

Section 1. The Regulations of Connecticut State Agencies are amended by adding section 22a-174-37 as follows:

(NEW) Sec. 22a-174-37. Advanced Clean Trucks, and Medium and Heavy-Duty Vehicle and Engine Emissions and Warranty Standards.

(a) Definitions and abbreviations. Provided that any term related to the administration of the Advanced Clean Trucks and Heavy-Duty Vehicle and Engine Emission Warranty Standards not defined in this subsection, section 22a-174-1, 22a-174-36b and section 22a-174-36c of the Regulations of Connecticut State Agencies, shall be as defined or described in Title 13 of the California Code of Regulations:

- (1) “CARB” means the California Air Resources Board.
- (2) “Department” means the Connecticut Department of Energy and Environmental Protection.
- (3) “GVWR” means Gross Vehicle Weight Rating.
- (4) “Military tactical vehicle” means a motor vehicle owned by the United States Department of Defense or any branch of the U.S. military and is intended for use in combat, combat support, combat service support, tactical or relief operations, or training for such operations.
- (5) “NZEV” means near-zero-emission vehicle.
- (6) “School Bus Owner” means the registered owner, lessee, licensee, school district superintendent, or bailee of any school bus, who operates or directs the operation of any such bus on either a for-hire or not-for-hire basis.
- (7) “Transportation network company” has the same meaning as in section 13b-116 of the Connecticut General Statutes.
- (8) “Vehicles awaiting sale” means vehicles in the possession of dealers, financing companies, or other entities that do not intend to operate the vehicle in Connecticut or offer the vehicle for hire for operation in Connecticut, and that are operated only to demonstrate functionality to potential buyers or to move short distances while awaiting sale or for the purpose of preparation for sale, maintenance or storage.
- (9) “ZEV” means zero-emission vehicle.

(b) Applicability.

- (1) This section shall apply to all 2027 and subsequent model year on-road medium and heavy-duty vehicles over 8,500 pounds GVWR that are sold, leased, offered for sale or lease, imported, delivered, purchased, rented, acquired or received in the State of Connecticut, except that this subdivision shall not apply to those vehicles listed in subsection (d) of this section.
- (2) Any person who in the 2022 calendar year owned or operated a fleet of fifty (50) or more medium- and heavy-duty vehicles over 8,500 pounds GVWR at a facility in the State of Connecticut shall be subject to the reporting requirements set forth in subsection (j) of this section.

(c) Prohibition and Compliance Requirements

- (1) Unless subject to an exemption listed in subsection (d) of this section, no person shall sell or register, offer for sale or lease, import, deliver, purchase, rent, acquire or receive a new 2027 or subsequent model year vehicle over 8,500 pounds GVWR in the State of Connecticut unless such vehicle is certified to California emission standards set forth in the California Code of Regulations, Title 13, Section 1956.8.
- (2) Beginning with the 2027 model year, each manufacturer's sales fleet of vehicles over 8,500 pounds GVWR produced and delivered for sale in the State of Connecticut shall contain at least the same percentage of advanced technology vehicles subject to the same requirements set forth in the California Code of Regulations, Title 13, section 1963 using the number of the manufacturers' fleet deliveries for sale into the State of Connecticut. .
- (3) Beginning with model year 2024 and prior to model year 2027, any manufacturer may elect to generate, bank and trade ZEV and NZEV credits pursuant to California Code of Regulations, Title 13, section 1963.2.

(d) Exemptions.

- (1) The provisions of California Code of Regulations, Title 13, section 1956.8(a)(2)(F) "Transit Agency Diesel-Fueled Bus and Engine Exemption Request" do not apply.
- (2) The following vehicles shall not be subject to this section:
 - (A) Any vehicle subject to an exemption set forth in California Code of Regulations, Title 13, section 1956.8;
 - (B) Any new diesel-fueled bus sold to any transit agency;
 - (C) Any school bus as defined in section 14-1 of the Connecticut General Statutes; and
 - (D) Any authorized emergency vehicle as defined section 14-1 of the Connecticut General Statutes.
- (3) The following entities and vehicles shall be exempt from the reporting requirements of subsection (j) of this section:

- (A) A school bus owner whose fleet is comprised by a majority of school buses as defined in section 14-1 of the Connecticut General Statutes;
- (B) The owner or operator of any transit bus or transit bus fleet, including vehicles used exclusively support transit bus service;
- (C) Transportation Network Companies that dispatch, but do not own, light-duty vehicles;
- (D) Military tactical vehicles owned or operated by the United States Department of Defense or any of the United States military services; and
- (E) Vehicles awaiting sale.

- (e) **Incorporation by reference.** Each manufacturer and each new 2027 and subsequent model year medium- and heavy-duty engine and vehicle over 8,500 pounds GVWR shall comply with each applicable standard set forth in Table 37-1 and incorporated by reference herein:

Table 37-1 California Code of Regulations (CCR) Title 13 Provisions Incorporated by Reference

California Code of Regulations (CCR) Title 13	Title	Section Amended Date
Chapter 1 Motor Vehicle Pollution Control Devices		
Article 2 Approval of Motor Vehicle Pollution Control Devices (New Vehicles)		
Section 1956.8	Exhaust Emission Standards and Test Procedures – 1985 and Subsequent Model Heavy Duty Engines and Vehicles	12/22/21
Section 1963	Advanced Clean Trucks Purpose, Applicability, Definitions, and General Requirements	3/15/21
Section 1963.1	Advanced Clean Trucks Deficits	3/15/21
Section 1963.2	Advanced Clean Trucks Credit Generation, Banking, and Trading	3/15/21
Section 1963.3	Advanced Clean Trucks Compliance Determination	3/15/21
Section 1963.4	Advanced Clean Trucks Reporting and Recordkeeping	3/15/21
Section 1963.5	Advanced Clean Trucks Enforcement	3/15/21
Section 1965	Emission Control and Smog Index Labels – 1979 and Subsequent Model Year Vehicles	12/22/21
Section 1968.2	Malfunction and Diagnostic System Requirements – 2004 and Subsequent Model Year Passenger Cars, Light-	12/22/21

	Duty Trucks and Medium-Duty Vehicles	
Section 1971.1	On-Board Diagnostic System Requirements – 2010 and Subsequent Model-Year Heavy-Duty Engines.	12/22/21
Section 2012	Advanced Clean Trucks, Large Entity Reporting Requirement	3/15/21
Section 2012.1	General Entity Information Reporting.	3/15/21
Section 2012.2	Vehicle Usage by Facility Reporting.	3/15/21
Article 6 Emission Control System Warranty		
Section 2035	Purpose, Applicability, and Definitions.	12/22/21
Section 2036	Defects Warranty Requirements for 1979 Through 1989 Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles; 1979 and Subsequent Model Motorcycles and Heavy-Duty Vehicles; and Motor Vehicle Engines Used in Such Vehicles; and 2020 and Subsequent Model Year Trailers.	12/22/21
Chapter 2 Enforcement of Vehicle Emission Standards and Surveillance Testing		
Article 2.1 Procedures for In-Use Vehicle Voluntary and Influenced Recalls.		
Section 2111	Applicability.	12/22/21
Section 2112	Definitions.	12/22/21
Section 2113	Initiation and Approval of Voluntary and Influenced Emission-Related Recalls.	12/22/21
Section 2114	Voluntary and Influenced Recall Plans.	12/22/21
Section 2115	Eligibility for Repair.	12/22/21
Section 2116	Repair Label.	12/22/21
Section 2117	Proof of Correction Certificate.	12/22/21
Section 2118	Notification.	12/22/21
Section 2119	Recordkeeping and Reporting Requirements.	12/22/21
Article 2.2 Procedures for In-Use Vehicle Ordered Recalls.		
Section 2123	Initiation and Notification of Ordered Emission-Related Recalls.	12/22/21
Section 2125	Ordered Recall Plan.	12/22/21
Section 2126	Approval and Implementation of Recall Plan.	12/22/21
Section 2127	Notification of Owners.	12/22/21
Section 2128	Repair Label.	12/22/21

Section 2129	Proof of Correction Sticker.	12/22/21
Section 2130	Capture Rates and Alternative Measures.	12/22/21
Section 2131	Preliminary Tests	12/22/21
Section 2133	Recordkeeping and Reporting Requirements.	12/22/21
Article 2.3 In-Use Vehicle Enforcement Test Procedures.		
Section 2137	Vehicle, and Engine, and Trailer Selection.	12/22/21
Section 2139	Testing.	12/22/21
Article 2.4 Procedures for Reporting Failure of Emission-Related Components.		
Section 2141	General Provisions	12/22/21
Section 2142	Alternative Procedures	12/22/21
Section 2143	Failure Levels Triggering Recall and Corrective Action.	12/22/21
Section 2144	Emission Warranty Information Report.	12/22/21
Section 2145	Field Information Report.	12/22/21
Section 2146	Emissions Information Report.	12/22/21
Section 2147	Demonstration of Compliance with Emission Standards.	12/22/21
Section 2148	Evaluation of Need for Recall.	12/22/21
Section 2149	Notification and Subsequent Action.	12/22/21
Article 5 - Procedures for Reporting Failures of Emission-Related Equipment and Required Corrective Action		
Section 2166	General Provisions.	12/22/21
Section 2166.1	Definitions	12/22/21
Section 2167	Required Recall and Corrective Action for Failures of Exhaust After-Treatment Devices, On-Board Computers or Systems, Urea Dosers, Hydrocarbon Injectors, Exhaust Gas Recirculation Valves, Exhaust Gas Recirculation Coolers, Turbochargers, Fuel Injectors.	12/22/21
Section 2168	Required Corrective Action and Recall for Emission-Related Component Failures.	12/22/21
Section 2169	Required Recall or Corrective Action Plan.	12/22/21
Section 2169.1	Approval and Implementation of Corrective Action Plan.	12/22/21
Section 2169.2	Notification of Owners.	12/22/21
Section 2169.3	Repair Label.	12/22/21
Section 2169.4	Proof of Correction Certificate.	12/22/21

Section 2169.5	Preliminary Tests.	12/22/21
Section 2169.6	Communication with Repair Personnel.	12/22/21
Section 2169.7	Recordkeeping and Reporting Requirements.	12/22/21
Section 2169.8	Extension of Time.	12/22/21

(f) Reporting requirements.

- (1) For the purposes of determining compliance with the requirements set forth in subdivision (c)(1) of this section, commencing with the 2027 model year, each manufacturer shall submit annually to the Department, by May 1, of the calendar year succeeding the end of the model year, a report which demonstrates that such manufacturer has met the fleet average emissions requirements for its fleet delivered for sale in Connecticut.
- (2) For the purposes of determining compliance with the requirements set forth in subdivision (c)(2) of this section, commencing with the 2027 model year, each manufacturer shall submit annually to the Department, by May 1, of the calendar year succeeding the end of the model year, a report which demonstrates that such manufacturer has met sales requirements for its fleet delivered for sale in Connecticut.

(g) Enforcement.

- (1) Each manufacturer shall provide to the commissioner upon request a copy of the California Executive Order and Certificate of Conformity relating to certification of new motor vehicles for each engine family to be sold in the State of Connecticut. To the extent such reports are available electronically, the manufacturer shall submit such records in an electronic format acceptable to the commissioner.
- (2) For the purposes of determining compliance with this section, the commissioner may require any vehicle manufacturer subject to this section to submit any documentation the commissioner deems necessary to the effective administration and enforcement of this section, including, but not limited to, all certification materials submitted to CARB.
- (3) Any manufacturer that fails to retire an appropriate amount of ZEV or NLEV credits as specified in California Code of Regulations, Title 13, section 1963.3(c) and does not make up such deficits within the specified time allowed by section 1963.3(b) shall be subject to enforcement from the date on which the deficit is not balanced as specified in the time allowed by California Code of Regulations, Title 13, section 1963.3(b).

(h) Warranty requirements.

- (1) For all 2027 and subsequent model year vehicles subject to the provisions of this section, each manufacturer shall provide a warranty to the ultimate purchaser and each subsequent purchaser that complies with the requirements set forth in California Code of Regulations, Title 13, sections 2035 and 2036.

- (2) For all 2027 and subsequent model year vehicles subject to the provisions of this section, each manufacturer shall include the emission control system warranty statement that complies with the requirements set forth in California Code of Regulations, Title 13, section 2035, modified, as may be necessary, to inform Connecticut vehicle owners of the applicability of the California warranty. The manufacturer shall also provide a telephone number on such statement appropriate for use by the State of Connecticut.

(i) Recalls.

- (1) For all 2027 and subsequent model year vehicles subject to the provisions of this section, each manufacturer shall undertake an action in the state of Connecticut equivalent to that required by any order or enforcement action taken by CARB, or any voluntary or influenced emission-related recall initiated by any manufacturer pursuant to or required by California Code of Regulations, Title 13, sections 2123 through 2133 and 2167 through 2169, unless within thirty (30) days of CARB approval of such recall, the manufacturer demonstrates to the commissioner that such recall is not applicable to vehicles registered in the State of Connecticut.
- (2) Approval of a recall plan by CARB shall constitute approval by the commissioner.
- (3) For vehicles subject to an action pursuant to subdivision (1) of this subsection, each manufacturer shall notify owners of vehicles registered in the State of Connecticut in accordance with the requirements set forth in California Code of Regulations, Title 13, sections 2118 or 2127, provided that such notification shall contain a telephone number appropriate for use by vehicle owners or operators in the State of Connecticut.

(j) One Time Large Entity Reporting Requirement.

- (1) All fleet owners subject to the requirements of subsection (b)(2) of this section shall submit information set forth in subdivisions (3) and (4) of this subsection to the Department by April 1, 2024. Vehicle data must be reported as the fleet was comprised on a date of the fleet owner's choosing any time after January 1, 2023.
- (2) The fleet owner or responsible official shall maintain the records associated with this one-time reporting requirement until December 31, 2028.
- (3) A fleet owner shall submit the following information on a form specified by the Commissioner:
 - (A) Information regarding ownership of the fleet;
 - (B) Information regarding the fleet composition, use, fuel usage and vehicles miles traveled annually for the fleet; and
 - (C) Information regarding the facility or facilities at which the fleet is located.
- (4) Consistent with the requirements specified in Title 13, California Code of Regulations, sections 2012.1 and 2012.2, the commissioner may request additional or clarifying information from a fleet owner for the purpose of this section. Such additional or clarifying information shall be submitted to the Department no later than forty-five (45) days from the date of receipt of such request.

(k) Early Compliance Credit.

- (1) Beginning with the 2024 model year, any manufacturer that produces on-road vehicles over 8,500 pounds GVWR for sale in Connecticut may generate, bank, and trade ZEV and NZEV credits for such vehicles pursuant to California Code of Regulations, Title 13, Section 1963.2.

(l) Incorporation by reference. Availability and interpretation of referenced material.

- (1) In accordance with the provisions of section 22a-174g(c) of the Connecticut General Statutes, this section incorporates by reference certain sections of Title 13, California Code of Regulations relating to the implementation and the administration of the Advanced Clean Trucks Rule and Heavy-Duty Engine and Vehicle Omnibus Regulation, and their effective dates, in table 37-1 in subsection (e) of this section.
- (2) Copies of the relevant sections of Title 13, California Code of Regulations incorporated by reference in this section are available by contacting:

Connecticut Department of Energy and Environmental Protection
Bureau of Air Management
Planning & Standards Division
79 Elm Street
Hartford, Connecticut 06106
(860) 424-4152

- (3) For purposes of applying the incorporated sections of the California Code of Regulations, unless clearly inappropriate, “California” shall mean “Connecticut.”
- (4) Nothing in the provisions incorporated by reference from the California Code of Regulations shall affect the Department's authority to enforce statutes, rules, and permits, or any orders administered or issued by the Commissioner.

(m) Severability.

Each provision of this section is deemed severable, and in the event that any provision of this section is held to be invalid, the remainder of this section shall continue in full force and effect.

Statement of Purpose

Connecticut is proposing adoption of these regulations for the purpose of improving air quality and public health to meet federal National Ambient Air Quality Standards and to gain the associated health benefits of emissions reductions as outlined in “[An Assessment of Connecticut’s Need to Adopt California’s Medium and Heavy-Duty Vehicle Emission Standards.](#)”