

**Summary of California Air Resources Board's  
Statewide Truck and Bus Rule pertaining to Agricultural Vehicles  
December 2008**

**Applicability –**

This regulation applies to all trucks and buses operated within the state of California over 14,000 GVWR (does NOT include pick-ups or implements of husbandry such as tractors). It requires vehicles subject to this rule to comply with 2010 engine standards through replacement or retrofit by December 31, 2022. The engine must meet the 2010 engine standard depending on various factors including where the engine operates, annual mileage, number of vehicles and age.

Vehicles subject to this rule that operate less than 100 hours and 1000 miles per year are considered "low use". They will not be required to comply with 2010 standards but will have to have a properly functioning odometer installed at all times and must report their mileage, owner and vehicle information annually to ARB.

Below is a summary of the agricultural provisions that allow some compliance flexibility based on annual miles and age of the engine:

**To obtain an ag vehicle designation the vehicles must be owned as of January 1, 2009.**

For reporting requirements and deadlines see the Reporting Requirements section in the summary below.

**Ag Provisions**

**Limited-Mileage Agricultural Vehicle** – exempt from 2010 engine standard compliance until January 1, 2017 if the agricultural vehicle operates less than the miles per calendar year specified with a properly functioning odometer installed at all times:

- <15,000 miles (pre-1996 model year engine);
- <20,000 miles (1996 through 2005 model year engine);
- <25,000 miles (2006 or newer model year engine).

**Low-Mileage Agricultural Vehicle** – exempt until January 1, 2023, an agricultural vehicle that operates less than 10,000 miles per year.

**Specialty Agricultural Vehicle** – exempt until January 1, 2023, an agricultural vehicle that is a nurse rig, cotton module mover, water truck, feed truck or mixer-feed truck used exclusively at beef cattle feedlots.

- A nurse rig is a motor truck designed or modified to be used exclusively for the fueling, repairing, or loading of an airplane or helicopter used for the dusting, spraying, fertilizing, or seeding of crops;
- A cotton module mover which is a motor truck, or a truck tractor, in combination with a semitrailer, that is equipped with a self-loading bed and is designed and used exclusively to transport field manufactured cotton modules to a cotton gin
- A vehicle equipped with a water tank owned by a farmer, not operated for compensation, and used exclusively in agricultural operations to provide dust suppression on dirt roads providing access to agricultural fields and for the transportation of water for crop or tree irrigation;
- A feed truck or mixer-feed truck, designed for dispensing food to livestock that is owned by a cattle or calf feedlot and exclusively used at such feedlot. Does not include a feed truck or mixer-feed truck used at other locations where cattle and calves exist such as dairies.

**Agricultural Operations means:**

- 1) The activity of growing or harvesting crops for the primary purpose of making a profit or providing a livelihood including any horticultural, viticultural, aquacultural, forestry, dairy, livestock, poultry, bee or farm product. Raising plants at nurseries that sell exclusively retail are not included, or;
- 2) The cutting or removing of both of timber, other solid wood products, including Christmas trees, and biomass from forestlands for commercial purposes. The services also include all the work incidental thereto, including but not limited to, construction and maintenance of roads, fuel breaks, firebreaks, stream crossings, landings, skid trails, beds for falling trees, fire hazard abatement, and site preparation that involves disturbance of soil or burning of vegetation following forest removal activities. Forest operations include the cutting or removal of trees, tops, limbs and or brush, which is processed into lumber and other wood products, and or for landscaping materials, or biomass for electrical power generation. Forest operations do not include conversion of forestlands to other land uses such as residential or commercial developments.

**Agricultural Vehicle means:**

- 1) A vehicle owned by a farming business, not operated for compensation, and used exclusively in agricultural operations. This includes supply trucks, cattle trucks, and other vehicles, but excludes vehicles that do not directly support farming operations such as personal use vehicles, vehicles rented or leased out, or vehicles used in a transportation business, or;
- 2) A vehicle not owned by a farming business that is exclusively engaged in agricultural operations. This includes manure spreaders, hay dispensing trucks, water trucks, bedding trucks and others, but excludes vehicles that supply any products, materials, personnel, or equipment to the farm except as allowed in (4) below, or;
- 3) A vehicle that exclusively transports any horticultural, viticultural, aquacultural, forestry, dairy, livestock, poultry, bee or farm products such as raw, unprocessed crops, livestock, fish, or fowl from the farm to the first point of processing after harvest.
- 4) An on-road vehicle, or a tractor-trailer combination, specially designed for the purposes of delivering fertilizer or crop protection chemicals that is required to display a hazardous material placard and exclusively delivers fertilizer or crop protection chemicals for use in agricultural operations from a distribution center to a farm, and is owned by a business holding a valid fertilizer or pest control license.
  1. Owners of such vehicles must hold;
    - a. A valid pest control dealer license issued by the California Department of Pesticide Regulation as required under Food & Agricultural Code, Division 6, Chapter 7, Article 6, Section 12101 or;
    - b. A valid fertilizing materials license issued by the California Department of Food and Agriculture as required under Food & Agricultural Code, Division 7, Chapter 5, Article 4, Section 14591(a) and
  2. Such vehicles must exclusively carry products defined under one of the following, and be required to display an appropriate placard, as required by the United States Department of Transportation:
    - a. 49 CFR, CHAPTER 1, PART 173.127 (Division 5.1), or
    - b. 49 CFR, CHAPTER 1, PART 173.132 (Division 6.1), or
    - c. 49 CFR, CHAPTER 1, PART 173.115 Class 2, (Division 2.1, 2.2, and 2.3),
    - d. 49 CFR, CHAPTER 1, PART 173.136 Class 8,
    - e. 49 CFR, CHAPTER 1, PART 173.140 Class 9.

**Farm means** a physical location the primary purpose of which is making a profit or providing a livelihood from;

- (A) Horticultural, viticultural, aquacultural, forestry or crops or plants that are grown and harvested at the location, (Nurseries that sell exclusively retail are not farms), or;
- (B) Raising, breeding, grazing, feeding, or milking animals, fish, fowl, or bees.

**Farming Business means** the cultivating, operating, or managing a farm for profit, either as owner or tenant. A farming business does not include businesses that derive their principal source of income from providing agricultural services such as soil preparation, veterinary, farm labor, or management for a fee or on a contract basis, or are engaged in the business of breeding, raising, and caring for dogs, cats, or other pet animals.

**First Point of Processing means** the location where harvested crops, bees, fowl, fish, livestock, animals, or their products are altered from their original state, packaged, or prepared for transportation. Such locations include, but are not limited to, packinghouses, slaughterhouses, cotton gins, nut hullers/shellers and processors, dehydrators, lumber mills, feed and grain mills, and biomass facilities located at a first processing facility, such as a saw mills, or biomass facilities that receive more than half of its waste in the form of unprocessed agricultural materials. First point of processing does not include locations where subsequent processing, canning, or similar activities occur.

**Requirements for Agricultural Fleets (fleet is one or more vehicles):**

- 1) Beginning January 1, 2011, vehicles meeting the definitions of limited-mileage agricultural vehicles, or low-mileage agricultural vehicles, shall be exempt from the 2010 performance requirements of this rule for the periods specified in the definitions, provided that such vehicles meet the conditions set forth below. To qualify for any of these provisions, such vehicles must be operational and functional, including being able to start without assistance and able to move under its own power. Vehicles that are being used for parts are not included in these provisions.
- 2) For all other vehicles in the agricultural fleet, beginning January 1, 2011, the fleet owner must comply with the best available control technology (BACT) requirements of section 2025(f), the BACT Percentage Limits of section 2025(g) or the fleet average requirements of section 2025(h). See complete rule for these cited sections.
- 3) Agricultural fleet owners must report and comply with the reporting requirements section for all of their vehicles, regardless of whether the vehicle is an agricultural vehicle or not.
- 4) Within 30 days of replacing a low-mileage, limited-mileage, or specialty agricultural vehicle, the agricultural fleet owner must report the required information contained in the reporting requirements section.
- 5) All vehicles must comply with the requirements of section 2025(e) for the next compliance date upon it being discovered that any vehicle in the agricultural fleet does not comply with any of the requirements of this agricultural fleet provision. See complete rule for this cited section.

**Requirements for limited-mileage agricultural vehicles:**

- (A) The maximum number of limited-mileage agricultural vehicles in any agricultural fleet shall be established by the number of limited-mileage vehicles in the agricultural fleet as of January 1, 2009, as reported in included in the reporting requirements section. This number shall not increase.
- (B) A limited-mileage agricultural vehicle may be replaced by another vehicle so long as the replacement vehicle is equipped with an engine that is at least one model

year newer than the engine in the vehicle it replaced, and provided the original vehicle is scrapped, rendered inoperable, or sold out of the agricultural fleet. This requirement does not apply to engine replacements.

- (C) When a limited-mileage agricultural vehicle is replaced, the sum of the miles accrued on the original vehicle in that calendar year, up to the time of replacement, plus the mileage accrued on the replacement vehicle for the remainder of the calendar year (beginning with the date of replacement) must remain below the established mileage thresholds based on the model year of the engine in the replacement vehicle.
- (D) Beginning January 1, 2017, all limited-mileage agricultural vehicles must comply with the best available control technology (BACT) requirements of section 2025(f) or the fleet average requirements of section 2025(h). See complete rule for these cited sections.
- (E) A vehicle that formerly met the limited-mileage agricultural vehicle definition, but whose use increases above the established mileage thresholds based on the model year of the engine, must immediately meet the performance requirements of section 2025(f) or (h) for the immediately preceding compliance deadline. See complete rule for these cited sections.
  - In addition, the vehicle may not be replaced and the number of limited mileage agricultural vehicles in the agricultural fleet shall be reduced by one.
- (F) A merger of two or more agricultural fleets having designated limited mileage vehicles may not result in more designated limited mileage vehicles after the merger occurs than the sum of the total limited mileage vehicles from each individual agricultural fleet included in the merger.

**Requirements for low-mileage agricultural vehicles:**

- (A) The maximum number of low-mileage agricultural vehicles in each agricultural fleet shall be established by the number of low-mileage vehicles in the agricultural fleet as of January 1, 2009, as required in the reporting requirements section of this summary. This number shall not increase.
- (B) A low-mileage agricultural vehicle may be replaced with another vehicle if the replacement vehicle is equipped with an engine that is at least one model year newer than the engine in the vehicle being replaced, and provided the original vehicle is scrapped, rendered inoperable, or sold out of the agricultural fleet. This requirement does apply to engine replacements.
- (C) When a low-mileage agricultural vehicle is replaced, the sum of the miles accrued on the original vehicle in that calendar year, up to the time of replacement, plus the mileage accrued on the replacement vehicle for the remainder of the calendar year (beginning with the date of replacement) must remain below the established mileage thresholds.
- (D) Beginning January 1, 2023, all low-mileage agricultural vehicles must comply with the best available control technology (BACT) requirements of section 2025(f). See complete rule for this cited section.
- (E) Until January 1, 2017, a vehicle that formerly met the low-mileage agricultural vehicle definition, but whose use increases above the established mileage thresholds based on the model year of the engine, must immediately meet the performance requirements

of section 2025(f) or (h) for the immediately preceding compliance deadline. The vehicle may not be replaced in the future with a substitute low-mileage agricultural vehicle, and the number of low-mileage agricultural vehicles in the agricultural fleet shall be reduced by one. See complete rule for cited sections.

- (F) A merger of two or more agricultural fleets having designated low-mileage vehicles may not result in more designated low-mileage vehicles after the merger occurs than the sum of the total low-mileage vehicles from each individual agricultural fleet included in the merger.
- (G) Until January 1, 2017, an agricultural fleet owner may change the status of a low-mileage vehicle to a limited-mileage vehicle provided the vehicle continues to meet the definition of a limited-mileage vehicle. The low mileage vehicle may not be replaced and the number of low-mileage agricultural vehicles in the agricultural fleet, shall be reduced by one.

**Requirements for specialty agricultural vehicles:**

- (A) Specialty agricultural vehicles are exempt from the 2010 performance standards until January 1, 2023.
- (B) The Executive Officer will approve a vehicle as qualifying as a specialty agricultural vehicle under the following conditions:
  - The total number of specialty agricultural vehicles in the San Joaquin Valley Air Basin does not exceed 1,100, and;
  - The total number of specialty agricultural vehicles in the state does not exceed 2,200.
- (C) All specialty vehicles not included in the specific definition of such must meet the requirements of section 2025(f). See complete rule for cited section.
  - In such an instance, the agricultural fleet operator shall be notified in writing by the Executive Officer that the reported vehicle is not eligible as a specialty agricultural vehicle.

**Ag Vehicle Labeling Requirements:** Within thirty days of the reporting date, fleet owners must permanently affix or paint an AG identification label on each low-mileage, limited-mileage, and specialty agricultural in the fleet according to the following specification:

- (A) The letters AG shall be black on a white background. Both letters shall be at least three inches high on a five by eight inch background.
- (B) The label shall be located in clear view on the left and right door of the vehicle.

**Reporting Requirements:**

1. The owner must notify the ARB of the compliance option that it has selected in writing by January 31, 2010 and by January 31 of every subsequent compliance year. The notification must include the name of the responsible official and the location where the records will be kept.
2. Each year, fleet owners subject to the reporting requirement must report on their fleet as it was on January 1 of the current compliance year. They must submit the applicable information set forth in (1) through (5) by January 31 following each compliance date. Owners must report annually until the reporting requirement expires or 2010 engine standards have been met. Fleets may submit information by mail or electronically.
3. Owner Contact Information: Compliance reports must include the information in (a) through (l) below:
  - a) Fleet owner's name

- b) Name of company or agency
- c) Motor carrier identification number
- d) Corporate parent name (if applicable)
- e) Corporate parent taxpayer identification number (if applicable)
- f) Company taxpayer identification number
- g) Street address and mailing address
- h) Name of responsible person
- i) Title of responsible person
- j) Contact name
- k) Contact telephone number
- l) Contact email address (if available)

4. Vehicle Information: Fleet owners must provide to the Executive Officer a list of all vehicles subject to the reporting requirements along with the information listed in (a) through (l) below for each vehicle:

- a) Vehicle type
- b) Vehicle identification number
- c) Vehicle manufacturer
- d) Vehicle modelGross vehicle weight rating
- f) Vehicle model year
- g) License plate number
- h) Where the vehicle is registered and type of registration plate
- i) Whether the vehicle will be designated as a low-use vehicle;
  - For vehicles designated as low-use, fleet owners must report the information listed in section 2025(s)(8). See complete rule for this section.
  - Report whether the low-use status is based on mileage or hours of operation.
- j) Whether the vehicle is used for emergency operations;
  - For low-use or mileage exempt vehicles used in emergency operations, fleet owners must report the information listed in section 2025(s)(11). See complete rule for this section.
- k) Whether the vehicle is a sweeper, specialty agricultural vehicle, cab-over-engine truck tractor, or unique vehicle as defined in sections 2025(o) and 2025(q). See complete rule for these sections.
- l) Whether the vehicle is a hybrid vehicle as defined in section 2025(d)(36). See complete rule for this section.
- m) Whether the vehicle is an alternative-fueled vehicle as defined in section 2025(d)(8). See complete rule for this section.

**Engine Information:** The following information for each engine that propels a vehicle reported per section (4) above:

- a) Engine manufacturer
- b) Engine model
- c) Engine family
- d) Engine serial number, and
- e) Engine model year.

**IMPORTANT NOTE:** This is only a basic summary of the ag provisions of the regulation and not intended to be all-inclusive. If you cannot comply with these provisions or want further detail see the complete rule at ARB's website at [www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm](http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm).