

Summary of Changes Made to December 4, 2006 Version of In-use Off-road Diesel Vehicle Rule Regulatory Language

- Renumbered regulation as new section 2449 in new article 4.8
- 2449(b) – Exempted off-road diesel vehicles owned and operated by an individual for personal, noncommercial purposes
- 2449(c)(1) – Refined definition of agricultural operations to clarify forest operations and vehicles used only for agricultural operations and for other work
- 2449(c)(5) – Added new definition for captive attainment area fleet
- 2449(c)(6) and (7) – Added new definitions for carryover retrofit credit and carryover turnover credit
- 2449(c)(9) - Added new definition for dedicated snow removal vehicle
- 2449(c)(17) - Added new definition for family emission limit
- 2449(c)(18) - Redefined California and federal public fleets as medium fleets to allow for their long budget cycles
- 2449(c)(19) - Added new definition for forest operations
- 2449(c)(22) - Added new definition for local municipality
- 2449(c)(23) – Clarified definition of low-population county local municipality fleet
- 2449(c)(24) – Clarified that small fleets need not count hours used during snow removal operations when determining low-use status of a vehicle
- 2449(c)(25) – Clarified definition of maximum power to reference SAE Method J1349
- 2449(c)(29) - Added new definition for snow removal operations
- 2449(c)(48) – Clarified that dedicated snow removal vehicles need not be included in the sum of total maximum power
- 2449(c)(50) - Added new definition for VDECS failure
- 2449(d)(1) – Exempted captive attainment area fleets from the NOx fleet average requirements
- 2449(d)(1)(A)1. – Simplified the presentation of the formula for NOx Target Rate. The new formula is mathematically equivalent to the old.
- 2449(d)(1)(A)2. and (d)(1)(B) – Simplified the presentation of the formulas for Diesel PM Target Rate. The new formulas are mathematically equivalent to the old.
- Table 3 – Eliminated the 2012-2014 fleet average requirements for small fleets, and instead prohibited small fleets from adding Tier 0 vehicles in those years. We did this to allow small fleets to apply for Moyer funds.

- 2449(d)(1)(D) – Added new requirement that at the end of the fleet average requirements, all non-Tier 4, non-low-use vehicles must be equipped with highest level VDECS
- 2449(d)(2) – Clarified that fleets that fail to meet both the NOx and Diesel PM Fleet Averages in a compliance year must first meet the turnover requirements in Page 2 of 3 that year and then meet the retrofit requirements
- 2449(d)(2)(A)2. – Clarified requirements for fleets that turn over more than 10% in a year via carryover turnover credit
- 2449(d)(2)(A)5. – To give some credit to fleets that have converted from Tier 0 to higher tier engines, exempted all Tier 1 and higher vehicles from the turnover requirements until 2013
- 2449(d)(2)(A)6. – Clarified requirements for how to count designating a vehicle as low-use as turnover
- 2449(d)(2)(A)7. - Clarified rounding provisions for when the BACT turnover requirements would require turning over a partial vehicle
- 2449(d)(2)(B)2. – Clarified requirements for fleets that retrofit more than 20% in a year via carryover retrofit credit
- 2449(d)(2)(B)5. - Clarified rounding provisions for when the BACT retrofit requirements would require retrofitting a partial vehicle
- 2449(d)(2)(C) – Clarified requirements for adding vehicles when meeting the BACT requirements. Added vehicles must be Tier 2 or better and move the fleet closer to the fleet average targets.
- 2449(d)(3) – Pushed effective date for idling provisions back to May 1, 2008
- 2449(d)(6) – Allowed entire fleets that were meeting the BACT requirements to continue meeting the BACT requirements when they change hands
- 2449(d)(7) - Added new requirement that fleets may not add Tier 0 vehicles between May 1, 2008 and the first fleet average compliance date (Mar. 1, 2009 for large fleets, Mar. 1, 2010 for medium fleets, and Mar. 1, 2015 for small fleets)
- 2449(e)(1) – Clarified requirements for when VDECS fail
- 2449(e)(2) – Added an extension for fleets that start using a fuel VDECS and then find that it is discontinued
- 2449(e)(4) - Exempted dedicated snow removal equipment altogether
- 2449(e)(5) - Expanded extension for experimental DECS to allow NOx reduction DECS and to allow gathering data for verification
- 2449(e)(7) - No longer sunset the low-use exemption (i.e., if a vehicle operates less than 100 hrs/yr, it's exempt forever)
- 2449(e)(8) - Fleshed out requirements for demonstrating a VDECS is not appropriate because it impairs safe operation of the vehicle

- 2449(e)(9) - Added a provision to let EO issue a delay to a particular fleet or group of fleets if there's a delay of Tier 4 interim or final vehicles
- 2449(g)(2)(A) – Added a requirement for captive attainment area fleets to certify that they do not use their vehicles outside certain counties
- 2449(g)(2)(C) - Added additional reporting requirements for fleets that bring vehicles in and out of CA and claim them as low-use
- 2449(h)(7) – Added a requirement that dealers maintain records of disclosure for 3 years
- 2449(j) - Limited the disclosure requirement for sale of affected vehicles to sales within California