



September 29, 2026

Dr. Steve Cliff
Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95814

**RE: Advanced Clean Fleets Amendments: State and Local Governments Provision
Request for Additional Clarification of Application to Private Contractor Fleets**

Dear Dr. Cliff:

On behalf of the undersigned organizations, we express our sincere appreciation for CARB staff's efforts to address stakeholder concerns regarding the broad application of the Advanced Clean Fleets (ACF) regulation to private contractor fleets. Based on earlier conversations with the Mobile Source Division staff, we understand that CARB's clarification in the Final Statement of Reasons (FSOR), as approved by the Office of Administrative Law (OAL) on September 10, 2026, has significantly narrowed the interpretation of the private contractor provision from where CARB had initially indicated. **Therefore, this letter seeks to confirm our understanding of CARB's clarification and request additional written guidance.**

Coalition's Understanding of ACF's Applicability to Private Contractor Fleets

Per our discussions with CARB staff, it is the coalition's understanding that private contractor fleets are now only regulated under the ACF State and Local Government (SLG) fleet requirement when an agency *dispatches* the contractor vehicle or fleet. The proposed amendments define "*dispatch*" as:

"...to provide direction or instruction for routing a specific vehicle, whether owned or under contract, to specified destinations for specific purposes,

including delivering cargo, passengers, property or goods, or providing a service.¹"

Accordingly, we now understand that the mere existence of a contract with a public agency is not sufficient to subject a private contractor fleet to the ACF requirements. Rather, the relevant inquiry is whether the public entity is directing the routing, deployment, and/or assignment of specific vehicles to perform specific functions.

Examples of Our Understanding

Based on the clarifying examples described in the FSOR, it is our understanding that the following situations would **NOT** constitute a "dispatch" by a State or Local government fleet²:

- A package delivery company contracted to deliver supplies, mail, equipment, or other goods to public agency facilities while independently selecting which vehicles are used, establishing delivery routes, and managing day-to-day fleet operations.
- A waste fleet contractor operating pursuant to a state or municipal agreement but independently determining vehicle assignments, routing, and daily operations.
- A construction contractor performing services under a contract while independently determining which trucks and on-road equipment will be used to perform the work.
- A landscaping or arborist company serving multiple municipal facilities while retaining responsibility for scheduling work crews, assigning vehicles, and determining routes.
- A maintenance contractor providing utility, facility, or repair services for a public agency while maintaining control over fleet deployment.
- A street sweeping or liquid waste contractor that is contractually obligated to deliver a service outcome but decides independently which vehicles will provide the service and when.
- A tow company operating under an agreement with a state or local law enforcement or other government agency while independently determining which vehicle, equipment, driver, and route will be used to perform a requested tow.

In each of these examples, the contractor is providing a service to a public entity but is not receiving instructions from that entity directing a specific vehicle to a specific

¹ Proposed Amendments to the Advanced Clean Fleets Regulation, Proposed Regulation Order, § 2013(b) (Definitions), definition of "Dispatch."

² This is not meant to be an exhaustive list.

location for a specific purpose. Therefore, we understand these fleets would remain outside the scope of ACF.

To ensure the coalition's understanding accurately reflects CARB's current interpretation of the adopted regulation, we respectfully request CARB provide additional written guidance clarifying the applicability . Because this issue has caused considerable confusion, receiving additional guidance will enable us to accurately and confidently advise our members and clients.

Conclusion

We appreciate CARB's continued willingness to engage with stakeholders and its efforts to clarify the application of ACF to private contractor fleets. **We respectfully request the agency provides additional written guidance that clearly allows for stakeholder understanding** to ensure consistent administration of the regulation and avoid unnecessary confusion for public agencies, contractors, and fleet operators across California.

We look forward to continuing to work collaboratively with CARB staff to ensure successful implementation of the amended ACF regulation.

Respectfully,

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