

Attachment 3

Clean Air Vehicle Acquisition Policy For School Districts, Transit Districts, and Special Purpose Local Agencies

This policy applies to acquisition of light duty vehicles with a gross vehicle weight (GVW) of 8,500 lbs. or less. The purpose of the policy is to improve air quality, reduce our dependence on imported oil, diversify our vehicle fleets, and reduce emissions of carbon dioxide that contribute to global warming. Terms used in this policy are defined in the attached Glossary.

SEC. 1 - CLEAN AIR VEHICLE PROGRAM.

The *(insert name of agency)* hereby adopts a clean air vehicle acquisition policy. The policy shall be implemented through a Clean Air Vehicle Program to be administered by the *(insert name of the appropriate department. This should be the department that exercises decisions regarding vehicle purchases and procurement)*. The Program shall be under the direction of the *(insert title of responsible manager: e.g. Fleet Manager)*, hereafter referred to as the Program Manager. The Program Manager shall be responsible for implementing the provisions of this policy, including developing and implementing a plan for the acquisition of zero emission vehicles and clean air vehicles by all departments, analyzing and installing refueling / recharging infrastructure needed to support alternative fuel vehicles, identifying necessary budgetary resources, training staff in the use of such vehicles, and preparing an annual report on the Clean Air Vehicle Program. In developing the clean air vehicle acquisition plan, emphasis should be placed on replacing the oldest, most highly polluting vehicles in the *(insert name of agency)* fleet.

SEC. 2. PROCUREMENT OF ZERO EMISSION VEHICLES

- a) In acquiring new light duty vehicles, the *(insert name of agency)* shall purchase or lease zero emission vehicles (ZEVs) to the greatest extent possible. The Program Manager shall develop a ZEV acquisition plan to achieve or exceed the numerical targets set forth in Section 2(b) below. In developing the plan, the Program Manager shall analyze the specifications and duty cycle for all vehicles to identify those components of the fleet that are best suited to zero emission vehicles. The plan shall focus on placing ZEVs in applications where the daily duty cycle entails short and medium distance trips with many stops and starts.
- b) Numerical Targets. *(Every agency policy should include specific numerical targets: e.g. a percentage of fleet purchases per year. Attachment A provides recommended targets based upon the CARB ZEV mandate. The recommended targets begin at 6% of new vehicles acquired during the 2003-2005 period, using the vehicle credit factors provided in Attachment A. Alternatively, the public agency may choose to establish its own numerical targets.)*
- c) Multi-year Averaging. In meeting the ZEV acquisition target, the Program Manager may apply credit (on a one-for-one basis) for any zero emission or PZEV vehicles acquired prior to model year 2003. In addition, the *(insert name of agency)* may achieve the ZEV acquisition targets on the basis of multi-year averaging (e.g. over a two or three year period).
- d) Exemptions. The *(insert name of agency)* shall endeavor to fulfill the ZEV vehicle acquisition targets defined in Section __. 4(b) above on an annual basis. However, the ZEV targets described in Section ____.4(b) above may be waived by the Program Manager based upon a documented demonstration that zero emission vehicles and/or vehicles that qualify for partial ZEV credits are not available in sufficient quantities to fully comply with the ZEV target. In such

case, the *(insert name of agency)* shall acquire the maximum number of ZEVs or partial ZEVs possible, and shall endeavor to acquire additional ZEVs in future years to make up for any shortfall.

Alternatively, the Program Manager may grant an exemption based upon a determination that the costs of the zero emission vehicle, computed over the full life cycle (or lease term) of the vehicle, would exceed the cost of an equivalent conventional fuel vehicle by 50% or more. Said determination shall be based upon an analysis comparing the cost of the ZEV or PZEV vehicle (including any and all subsidies and incentives available for the ZEV or PZEV vehicle) to an equivalent conventional (gasoline or diesel) vehicle. The analysis shall demonstrate that the cost differential cannot be recovered over the operating life of the vehicle through savings in fuel, maintenance, and other costs incurred during the operating life of such vehicle. The Program Manager shall explain and document any such exemption in the Annual Report to the *(insert name of agency governing board)*.

Sec. __.3. PROCUREMENT OF LIGHT DUTY CLEAN AIR VEHICLES

(a) Beginning 90 days from the effective date of this Chapter, all new light duty vehicles of any fuel type purchased or leased by *(insert name of agency)* shall be certified by the California Air Resources Board as achieving either the ultra low emission vehicle (ULEV) standard, the super ultra low emission vehicle (SULEV) standard, or the zero emission vehicle (ZEV) standard. *(Note: a list of vehicles that achieve the ULEV and SULEV standards is available on the CARB website at <http://www.arb.ca.gov/msprog/ccbg/ccbg.htm>.)*

(b) Exemptions.

(1) Section __. 5(a) shall not apply to any motor vehicles that are used primarily for law enforcement, public safety or emergency response purposes (e.g. police vehicles, fire vehicles, and ambulances). However, the *(insert name of agency)*

shall endeavor to acquire the cleanest (lowest emission) vehicles that are available for such purposes. This exemption is not intended to preclude the use of zero emission vehicles or clean air vehicles for law enforcement, public safety, or emergency response purposes.

(2) The requirement that all new light duty vehicles must achieve the ULEV, SULEV, or ZEV standard may be waived by the Program Manager on a case-by-case basis when no ULEV, SULEV, or ZEV-certified vehicle is available that achieves the essential vehicle specifications for the use or the application in which the vehicle will be employed. The Program Manager shall document the particular vehicle specifications and vehicle user characteristics that warrant any such exemption, and shall explain any such exemptions in the Annual Report to the *(insert name of agency governing board)*. In the event that no ULEV or cleaner vehicle is available, the *(insert name of agency)* shall acquire the lowest emission vehicle available that meets the vehicle requirements.

Glossary of Terms

- (a) “Clean Air Vehicle” means a light duty vehicle (as defined below) that has been certified by the California Air Resources Board to meet either the ultra low emission vehicle (ULEV) standard, the super ultra low emission vehicle (SULEV) standard, or the zero emission vehicle (ZEV) standard.
- (b) “Electric Vehicle” means a zero emission vehicle that derives its driving power from one or more electric motors, stores power in electric batteries, recharges its batteries directly from the electric grid, and has no internal combustion engine.
- (c) “Full Function Electric Vehicle” means a four-wheel electric vehicle with capacity to carry at least two people, that is capable of and designed for

operation on freeways, and meets all applicable federal motor vehicle safety standards.

- (d) "Light Duty Vehicle" means any car, van, or truck with a manufacturer's gross vehicle weight rating of 8,500 pounds or less.
- (e) "Neighborhood Electric Vehicle" (NEV) means a four-wheel electric vehicle with a top speed of 25 miles per hour that can be legally driven on streets and roads with a speed limit of 35 miles per hour or less.
- (f) "Partial Zero Emission Vehicle (PZEV) Credits" are credits defined by the California Air Resources Board (CARB), whereby vehicles that meet the CARB PZEV criteria qualify for partial credit toward CARB's Zero Emission Vehicle mandate.
- (g) "Super Ultra Low Emission Vehicle" (SULEV) means any vehicle that has been certified by the California Air Resources Board as a super ultra low emission vehicle based upon the standards set forth in 13 California Code of Regulations § 1960.1 and 1961 for Super Ultra Low Emission Vehicles.
- (h) "Ultra Low Emission Vehicle" (ULEV) means any vehicle that has been certified by the California Air Resources Board as an ultra low emission vehicle based upon the standards set forth in 13 California Code of Regulations § 1960.1 and 1961 for Ultra Low Emission Vehicles.
- (i) "Zero Emission Vehicle" (ZEV) means any vehicle that has been certified by the California Air Resources Board as a zero emission vehicle under any and all possible operational modes and conditions pursuant to Title 13 California Code of Regulations §1962(e). Zero emission vehicles may be propelled by batteries or by fuel cells.