



Enforcement Division

Advisory

To: Owners of Off-road Diesel
Vehicles in California

Number 394

April 2009

NEW REPORTING REQUIREMENTS FOR OWNERS OF IN-USE OFFROAD DIESEL VEHICLES EFFECTIVE 4/01/09

The Air Resources Board's (ARB) regulation for In-Use Off-Road Diesel Vehicles became effective under California law on June 15, 2008. This regulation is intended to reduce harmful emissions from diesel powered construction and mining vehicles operating in California. Among other things, fleet owners are subject to retrofit or accelerated replacement/repower requirements, as well as restrictions on unnecessary idling.

The regulation requires all off-road diesel vehicles subject to the off-road diesel regulation to be reported to the California Air Resources Board (ARB) in 2009.¹ After reporting, ARB will issue an Equipment Identification Number for each vehicle, which must be used to label the vehicle within 30 days of receipt.

Deadlines

The deadline for reporting off-road diesel vehicles will depend on which size category a company or agency falls under. Fleets must report their off-road diesel vehicle inventory as it existed on March 1, 2009 (i.e., a "snapshot" of the fleet on that date) by the deadlines below.

Total Horsepower ¹	Fleet Size Category	Reporting Deadline
2,500 hp or less	Small	August 1, 2009
2,501 to 5,000 hp	Medium	June 1, 2009
More than 5,000 hp	Large	April 1, 2009

To determine the category you fall under, sum up the horsepower of all off-road diesel vehicles your company or agency owns. For companies or agencies with multiple divisions, or subsidiary companies, all vehicles from all locations (i.e., all

¹ Low-use vehicles, dedicated snow-removal vehicles, and vehicles used solely for emergency operations need not be included in the total maximum power used to classify fleets by size, but must still be reported and labeled.

vehicles under common ownership) must be included in the total horsepower. State and federal agencies are considered large fleets regardless of horsepower.

Non-Compliance

Fleets that do not report on time will be subject to fines. Health and Safety Code, Section 39674 (a) authorizes civil penalties for the violation of the programs for the regulation of toxic air contaminants not to exceed **ten thousand dollars for each day in which the violation occurs, which can be applied to each vehicle that is not reported.**

Fleets that have not reported by the deadline should do so as soon as possible, as the maximum possible fine imposed rises over time. In addition, as a matter of policy, fleets that catch their own error after the deadline and report will be assessed a smaller fine than those caught by ARB enforcement personnel.

Reporting the Vehicle and Engine Information

Vehicles can be reported via ARB's online reporting system, DOORS. The reporting system and user guides are available online at:

https://secure.arb.ca.gov/ssldoors/doors_reporting/reporting.php

Paper forms are also available through the mail by calling 1(877) 59-DOORS or by emailing doors@arb.ca.gov. However, ARB recommends anyone who can use the online tool as it is faster, more convenient, and includes more help for fleet owners.

Incomplete Reports

ARB staff recognizes it is not always possible to find data to complete every reporting field requested, and has provided a guide regarding when it is acceptable to report with incomplete data at:

<http://www.arb.ca.gov/msprog/ordiesel/documents/doors/missingdata.pdf>

ARB staff will evaluate fleets' initial reporting data for completeness upon submission. If the data is unacceptably incomplete, ARB will contact the reporting fleet with a description of the information that was missing, and will provide the fleet additional time to gather information or explain why the data cannot be provided. ARB will reevaluate the resubmitted reporting data and upon finding the report complete or determining that the fleet cannot reasonably provide the missing data, will issue Equipment Identification Numbers (EINs). If the fleet does not respond to the notification and provide additional information on their fleet, their vehicles will not be issued EINs and the fleet will be in violation of the reporting and labeling requirements.

Further Information

After a fleet reports, they will be required to label their vehicles, as described in: <http://www.arb.ca.gov/msprog/ordiesel/faq/faq-labeling.pdf>

For further information about the In-Use Off-Road Diesel Vehicle regulation, please visit our website at: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.

Fact sheets are available at

<http://www.arb.ca.gov/msprog/ordiesel/knowcenter.htm>.

For questions regarding enforcement of the In-Use Off-Road Vehicle regulation, please contact Mr. Eric Brown at (916) 322-8939 or ebrown@arb.ca.gov.

If you have questions about reporting, please contact ARB at 1(877) 59-DOORS, or at doors@arb.ca.gov