



Pikes Peak Area
Council of Governments
Communities Working Together

MEETING AGENDA
PPACG LEGISLATIVE COMMITTEE
April 3, 2023, 8:30 a.m.

PPACG Upper Conference Room – 15 S. 7th St., Colorado Springs, CO 80905

www.microsoft.com/en-us/microsoft-teams/join-a-meeting

Meeting ID: 255 640 852 293

Passcode: WaEMvT

Meeting will be held in a hybrid format to allow in-person attendance as well as a remote option.

1. Call to Order – Commissioner Stone and/or Mayor Dixon
2. Federal update
 - A. National Association of Regional Councils (Handout only) ☒
3. Colorado Legislative Update – Dan Jablan
 - A. Review of recently introduced bills
 - B. Review of emphasis bills ☒
 - C. Review of the remaining bill tracking list (time permitting):
<https://www.coloradocapitolwatch.com/bill-tracker-votes/0/6512/2023/0/>
 - D. Questions
4. Potential comments to Colorado Air Quality Control Commission on Colorado Clean Truck Rules ☒
5. Member open discussion

The purpose of the Legislative Committee is to draft the annual Policy Statement on Legislative Issues for Board of Directors approval, help develop legislative bills, develop position statements on proposed bills, laws, regulatory actions and other initiatives, meet with elected representatives and lobbyists in order to communicate PPACG's position, to testify before legislative bodies, boards and commissions, and work with other similar agencies and groups in formulating legislative positions.

A quorum of Board members may be present at this meeting.

Federal transportation update provided by the National Association of Regional Councils

CONGRESS

The House and Senate are in session.

[Fetterman Introduces Rail Safety Proposal As First Bill](#)

Senators John Fetterman (D-PA), Bob Casey (D-PA) and Sherrod Brown (D-OH) introduced a bill to further expand rail safety requirements in the wake of the East Palestine, Ohio, train derailment. The Railway Accountability Act, Fetterman's first piece of legislation, aims to build on a slew of rail safety overhauls [included in a bipartisan bill](#) introduced earlier this month. Fetterman's bill would bolster train inspection requirements and direct the Federal Railroad Administration to study the cause of wheel derailments and offer regulatory solutions, [among other measures](#). Pennsylvania and Ohio communities are still grappling with the aftermath of last month's Norfolk Southern train derailment, which caused toxic chemicals to leak into the air and water.

[White House's EV Tax Credit Implementation In The Spotlight](#)

Lawmakers are scrutinizing how the Biden administration handles new incentives for buying electric vehicles, with the first formal guidance on which cars qualify for subsidies expected this week. Senators who tossed critical support behind tax credits that can knock up to \$7,500 off the price tag of electric and hydrogen-powered vehicles have seized on budget hearings this month to press for their views on implementation. Senator Joe Manchin III said last week he's concerned with the guidance expected from the Treasury Department on requirements that a portion of minerals used in vehicles' batteries be sourced from friendly nations. Manchin also raised a concern about how far the administration could go in striking targeted trade deals to allow more countries to meet the critical mineral standards, on top of the 20 that already have formal free trade agreements with the U.S. Treasury signaled in December that it will likely take a broad view of what qualifies as a free trade agreement country, and the Biden administration is pursuing mineral-specific agreements with Japan and the European Union. Yellen told reporters in India last month those deals wouldn't need congressional approval.

Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure Postpone Disaster Recovery Hearing

The Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure hearing entitled "Disaster Recovery: Examining Coordination and Reducing Duplication of Federal Disaster Programs" previously scheduled for Wednesday, March 29, 2023, at 2:00 p.m. ET, in 2167 of the Rayburn House Office Building has been postponed until further notice.

Budget and Appropriations: Can the Budget Be Balanced?

On March 14, the non-partisan Congressional Budget Office (CBO) issued a [letter to Congress](#) on whether and how the budget could be balanced and concluded that a balanced budget would not be possible until 2033 if the 2017 tax changes were made permanent. To achieve balance by 2033, if the tax cuts were made permanent, the budget would have to be cut by 29 percent, when the reduction is applied to all noninterest outlays including Social Security, Medicare, defense, and veterans' programs; 41 percent, when the reduction is applied to all noninterest outlays other than those for Social Security; 57 percent, when the reduction is applied to all noninterest outlays other than those for Social Security and Medicare; and 86 percent, when the reduction is applied to all noninterest outlays other than those for Social Security, Medicare, defense discretionary programs, and mandatory veterans' programs.

Legislation to Enhance 911 Response Introduced

Representatives Adam Smith, (D-WA) and Brian Fitzpatrick (R-PA), a former federal prosecutor and FBI special agent, have introduced the [911 Community Crisis Responders Act](#). According to a [synopsis](#) provided by Rep. Smith and Rep. Fitzpatrick, the legislation would allocate federal resources to cities, counties, and states to build capacity to coordinate health and social services when a 911 response is required. The legislation would allocate federal

resources to cities, counties, states, and tribes to hire unarmed professional service providers and 911 dispatchers; build capacity to better coordinate health and social services with community-based organizations; establish protocols on when mobile crisis responders should act as first responders (rather than law enforcement); and coordinate response and dispatching between 911 and 988 entities. According to Smith and Fitzpatrick, 911 receives more than 240 million calls every year, the majority of which are for nonviolent, non-criminal incidents such as neighbor disputes, nuisance complaints, truancy, reports of “suspicious” activity, requests for wellness checks, and mental health crises. They also note “that police and policing reform advocates often assert that specialized service providers—such as social workers, paramedics, and peer support counselors—are better equipped to handle” these situations, rather than law enforcement.

ADMINISTRATION

[Federal Transit Administration Announces Availability of \\$212.3 Million in Emergency Relief Funding to Help Transit Agencies Affected by Disasters](#)

The U.S. Department of Transportation's Federal Transit Administration (FTA) announced the [availability of \\$212.3 million](#) under the Public Transportation [Emergency Relief Program](#) to transit agencies to help them recover from major declared disasters in 2017 and 2020-2022. To receive funding, transit agencies must have eligible expenses resulting from an event for which the President declared a major disaster within those timeframes. [FTA's Emergency Relief program](#) enables FTA to provide assistance to public transit operators in the aftermath of an emergency or major disaster. The program helps states and public transportation systems: pay for repairing and/or replacing equipment and facilities that have suffered serious damage as a result of an emergency, including natural disasters such as floods, hurricanes, and tornadoes; undertake capital projects to repair or replace facilities or equipment that have suffered serious damage as a result of an emergency; support the costs of evacuation, rescue operations, temporary public transportation service; and reestablishing, expanding, or relocating service before, during or after an emergency.

[UC Davis Secures \\$20 Million Federal Grant Renewal to Lead the National Center for Sustainable Transportation](#)

This week, the U.S. Department of Transportation announced that the National Center for Sustainable Transportation (NCST), housed at the UC Davis Institute of Transportation Studies (ITS-Davis), would receive \$20 million to lead a group of seven universities studying transportation effects on the environment. The award reinforces UC Davis' standing as the nation's leading university center on sustainable transportation. The funding was granted as part of the Department of Transportation's University Transportation Center (UTC) program. This year's grant competition included a total of 230 applications, representing the largest number of applications ever submitted in the 35-year history of the UTC Program. The NCST is one of only five national transportation centers awarded under the UTC program, and the only one focused on the DOT research priority of Preserving the Environment. The NCST's \$20 million grant (\$4 million per year over 5 years) will allow researchers at UC Davis and other consortium member universities to focus on accelerating equitable decarbonization that benefits both the transportation system and the well-being of people in overburdened and historically disadvantaged communities. Research activities will concentrate in three critical domains: vehicle technology, infrastructure provision, and reshaping travel demand to accelerate reductions in greenhouse gas emissions.

[Nation's Top Highway Official Joins Congresswoman Sheila Jackson Lee, Local Officials, Advocates to Highlight Civil Rights Agreement Allowing Resumption of North Houston Highway Improvement Project](#)

Earlier this month, Federal Highway Administrator Shailen Bhatt joined U.S. Congresswoman Sheila Jackson Lee in conversation with local community leaders and residents, elected officials, and advocates around the North Houston Highway Improvement Project, which will resume upon the signing of a Voluntary Resolution Agreement (VRA) earlier this month by the Texas Department of Transportation (TxDOT) and the Federal Highway Administration (FHWA). The enforceable agreement required TxDOT to commit to significant project improvements and clear timelines, enforced by FHWA.

HUD Announces Changes Coming to CDBG-DR and CDBG-MIT Funding

Last week the U.S. Department of Housing and Urban Development (HUD) announced an overhaul of the agency's disaster recovery efforts to better serve communities who face the direct impacts of weather-related disasters. Based on the increasing number of disasters and the increasingly important role that HUD is playing in federal government's preparedness, response, and recovery efforts, the Department is announcing the establishment of the Office of Disaster Management (ODM) in the Office of the Deputy Secretary, and the Office of Disaster Recovery (ODR) within the Office of Community Planning and Development, the addition of dozens of new HUD staff members to help expedite recovery processes, and the allocation of more than \$3.3 billion in Community Development Block Grant-Disaster Recovery (CDBG-DR) funds. The announcement follows [the first-time the Department has asked the public for feedback](#) on how to simplify, modernize, and more equitably distribute critical disaster recovery funds: Community Development Block Grant Disaster Recovery (CDBG-DR) and Mitigation (CDBG-MIT). This announcement does not include updates or changes to the CDBG formula funding.

For more information click [here](#).



COLORADO

Department of Public Health & Environment

Colorado Clean Truck Rules

OVERVIEW

To reduce greenhouse gas (GHG) emissions and other air pollution, the Air Pollution Control Division will propose the Advanced Clean Trucks and Low NO_x Truck rules to the Air Quality Control Commission. The Advance Clean Trucks rule would require manufacturers of medium and heavy-duty on-road vehicles to sell an increasing percentage of zero-emission (electric, hydrogen, and plug-in hybrid) vehicles of their annual sales from model year 2027 and beyond. The Low NO_x Truck rule would require heavy-duty vehicle manufacturers to make cleaner vehicles, improve how they test vehicle engines, and extend engine warranties. If adopted, these Clean Truck rules would incentivize the sale of electric medium and heavy-duty vehicles and reduce NO_x emission by 90% below current standards for vehicles sold with the model year 2027 and beyond. These Clean Truck rules are expected to greatly reduce GHG emissions and significantly improve air quality for healthier communities.

PURPOSE

- Address climate change by encouraging the shift to zero emission vehicles.
- Significant criteria pollutants and GHG emissions reductions by 2050.
- Vehicle owners save money over time through lower fuel and maintenance costs.
- Improve air quality and health conditions for neighborhoods near major freight routes by decreasing the harmful emissions that contribute to ground-level ozone.

GET INVOLVED (Updated)

- In December, Air Pollution Control Division staff will go before the Air Quality Control Commission (AQCC) to request a rulemaking hearing. If the request is approved, the rulemaking hearing is expected to be held in April, 2023. This meeting is open to the public and requires registration, which will be available on the [AQCC website](#) about two weeks prior to the meeting.
- You can view recordings of past stakeholder meetings [HERE](#).
- If you wish to submit written comments, they now need to go to the AQCC. Please email them to cdphe.aqcc-comments@state.co.us.
- If you wish to receive AQCC updates about the rulemaking process, including a notice of when registration is open, email cdphe.aqcc-comments@state.co.us with the subject line "updates."
- You can learn more about ways to participate in the AQCC rulemaking process [HERE](#).

What do we mean by medium and heavy-duty vehicles?



PART E HEAVY-DUTY LOW NO_x REGULATION (HD LOW NO_x)

I. Purpose

The purpose of this Part E is to establish Colorado heavy-duty engine and vehicle standards that incorporate California engine and vehicle emission standards as provided for under Section 177 of the federal Clean Air Act, 42 U.S.C. § 7507. These standards establish criteria and procedures for the manufacturing, testing, distribution and sale of new on-highway heavy-duty trucks and engines in Colorado.

II. Applicability

II.A. This Part E is in effect as of January 1, 2026 and applies to all 2027 and subsequent model year on-highway heavy-duty engines and vehicles delivered for sale or sold in the State of Colorado. Such vehicles shall comply with the Heavy-Duty Low NO_x requirements set forth in California Code of Regulations, Title 13, Sections 1956.8, 1971.1, 2036, 2121, 2137, 2139, 2139.5, 2140, 2166, 2166.1, 2167, 2168, 2169, 2169.1, 2169.2, 2169.3, 2196.4, 2169.5, 2169.6, 2167.7, 2169.8.

II.B. Exemptions

All exemptions in the California rules adopted under by reference apply to this Part E.

III. Requirement to meet California Heavy-Duty emission standards

III.A. Subject to an applicable exemption, starting with the 2027 engine and vehicle model year and for each engine and vehicle model year thereafter no person may deliver for sale, or sell, in Colorado any new on-highway heavy-duty engine and vehicle unless such engine and vehicle are certified to the California emission standards as set forth in California Code of Regulations, Title 13 Section 1956.8.

III.B. All motor heavy-duty truck manufacturers and dealers must comply with the sales and reporting requirements contained in this Part E.

IV. Recalls

IV.A. For all 2027 and subsequent model year heavy-duty engines and vehicles subject to recall in California, each manufacturer shall undertake recall campaigns in Colorado pursuant to California Code of Regulations, Title 13, Sections 2109-2135, unless the manufacturer demonstrates to the Department that such recall is not applicable to vehicles registered in Colorado.

IV.B. Any voluntary or influenced emission-related recall campaign initiated by any manufacturer as provided by under California Code of Regulations, Title 13, Sections 2113 - 2121, for vehicles subject to the requirements incorporated herein by reference, must extend to all applicable vehicles registered in Colorado. If the manufacturer can demonstrate to executive officer's satisfaction that said campaign is not applicable to vehicles registered in Colorado the campaign will not apply in Colorado.

IV.C. For vehicles subject to an order of enforcement action under Section IV.A. of this rule, each manufacturer must send to owners of vehicles registered in the State of Colorado a notice that complies with the requirements in California Code of Regulations, Title 13,

Sections 2118 or 2127. The manufacturer must provide a telephone number that Colorado consumers can use to learn answers to questions about any recall that affects Colorado vehicles.

V. Inspections and Information Requests

V.A. The Department may inspect new and used motor vehicles and related records for the purposes of determining compliance with the requirements of this division. The Department may perform inspections, as necessary, during regular business hours on public property or on any premises owned, operated or used by any truck dealer or truck rental agency for the purposes of determining compliance with the requirements of this division.

V.B. For the purposes of determining compliance with this Part E, the Department may require any truck dealer or truck rental agency to submit to the Department any documentation that the Department deems necessary to the effective administration and enforcement of this Part E. This provision does not require creation of new records.

PART F ADVANCED CLEAN TRUCKS (ACT)

I. Applicability

This Part F is in effect as of January 1, 2026 and applies to all 2027 and subsequent model year vehicles. Any manufacturer that certifies on-road vehicles over 8,500 pounds gross vehicle weight rating (GVWR) for sale in Colorado, must, at minimum, contain at least the same percentage of ZEVs subject to the requirements set forth in California Code of Regulations, Title 13, Sections 1963, 1963.1, 1963.2, 1963.3, 1963.4 and 1963.5.

II. Advanced Clean Trucks Deficits

Starting with the 2027 model year, any manufacturer that produces on-road vehicles over 8,500 pounds GVWR shall annually incur deficits based on the manufacturer's annual sales volume of on-road vehicles produced and delivered for sale in Colorado pursuant to California Code of Regulations, Title 13, Section 1963.1. Deficits are incurred when the on-road vehicle is sold to the ultimate purchaser in Colorado.

III. Advanced Clean Trucks Credit Generation, Banking and Trading

Beginning with the model year 2024 any manufacturer that produces on-road vehicles over 8,500 pounds GVWR for sale in Colorado may generate, bank, and trade ZEV and NZEV credits for such vehicles pursuant to California Code of Regulations, Title 13 Section 1963.2.

IV. Advanced Clean Trucks Compliance Determination

Annual compliance determination, requirement to make up a deficit, and credit retirement order will be determined pursuant to California Code of Regulations, Title 13, Section 1963.3.

Medium- and heavy-duty ZEV and NZEV credits may be generated, banked, and traded in Colorado by manufacturers. Credits would have a limited lifetime to ensure medium and heavy-duty ZEVs are sold in Colorado. Manufacturers subject to the sales requirement must report sales information and credit trade information annually to the Department to demonstrate compliance.

V. Advanced Clean Trucks Reporting and Recordkeeping

Beginning with the 2024 model year, and no later than 90 days following the end of each model year, a manufacturer that produces on-road vehicles over 8,500 pounds gross vehicle weight rating (GVWR) for sale in Colorado must report the listed information to the Department pursuant to California Code of Regulations, Title 13, Section 1963.4 for each on-road vehicle produced and delivered for sale in Colorado for each model year

VI. Advanced Clean Trucks Enforcement

VI.A. Any manufacturer that produces on-road vehicles over 8,500 pounds GVWR for sale in Colorado will be subjected to the enforcement of requirements pursuant to California Code of Regulations, Title 13, Section 1963.5.

VI.B. Penalty for Failure to Meet Credit and Deficit Requirements: any manufacturer that fails to retire an appropriate amount of ZEV or NZEV credits as specified in section 1963.3(c) and does not make up deficits within the specified time allowed by section 1963.3(b) shall be subject to civil penalties contemplated by Colorado statutes and regulations applicable to a manufacturer who does not comply with emission standards or the test procedures adopted by the Colorado Air Quality Control Commission (AQCC). The cause of action shall be deemed to accrue when the deficit is not balanced by the end of the specified time allowed by section 1963.3(b). For the purposes of §25-7-122, C.R.S., the number of vehicles not meeting the AQCC's standards or procedures shall be equal to one half of the manufacturer's outstanding deficit.

PART G LARGE ENTITY REPORTING REQUIREMENT (LER)

I. Purpose

The purpose of large entity vehicle reporting is to collect information to assess suitability of zero emission vehicles in multiple use cases and to inform future strategies on how to accelerate the zero emission vehicle market in Colorado. All regulated entities must submit information set forth in California Code of Regulations, Title 13, Sections 2012, 2012.1, and 2012.2 to the Department.

II. Applicability

II.A. Except as provided in Section II.B., the following entities must submit to the Department all of the information described in Sections IV and V. of this Part G. As used in this rule, all operations conducted by persons under common ownership or control shall be aggregated and considered to be one entity to determine fleet reporting applicability.

II.A.1. Any entity with gross annual revenues greater than \$50 million in the United States for the 2022 tax year, including revenues from all subsidiaries, subdivisions, or branches, who operated a facility in Colorado in 2022 and had one or more vehicles over 8,500 lbs. GVWR under common ownership or control that were operated in Colorado in 2022;

II.A.2. Any fleet owner in the 2022 calendar year that had 50 or more vehicles with a GVWR greater than 8,500 lbs. under common ownership or control and operated a facility in Colorado;

II.A.3. Any broker or entity that dispatched 50 or more vehicles with a GVWR greater than 8,500 lbs. into or throughout Colorado, and operated a facility in Colorado, in the 2022 calendar year;

II.A.4. Any Colorado government agency including all state and local municipalities that had one or more vehicles over 8,500 lbs. GVWR that were operated in Colorado in 2022; and

II.A.5. Any federal government agency that had one or more vehicles over 8,500 lbs. GVWR that were operated in Colorado in 2022.

II.B. The following vehicles and persons are exempt from the reporting requirements and should not be counted or reported for the purposes of the applicability requirements in Section II.A or the reporting requirements in section III of this Part G:

II.B.1. Military tactical vehicles and military tactical facilities owned or operated by the United States Department of Defense or any of the United States military services;

II.B.2. Vehicles awaiting sale; and

II.B.3. Emergency vehicles.

III. General Requirements

III.A. Reporting. All entities required to report pursuant to Section II must submit information specified in sections IV. and V. of this Part G to the Executive Officer. Subsidiaries, parent companies, or joint ventures may independently report, or the corporate parent or joint venture business may report on their behalf, as long as all information for subsidiaries, corporate parents, and joint ventures with vehicles over 8,500 lbs. are reported. These entities with brokerage and/or motor carrier authority must be reported even if no vehicles are owned by that subsidiary, corporate parents, or joint venture. Vehicles that are under common ownership or control may be submitted separately by each fleet owner. Complete information must be reported by December 31, 2023. Vehicle data must be reported as the fleet was comprised on a date of the fleet owner's choosing any time after June 1, 2023. To the extent reports submitted contain confidential data, entities may choose to designate that information as confidential under Section 24- 72- 204 (3)(a), C.R.S.

III.B. Method of Reporting. Reports submitted to comply with sections IV. and V. of this Part G must be submitted online through Colorado's Advanced Clean Trucks webpage or through other Department approved methods.

III.C. Record Retention. The fleet owner or responsible official shall maintain the records of their information required by sections IV. and V. of this Part G until December 31, 2025, for the overall fleet. In addition, the fleet owner or responsible person must maintain all fleet, vehicle, contract, and facility records used to compile responses to section IV. and the data and analysis period used for section V. Records must include the following:

III.C.1 For owned on-road vehicles and off-road yard tractors, mileage records and dates from records such as maintenance logs, vehicle logs, odometer readings, or other records with the information that the reporting entity used to determine their response;

III.C.2 For on-road vehicles and off-road yard tractors not owned but dispatched by the entity, dispatch records and dates, contracts, or other records with the information that the reporting entity used to determine their responses;

III.C.3 Vehicle registration for each owned vehicle in the Colorado fleet; and

III.C.4 Contracts with entities, or contracts with subhauliers, or other records with the information that an entity used to determine their responses.

III.D. Request to Clarify Reported Data. A fleet must respond to requests for clarification of reported information within 14 days of receiving the request from the Executive Officer.

IV. General Entity Information Reporting

All entities subject to the regulation must report the following general information about their entity and business practices:

IV.A. General information.

IV.A.1. Entity name and fictitious business name if applicable;

IV.A.2. Mailing address including street name or P.O. box, city, state, and ZIP code;

IV.A.3. Designated contact person name;

IV.A.4. Designated contact person's email address;

IV.A.5. Designated contact person's phone number;

IV.A.6. Corporate parent name or governing body (if applicable);

IV.A.7. Federal Taxpayer Identification Number of Corporate Parent or other entities with which your entity has vehicles under common ownership or control (if applicable);

IV.A.8. For government entities, identify the jurisdiction (federal, state, or local);

IV.A.9. Federal Taxpayer Identification Number (if applicable);

IV.A.10. Primary six-digit North American Industry Classification System (NAICS) code (if applicable);

IV.A.11. or non-governmental entities, identify the total annual revenue for the entity in the United States for 2022. Respond by using the following bins in millions of dollars (<\$10, \$10-\$49, \$50-\$99, \$100-\$499, \$500-\$999, >\$1,000);

IV.A.12. Identify if your entity has broker authority under the Federal Motor Carrier Safety Administration;

IV.A.13. The following operating authority numbers, if applicable: Motor carrier identification number, United States Department of Transportation number, Colorado Carrier Identification number, Colorado Public Utilities Commission transportation charter permit number, International Registration Plan number;

IV.A.14. Identify the number of entities with whom you had a contract to deliver items or to perform work in Colorado using vehicles over 8,500 lbs. GVWR in 2021 or 2022 to serve your customers while representing your entity's brand. Respond using the following bins (0, 1-10, 11-20, 20-50, or more than 50);

IV.A.15. If your entity has motor carrier or broker authority and contracts with subhauers to serve your customers, identify the following for the year 2021 or 2022; if you do not have motor carrier or broker authority, mark "Does not apply":

IV.A.15.a. The number of subhauers you contracted with in Colorado to transport goods or other property. Respond using the following bins (Does not apply, 0, 1-10, 11-20, 20-50, or more than 50);

IV.A.15.b. Estimated number of vehicles operated by your subhauers on your behalf in Colorado. Respond using the following bins (Does not apply, 0, 1-10, 11-20, 20-99, 100-500, >500); and

IV.A.15.c. Estimated number of vehicles operated by subhauers that operated under your motor carrier authority in Colorado. Respond using the following bins (Does not apply, 0, 1-10, 11-20, 20-99, 100-500, >500).

IV.A.16. Identify whether your entity has a written sustainability plan to reduce your carbon footprint. Respond with (Yes, No, Does not apply);

IV.A.17. Identify whether your entity's written sustainability plan includes transportation emissions reduction goals. Respond with (Yes, No, Does not apply);

IV.A.18. Identify the number of vehicles with a GVWR over 8,500 lb. your entity owned and operated in Colorado in either 2021 or 2022 that do not have a vehicle home base in Colorado.

IV.A.19. Identify whether the data used to respond to the questions in this section IV. were from 2021, 2022, or a combination thereof.

V. Vehicle Usage by Facility Reporting.

Regulated entities that own or operate any vehicles under common ownership or control, or that broker to use vehicles with a GVWR greater than 8,500 lbs. must report general information about the vehicle home base where all on-road vehicles and off-road yard tractors are domiciled or assigned as specified in section V.A., and information about vehicle operating characteristics for vehicles domiciled or assigned to each vehicle home base in California as specified in section V.B.. Vehicles that accrue a majority of their annual miles in California, but are not assigned to a

particular location in California, must be reported as part of the headquarters or another location where the vehicles' operation is managed.

V.A. All regulated entities must report the following information for each vehicle home base:

V.A.1. Facility address including street name, city, state, and ZIP code;

V.A.2. Facility type category as listed in California Code of Regulations, Title 13, Section 2012(d)(8);

V.A.3. Contact person name;

V.A.4. Contact person email address;

V.A.5. Identify whether the facility is owned or leased by the entity;

V.A.6. Identify what type of fueling infrastructure is installed at the facility, by selecting all of the fuel types dispensed at the facility as listed below in section V.A.6.a to V.A.6.g.:

V.A.6.a. Diesel;

V.A.6.b. Gasoline;

V.A.6.c. Natural gas;

V.A.6.d. Electricity for on-road vehicle charging (Level 2 or higher power);

V.A.6.e. Hydrogen;

V.A.6.f. Other fuel; or

V.A.6.g. Not applicable.

V.A.7. Identify what fueling infrastructure was initially installed on or after January 1, 2010 for the fueling options listed in section V.A.6.a. to V.A.6.g.;

V.A.8. Identify what types of trailers you pull if you have tractors assigned or domiciled at this facility:

V.A.8.a. Van-dry;

V.A.8.b. Van-reefer;

V.A.8.c. Tanker;

V.A.8.d. Flatbed;

V.A.8.e. Shipping container;

V.A.8.f. Low bed;

V.A.8.g. Curtain side; or

V.A.8.h. Other.

V.B. For each vehicle home base with a vehicle above 8,500 lbs. GVWR, report information specified in section V.B.1 to V.B.6. for all vehicles above 8,500 lb. GVWR including off-road yard tractors. Responses must be grouped by vehicle body type as listed in section VI.U., weight class bin specified in section VI.X., and fuel type listed in section V.A.6.a. to V.A.6.g. Alternatively, responses may be completed for each individual vehicle and include the vehicle's body type, weight class bin, and fuel type. Separately report vehicles dispatched under your brokerage authority, if applicable. Each vehicle should only be counted once for each response. Additional guidance for analysis periods used to respond to questions in this section is located in V.B.7. Additional guidance on reusing vehicle operational information between similar locations is located in V.B.8. Vehicles dispatched under your brokerage authority but not owned by your entity are not subject to reporting information from sections V.B.2.a. to V.B.2.e. and additional guidance for brokers is located in V.B.9.

V.B.1. How many vehicles in each vehicle group;

V.B.2 The percent of the vehicles in each vehicle group that have the operations listed in sections V.B.2.a. through V.B.2.q., except section V.B.2.j., represented by 90 percent of a vehicle's operating days for the analysis period selected per V.B.7. Respond by estimating the percent of the total vehicles that apply to the category and rounding to the nearest 10 percent. For yard tractors, sections V.B.2.a. through V.B.2.e. and V.B.2.k. are optional. Do not include backup or non-operational vehicles in calculating vehicle group mileage averages.

V.B.2.a. Operate up to 100 average miles per day;

V.B.2.b. Operate up to 150 average miles per day;

V.B.2.c. Operate up to 200 average miles per day;

V.B.2.d. Operate up to 300 average miles per day;

V.B.2.e. Operate more than 300 average miles per day;

V.B.2.f. Has a predictable usage pattern. For example, refuse trucks or package delivery trucks typically have predictable usage patterns because they tend to serve the same neighborhoods each week;

V.B.2.g. Fuels on-site as the primary means of fueling;

V.B.2.h. Typically returns to this vehicle home base daily. For example, if a vehicle returns to a personal residence nearly all days of the year and does not return to the vehicle home base often, the vehicle would not be counted; however, a vehicle that returns to the vehicle home base nightly for 9 out of 10 work days, or always stays at home base, would be counted;

V.B.2.i. Has onboard GPS or mileage tracking;

V.B.2.j. Whether most of the vehicles in the group stay within approximately 50 miles of this facility on a typical day (indicate either Yes or No);

V.B.2.k. Tows a trailer more than 100 miles a day;

V.B.2.l. Commonly operates at its weight limit;

V.B.2.m. Is not registered in Colorado;

V.B.2.n. Is regularly parked at the facility more than 8 hours each day;

V.B.2.o. The highest approximate percent of the vehicle group that was dispatched at the same time over the last 3 years on the behalf of a local, state or federal government to support an emergency operation such as repairing or preventing damage to roads, buildings, terrain, and infrastructure as a result of an earthquake, flood, storm, fire, terrorism, or other infrequent acts of nature;

V.B.2.p. Is equipped with all-wheel drive; and

V.B.2.q. Are not being operated or are used as backup vehicles.

V.B.3. The average annual mileage for a typical vehicle in this vehicle group. Respond by using one of the following that is closest to the average miles (5,000 or less, 10,000, 20,000, 30,000, 40,000, 50,000, 60,000, 70,000, 80,000, 90,000, 100,000, or more than 100,000).

V.B.4. For vehicle types represented in this group, identify how long you typically keep vehicles after acquisition. Respond in number of years by using one of the following bins: (Less than 4, 5-10, 11-15, 16-20, or more than 20).

V.B.5. Identify whether your entity is the fleet owner for this group of vehicles, or if they are dispatched under your brokerage authority.

V.B.6. Identify the start and end date of the analysis period selected per section V.B.7.

V.B.7. Entities must either use annual or quarterly data averaged for work days during the period selected to determine responses or alternatively may select a different time period. A shorter analysis period may be used if the respondent deems it more representative of periods of high vehicle utilization when answering questions about typical daily operation. For example, if an entity selects annual data to determine vehicle daily mileage, average the annual mileage accrued by the number of workdays that year. Otherwise, if an entity with seasonal workload fluctuations determines that a week or month during the busy season is representative, average the data records for that week or month when determining a response. If an alternative analysis period is used, the respondent must be prepared to describe their reasoning at the request of the Executive Officer per section III.D.2012(e)(4).

V.B.8. Responses for items in section V.B.1 through V.B.5 for a vehicle group at one location may be repeated for the same vehicle group at another vehicle home base if the respondent that is familiar with the vehicle operation determines the operation at that location is substantially similar to another location.

V.B.9. A broker is only expected to provide information about vehicle usage that is dispatched under contract with a fleet owner. For example, if a broker hires a truck to move a load, only the miles driven under that contract should be considered for the responses and the broker is not expected to have information about the miles driven outside the contract, but may voluntarily report the information if known.