

Smoke Test Regulatory Changes – Amendments Will be Costly and Burdensome to Industry

Below is not a complete list of the amendments to PSIP, but these are the costly added burdens fleets will encounter under this proposal.

- CARB has no way to ensure a level playing field. CARB states they will have access to DMV records to ensure accurate reporting; however, DMV records and CARB records will not match up apples to apples.
 - Owners listed on DMV registrations often do not match up with the true fleet owner (e.g. leased vehicles, vehicles owned by a holding company, owners different than company represented, etc.)
 - DMV looks at vehicle model year; smoke tests looks at engine model year; VIN numbers do not indicate the engine model year
 - Vehicles registered out of state are in California operational fleets, but there would be no way for CARB to verify what goes into what fleet
 - With reference to above, there would be no accurate way to ensure compliance with reporting.
- A very small percentage of vehicles are actually registered with CARB. Again, it is only a select population under truck and bus that were reported to receive exclusions/ extensions.
 - Currently, diesel vehicles complying with regulations other than Truck and Bus (Public and Utility fleets, county or city vehicles, solid waste collection, cargo handling, port and drayage and transit bus vehicles) are not required to report their fleets. **This amendment will require those fleets to report.**
 - Currently, diesel vehicles complying with regulations other than Truck and Bus are not required to report unless the vehicle used some form of exception to the regulation (e.g. phase-in fleet average, small fleet, agricultural vehicle, low-use, etc.). Fleets were not required to report any vehicles if they followed the model year compliance schedules. **This amendment will require all vehicles subject to Truck and Bus to report.**
- Proposal would require all diesel vehicles in fleet (fleet is 2 or more vehicles) subject to smoke test requirements to be electronically reported:
 - 1998 or later model year vehicles > 14,000# GVWR
 - Vehicles > 6,000# GVWR vehicles that are older than 1998
 - 1998 or later model year vehicles > 6,000# GVWR that are registered in areas not subject to the biennial smog check program
- Once fleets are reported, owners will be required to maintain the online information as current (i.e. add new vehicles and show sold vehicles). Inaccuracy in current fleets will likely lead to enforcement.
- Currently, no fleet is required to submit smoke test documentation to CARB, excepting on request (typically during an audit). These amendments will require a smoke test to be uploaded for every vehicle every year. Inadvertently missed uploads, or uploads of tests done by independents that are missing required information, will enforceable.
- Out of state registered vehicles/fleets will not be required to report because they are not subject to California's smoke testing requirements. Thus, California fleets are competitively disadvantaged with more reporting and more scrutiny than those registered elsewhere.
- Smoke opacity limits are lowered from 55% to 40% for any vehicle older than 1991; 30% for 1991 – 1996 vehicles; 20% for 1997-2006 vehicles; 5% for 2007+ MY and DPF-

equipped engines. This could affect the continued use of an older vehicle operating under the Truck and Bus regulation registered as a low use vehicle.

- CCDET training and certification will be required for all smoke test inspectors. Currently this training is not mandatory.
- Reporting will be required March 1 for fleets of 50+ vehicles (10 – 49 vehicles will be May 1 and 2 – 9 vehicles will be July 1). This only adds to the other CARB reporting requirements due in the first quarter (TRUCRS, DOORS, PERP Equipment, DPF Installer).
- California rental fleets will be disadvantaged by out of state rental companies that will not be burdened with the reporting requirements.

Industry (CTA, CAT dealers) suggested a very *simple but effective approach*, but this was ignored:

Simple is better - no fleet reporting; no upload of generally unreadable smoke test scans.

- **Fleet provides ownership information *only* and gets a TRUCRS ID (no requirement to report vehicles).**
- **Fleet owner then signs an annual affirmation attesting to compliance with the PSIP requirements (no requirement to upload smoke test scans).**
- **CARB *can* cross reference owner registrations from DMV to see who did not get a TRUCRS ID to use as their first level enforcement audits**
- **CARB enforcement can also make random selections for audits.**
- **Any fleet shown to be noncompliant and who have attested (annual affirmation) that they are complying would get really hit hard with fines.**