

ISSUE: California Heavy-Duty Vehicle Greenhouse Gas Regulation
(<http://www.arb.ca.gov/cc/hdghg/hdghg.htm>)

STATUS: Compliance requirements begins on January 1, 2010 for model-year 2011 53-foot dry-van and refrigerated trailers as well as the model-year 2011 tractors pulling these trailers when operating in California. Optional small or large fleet compliance phase-in plans for pre-2011 trailers can be submitted to CARB by July 1, 2010.

BACKGROUND: California Assembly Bill 32, which was signed into law in 2006, required the California Air Resources Board (CARB) to identify a list of “discrete early action Greenhouse Gas (GHG) measures” by June 30, 2007. These measures are to be developed into regulations which are enforceable by January 1, 2010. CARB initially adopted three discrete early action measures in June 2007 but, due to intense political pressure, expanded the list in October 2007 to include six additional measures, including the Heavy-Duty Vehicle GHG regulation. On December 12, 2008, CARB unanimously adopted the regulation.

REQUIREMENTS: This regulation will require 53-feet or longer dry-van and refrigerated trailers as well as the tractors pulling these trailers to be equipped with SmartWaySM approved technologies. These technologies must be maintained in “good operating condition.” Tractor and trailers traveling in California, regardless of where they are domiciled, will be subject to the requirements.

Tractors Requirements:

(Applies to tractors pulling 53-feet dry-van or refrigerated trailers when traveling in California)

- 2011 and subsequent model-year sleeper cab tractors must be U.S. EPA SmartWay Certified.
- 2011 and subsequent model-year sleeper and day cab tractors must use SmartWay-approved low-rolling resistance tires (LRRTs)
- By 2012, all model-year tractors must use LRRTs

Trailer Requirements:

(Applies to 53-feet or longer dry-van and refrigerated trailers traveling in California)

- Must be SmartWay Certified; OR
- Equipped with SmartWay-approved LRRTs plus SmartWay-approved aerodynamic technologies meeting 4 percent fuel savings for refrigerated trailers or 5 percent fuel savings for dry-van trailers.

A listing of SmartWay-verified tires and aerodynamic technologies is available at:

<http://www.epa.gov/smartway/transport/what-smartway/verified-technologies.htm>

Compliance begins in 2010 for 2011 and subsequent model-year trailers. By 2013, all affected model-year trailers will need to comply. Model-year 2003-2008 refrigerated trailers may delay compliance until 2018-2020. Trailer owners can elect to submit optional compliance plans for pre-2011 model-year trailers in accordance with the following schedules.

Optional Compliance Schedules (by January 1st) – Pre-2011 Model-Year Trailers

Optional Compliance Plans	2011	2012	2013	2014	2015	2016	2017
Small Fleet Only (≤20 trailers)	--	--	--	25%	50%	75%	100%
Small or Large Fleet	5%	15%	30%	50%	75%	100%	--

Large fleets can receive early compliance credits equal to 1.5 trailers for each trailer brought into compliance prior to 2010. A maximum of 20 percent of a fleet's trailers are eligible to receive early compliance credits. These credits can be used to defer compliance until 2017. Small or Large Fleet compliance plans will need to be submitted to CARB by July 1, 2010. Small Fleet Only compliance plans will need to be submitted by July 1, 2012.

Exemptions:

The following full or partial exemptions are available. Tractors or trailers designated as either "short-haul" or "local-haul" must be reported to CARB prior to operating in California. Mileage readings must be reported to CARB annually to retain a short-haul exemption. Tractors that are removed from the short-haul exemption are not eligible for another short-haul exemption for 36 months after removal.

	Short-Haul Tractor (i.e., travels less than 50,000 total miles annually)	Local-Haul Tractor or Trailer (i.e., operates within a 100 mile radius of where garaged and dispatched)	Drayage Tractor and Trailer
Tractor	Exempt, if designated as a short-haul tractor	Exempt, except for tire requirements, a) if designated as a local-haul tractor; or b) if 2011+ MY sleeper cab pulling a designated local-haul trailer	Exempt when operating within 100 miles of a port or rail yard of origin or destination.
53' or Longer Dry-Van or Refrigerated Trailer	Exempt, if pulled by a designated short-haul tractor	Exempt, except for tire requirements, a) if designated as a local-haul trailer; or b) if pulled by a designated local-haul tractor	

Enforcement will be conducted through inspections at roadside and facility locations as well as through record audits. Equipment found operating in violation of these requirements will be subject to penalties, with the driver, equipment owner, motor carrier, California-based broker, and California-based shippers all potentially liable for the use of non-compliant equipment. Fines can range from the hundreds to the thousands of dollars.