



SCAQMD Fleet Rules — essential to achieving clean air in Southern California — appear to be on track for reinstatement, but need continued support

The South Coast Air Quality Management District (SCAQMD), is classified as an extreme non-attainment area for ozone and one of the worst regions in the nation for particulate matter (PM) pollution and toxic air concentrations. Over 70% of air pollution and toxic emissions comes from mobile sources, principally diesel, in the South Coast region.

SCAQMD created the Fleet Rules as authorized by the California legislature and governor under the Health and Safety Code in 1987 to encourage public and select private fleets of 15 or more vehicles to use certified lower-emission and alternative fuel vehicles in place of diesel vehicles.

The Fleet Rules were disputed by the Engine Manufacturers Association (EMA) and Western States Petroleum Association (WSPA) who claimed the rules were pre-empted by the Clean Air Act. In April 2004, the Supreme Court ruled that the Fleet Rules were pre-empted to the extent that they regulated private fleet vehicles; however, this leaves public fleets in question.

SCAQMD has requested that the California Air Resources Board (CARB) adopt the Fleet Rules and submit them to the US Environmental Protection Agency (EPA) for a Clean Air Act Waiver, thereby reinstating the Fleet Rules for the South Coast region.

On February 10, 2005, CARB announced that it plans to submit four key fleet rules for adoption as state regulations for the July 2005 CARB board meeting. The proposed regulations will incorporate the fleet rules for transit buses, refuse trucks, school buses and street sweepers, which have proven most effective in controlling diesel emissions. CARB is now determining the standards to be set by the regulations.

Once adopted, CARB must apply to the EPA for the waiver in order to implement the rules.

Heavy lobbying is expected. To date, CARB has received 10,000 comments on the fleet rules waiver request, with most urging reinstatement. The challenge going forward is to encourage CARB to adopt strong, meaningful standards that will be truly effective in reducing pollution.

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