

Truck and Bus Regulation Emergency Use Exemption

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This summary describes how affected vehicles that are subject to the Trucks and Bus Regulation (regulation) can operate in California to support emergency events when dispatched by a Federal, State, or local government agency, including under a Governor's State of Emergency Declaration. The regulation can be found at California Code of Regulations, title 13, section 2025.

What vehicles are affected by the Truck and Bus Regulation?

The regulation applies to nearly all diesel fueled vehicles operating in California with a gross vehicle weight rating (GVWR) greater than 14,000 pounds that are privately or federally owned, and it applies to privately and publicly owned school buses.

Do I need an exemption if my vehicle complies with the upgrade requirements of the regulation?

No, affected vehicles with a 2007 or newer model year engine comply with the regulation until 2023 and do not need an exemption to operate in California. Heavier affected vehicles with a GVWR over 26,000 lbs. must already have a 2005 to 2006 model year (MY) engine with a retrofit particulate matter (PM) filter installed and must meet the 2010 or newer MY engine requirement as of January 1, 2022. All other vehicles subject to the regulation must be reported to the California Air Resources Board's Truck Regulation Upload, Compliance, and Reporting System (TRUCRS) to use flexibility options or must be under contract with a public agency to support an emergency operation.

When can a noncompliant vehicle be used to respond to an emergency?

Vehicles that meet the definition of an authorized emergency vehicle per Vehicle Code section 165, or any vehicle with an authorized emergency vehicle permit issued by the Commissioner of the California Highway Patrol are exempt from the upgrade requirements of the regulation. Additionally, an emergency support vehicle, or vehicles affected by the regulation but used in an emergency operation under a Governor's executive order, are exempt from regulatory requirements even if they do not meet the definition of an authorized emergency vehicle.

How is an emergency operation defined?

The regulation defines an emergency operation as the operation of an authorized emergency vehicle or emergency support vehicle to help alleviate an immediate threat to public health or safety. Examples of emergency operation include vehicles used at an emergency event to repair or prevent damage to roads, buildings, terrain, and infrastructure because of terrorism, or an earthquake, flood, storm, fire, or other, infrequent acts of nature. Also included are authorized emergency vehicles and emergency support vehicles that travel to and from emergency events

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when dispatched by a local, state, or federal agency. Routine operation to prevent public health risks does not constitute emergency operation.

What is an emergency support vehicle?

The regulation defines an emergency support vehicle as a vehicle, other than an authorized emergency vehicle per Vehicle Code section 165, that has been dispatched by a local, state, or federal agency and is used to provide transport services or supplies in connection with an emergency operation.

Can I exclude emergency operation miles if I am claiming the Low-Use Exemption? And what records do I need to keep?

Yes, affected vehicles that have been reported in the California Air Resources Board's (CARB) TRUCRS and are using a mileage-based flexibility option may exclude mileage during an emergency operation. Each January affected vehicle owners must report beginning and end of year odometer readings into TRUCRS and specify the total miles the vehicle was used during an emergency operation in the prior year. Emergency operation mileage only includes mileage to and from the emergency event work site. Affected vehicle owners are responsible for tracking emergency operation odometer readings for the emergency event contract period and keeping copies of contracts that contain the emergency event agreement number. Any sub-contractor will need to keep documentation showing that they are subcontracted by the business that has the emergency operations contract with the public agency.

Do emergency events include executive orders and emergency declarations issued by the Governor?

Yes. Executive orders and Emergency Declarations issued by the Governor are considered an emergency event. Details about specific emergency events are available at [Governors Executive Orders page](https://www.gov.ca.gov/category/executive-orders/) (https://www.gov.ca.gov/category/executive-orders/) or [Proclamations Page](https://www.gov.ca.gov/category/proclamations/) (https://www.gov.ca.gov/category/proclamations/). Affected vehicles that support these emergency events are exempt if they are dispatched under contract with public agencies such as the Federal Emergency Management Agency (FEMA), California Governor's Office of Emergency Services, or California Department of Forestry and Fire Protection (CAL FIRE). Affected vehicles that are dispatched to support a Governor's executive order are exempt from the clean-up requirements of the regulation during the contract period. Therefore, by the end of the contract period, the vehicle must be compliant with the regulation or no longer operating in California.

What proof of supporting an emergency event is required for the exemption and where do I keep it?

Owners of affected vehicles dispatched directly under contract for an emergency event with local, state, or federal agencies must keep copies of the contract or dispatch records in the cab of the vehicle in a place known to the driver and must be made available to CARB staff or the appropriate California official, such as a California Highway Patrol Officer, upon request.

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Where can I get more information?

For information on how to report please see the [TRUCRS user guide](http://www.arb.ca.gov/msprog/onrdiesel/documents/reportingguide.pdf) (www.arb.ca.gov/msprog/onrdiesel/documents/reportingguide.pdf). Fact sheets, compliance tools and regulatory documents are available on the [Truck and Bus Regulation program page](http://www.arb.ca.gov/dieseltruck) (www.arb.ca.gov/dieseltruck). If you have questions or wish to obtain this document in an alternative format or language, please call ARB's diesel hotline at (866) 6DIESEL (634-3735). TTY/TDD/ Speech to Speech users may dial 711 for the California Relay Service.

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