

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

### Two-Engine Water-Well Drilling Rig Vehicles FAQ Revised August 2014

**Q – When vehicles must operate during an emergency operation, are the vehicles subject to the Off-Road Regulation?**



**A –** Yes, both engines of two-engine water-well drilling rigs are subject to the Off-Road Regulation. However, during an emergency situation, such as a drought State of Emergency, the vehicle may be exempt from the emissions performance requirements if it meets the low-use vehicle criteria or is a dedicated emergency use vehicle, as explained in further detail in the questions below.

**Q – My auxiliary engine is greater than 50 horsepower (hp). Is it subject to any other requirements?**

**A –** Yes, when the auxiliary engine is 50 hp or greater, it may be subject to permitting requirements through local air districts or the Statewide Portable Equipment Registration Program (PERP). However, during an emergency situation, such as a drought State of Emergency, those permitting requirements may be waived. For more information, please see the PERP website at <http://www.arb.ca.gov/portable/portable.htm>.

**Q – I am currently an out-of-state water-well drilling contractor and would like to operate in California for drought relief during the State of Emergency, as declared by Governor Brown. What requirements must be met?**

**A –** Out-of-state water-well drilling contractors may bring into California and operate two-engine water-well drilling rigs for drought relief regardless of engine Tier level during a drought State of Emergency. When drilling exclusively for drought relief, these vehicles are exempt from the emissions performance requirements of the Off-Road Regulation, but must be reported in the Diesel Off-Road Online Reporting System (DOORS) and labeled with Equipment Identification Numbers on both sides if they operate in California for more than three months.

*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.*

To be considered a water-well drilling contractor under the Off-Road Regulation, you must have a current, valid C-57 (Water-Well Drilling Contractor) license issued by the California Contractors State License Board (CSLB) or be subcontracted by an in-state C-57 licensed contractor. For more information on licensing requirements, please see the CSLB website at <http://www.cslb.ca.gov>.

**Q – I am an existing water-well drilling contractor that has been operating in California prior to the State of Emergency. During the State of Emergency, am I exempt from the emissions performance requirements of the Off-Road Regulation?**

A – Drilling for drought relief is classified as emergency operations and a vehicle may be exempt from the applicable<sup>1</sup> emissions performance requirements if it qualifies for the low-use vehicle designation. In order to qualify, the fleet must demonstrate that the vehicle operated less than 200 hours in the previous calendar year for non-emergency purposes. The hours during which the vehicle was used for emergency operations are not counted toward determining the vehicle's low-use status.

In order to receive the exemption, the vehicle must be reported as low-use in DOORS, and the owner must keep records of the engine hour meter readings at the beginning and end of the year, as well as hours of usage for emergency operations (this currently only applies to large fleets – those over 5,000 total hp). For more information on the low-use designation, please see our Frequently Asked Question (FAQ) document on Low-Use Vehicles at <http://www.arb.ca.gov/msprog/ordiesel/faq/lowusefaq.pdf>.

If a vehicle is not designated as low-use, and is not used solely for emergency operations, it is still subject to the Off-Road Regulation, and must meet all the Off-Road Regulation's requirements.

For example, a fleet operated one of their vehicles for 50 hours for general business purposes at the beginning of the year. Once the State of Emergency was proclaimed, the vehicle operated for 400 hours for drought relief. The vehicle was not used for general purposes for the rest of the year. Since the vehicle operated less than 200 hours in a given calendar year for non-emergency purposes, it qualifies for the low-use vehicle designation, thereby making the vehicle exempt from the emissions performance requirements.

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<sup>1</sup> Annual emission performance standards are based on fleet size and begin as follows:

- large fleets (>5,000 total horsepower (hp)): July 1, 2014;
- medium fleets (2,501-5,000 total hp): January 1, 2017; and
- small fleets (< 2,500 total hp): January 1, 2019

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**Q – I am an out-of-state water-well drilling contractor that came into California for drought relief during the State of Emergency. If I stay in California, what are my requirements?**

A – If you decide to keep operating in California after the State of Emergency has ended, you are required to meet the “new fleet” and “adding vehicle” requirements. New fleets are fleets that were acquired or entered California for the first time on or after July 1, 2014 and are required to meet the reporting and labeling requirements, the “adding vehicle” requirements, and the first applicable fleet average target immediately upon purchasing the vehicles or entering California for the first time. The “adding vehicle” requirements prohibit vehicles with older engines from being added to a fleet.

For example, a small water-well drilling fleet (2,500 total hp or less) entered California for the first time on April 15, 2014, and operated exclusively for emergency operations. Upon conclusion of emergency operations (e.g., when the State of Emergency ends), the fleet must meet the first fleet average target immediately, even though existing small fleets have until January 1, 2019. In addition, the fleet cannot keep any Tier 0 vehicles in California due to the current “adding vehicle” restrictions for small fleets. For more information, please see the New Fleets FAQ at <http://www.arb.ca.gov/msprog/ordiesel/faq/newfleetsfaq.pdf> and the Restrictions on Adding Vehicles FAQ at <http://www.arb.ca.gov/msprog/ordiesel/faq/addingvehicles.pdf>.

The auxiliary engines of the vehicles may also be subject to permitting requirements through local air districts or the Statewide PERP. For more information, please see the PERP website at <http://www.arb.ca.gov/portable/portable.htm>.

**Q – I am a water-well drilling contractor that drills for crop irrigation. Am I exempt from the Off-Road Regulation?**

A – Yes, if the vehicle is used exclusively for agricultural purposes, such as crop irrigation, it is exempt from the reporting, labeling, and emissions performance requirements of the Off-Road Regulation.

If the two-engine water-well drilling rigs are used the majority of the time, but not exclusively (i.e., 51-99 percent of the time) for agricultural purposes, they are subject to the reporting and labeling requirements but are exempt from the emissions performance requirements of the Off-Road Regulation.

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Although water-well drilling rigs used for agricultural operations may be exempt from some of the requirements of the Off-Road Regulation, they may still be subject to permitting requirements through local air districts or the Statewide PERP. For more information, please see the PERP website at <http://www.arb.ca.gov/portable/portable.htm>.

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