.1(a)(2), for small fleets, immediately upon purchasing vehicles subject to the regulation or bringing vehicles into California for the first time. New fleets do not have the option of complying with the BACT requirements in section 2449.1(b) when they first begin operating in or first enter the State. However, for the next applicable compliance date, the new fleet can choose to either meet the fleet average requirements or comply with the BACT requirements of section 2449.1(b). For example, if a large or medium fleet enters the State for the first time in 2018, it must meet the January 1, 2019 fleet average requirements immediately upon entering the State. However, the fleet may fulfill the compliance requirements on the subsequent compliance date - January 1, 2020 - by meeting either the fleet average requirements or the BACT requirements.

Q – If the ownership of a fleet is transferred, is the fleet now considered a new fleet?

A – Not necessarily. If a new fleet owner (i.e., someone who did not own a fleet before) acquires an existing fleet or fleet portion in its entirety that is compliant

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with all current off-road regulatory requirements and is meeting the emission performance requirements through the BACT requirements, the fleet may continue to comply using the BACT requirements. This fleet is not required to meet the fleet average requirements in 2449.1(a) or the adding vehicle requirements in 2449(d)(6). However, if a new fleet owner acquires a fleet or fleet portion that is NOT in compliance with all current off-road regulatory requirements, then the fleet must meet the new fleet requirements.

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