

Frequently Asked Questions

In-Use Off-Road Diesel Vehicle Regulation

Record Keeping FAQ March 2014

Q – What record keeping is required for the Off-Road Regulation?

A – Fleet owners must maintain copies of the information reported in the Diesel Off-road Online Reporting System (DOORS) as well as the records described below:

- Documentation of any additions, deletions, or changes to the fleet, such as bills of sale or purchase orders;
- Vehicle purchase dates or the dates that applicable vehicles entered California;
- Records pertaining to engines rebuilt to more stringent standards (as explained in the following question);
- Proof of purchase, including engine specifications, for any vehicles, engines, or VDECS for which a fleet is using the manufacturer delay provision;
- Records of ownership for vehicles retired for early retirement or replacement credit;
- Records of any VDECS failure and/or replacement;
- Records of any VDECS removed from vehicle(s), including the date and reason for removal; and
- Records pertaining to Executive Officer Approval, including:
 - A waiver to allow idling in excess of 5 minutes;
 - Approval for up to 2 additional years to meet the fleet average requirement upon discontinuation of using fuel verified to reduce emissions;
 - A finding that a VDECS shall not be considered the highest level VDECS available due to safety concerns;
 - Approval to use the max horsepower (hp) of a diesel vehicle that serves the same function as an electric vehicle;
 - Approval to use an alternative fuel vehicle emission standard;
 - Approval to designate a vehicle as a specialty vehicle;
 - Approval to use an experimental VDECS;
 - Approval to grant an extension to a fleet when Tier 3 or Tier 4 vehicles are not available; and
 - Approval to use a fuel strategy as an emissions control strategy.

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.

In addition, these records must be kept at a location in California, and the fleet owner must be able to provide them to the Air Resources Board (ARB) within 5 business days upon request.

Q – What record keeping is required for engines rebuilt to more stringent emission standards?

A – Records of an engine that is rebuilt to meet a more stringent emissions standard must be kept as long as the engine remains in operation. For a fleet to claim credit for an engine rebuilt to a more stringent emissions standard, the fleet must keep the following records:

- The name, address, contact name, and phone number for the company that performed the rebuild;
- An invoice, or proof of purchase, of the engine rebuild;
- The date(s) the engine upgrade was performed;
- All records required under Title 40, CFR, Part 1068.120 (or for engines exempt from Title 40, CFR, Part 1068.120, the records that would be required if the engine were not exempt); and
- All records required under Title 13, CCR, section 2423(l) (or for engines exempt from Title 13, CCR, section 2423(l), the records that would be required if the engine were not exempt).

Q – How long am I required to keep the records on file?

A – As stated in section 2449(h)(10) of the Off-Road Regulation, fleet owners must maintain records for each vehicle subject to the Off-Road Regulation, and for the overall fleet, as long as they own the fleet or until January 1, 2030, whichever comes first. For example, if the fleet owner sells a vehicle but still otherwise has an off-road fleet, the fleet owner must continue to maintain records for the sold vehicle until January 1, 2030.

In addition, any person or entity selling a vehicle with an engine subject to the Off-Road Regulation in California must maintain records of their sales disclosure for three years after the sale. For more information on the sales disclosure requirement, please see Advisory #378, which is available at <http://www.arb.ca.gov/enf/advs/advs378.pdf>.

Q – If I sell a vehicle, do I have to provide the vehicle's records to the new owner?

A – Yes; the Off-Road Regulation requires that the same vehicle, engine, and VDECS data that were required to be reported to the ARB (in DOORS) must be conveyed to the buyer.

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