

**RULE 1194. COMMERCIAL AIRPORT GROUND ACCESS**

(a) Purpose

For all public and private fleets that provide passenger transportation services out of commercial airports operating in the South Coast Air Quality Management (District), this rule requires passenger car, light-duty truck, medium-duty transit vehicle, and heavy-duty transit vehicle fleet operators to acquire cleaner burning or alternative-fueled vehicles to reduce air toxic and criteria pollutant emissions when procuring or leasing these vehicles in the District unless otherwise exempt.

(b) Applicability

This rule applies to all public and private fleet operators of fifteen (15) or more vehicles operated by the airport authority or any other public or private fleet operators that transport passengers from commercial airports located in the District. This rule shall not apply to public or private fleet operators subject to Rules 1191, 1192, 1193, [adopted June 16, 2000], 1195 [*proposal for school buses*], 1196 [adopted October 20, 2000], and 1186.1 [adopted August 18, 2000].

(c) Definitions

For purposes of this rule, the following definitions shall apply:

- (1) AIRPORT FLEET OPERATOR is a person who owns, leases, or operates vehicles at commercial airports located in the District for the express purpose of transporting passengers. A person is a public agency that is responsible for airport transportation operation; or any private individual firm, association, franchise, cooperative, organization, partnership, business trust corporation, company, contractor, user, or owner that operates at commercial airports and provides transportation services including taxicab, limousine, passenger shuttles, and courtesy shuttle transportation such as those provided by private vehicle leasing and rental agencies and hotels, or transports passengers to and from commercial airports and/or granted approval by the commercial airport authority to pick up passengers within the jurisdictional boundaries of a commercial airport.

- (2) ALTERNATIVE-FUELED VEHICLE means a light- or medium-duty vehicle, or heavy-duty transit vehicle or engine that is not powered by gasoline or diesel fuel.
- (3) COMMERCIAL AIRPORT AUTHORITY means any oversight entity that regulates the operations in and out of a commercial airport. A commercial airport authority may be a commission such as an airport or taxicab commission, County Board of Supervisors, or city council.
- (4) DMV means California Department of Motor Vehicles.
- (5) FLEET VEHICLES means any vehicles including passenger cars, light-duty trucks, or medium- and heavy-duty on-road vehicles used to provide public transportation, owned, leased, or operated by an public or private airport fleet operator that totals 15 or more vehicles. In addition, only those vehicles operated substantially or dedicated to operate at all commercial airports should be counted when accounting for the number of fleet vehicles operating at commercial airports. An airport fleet operator may own, lease, or operate vehicles out of several commercial airports in the District and all vehicles operated by the operator shall be added together in calculating the total number of fleet vehicles.
- (6) HEAVY-DUTY TRANSIT VEHICLE means any vehicle having a gross vehicle weight of at least 14,000 pounds that is used for the express purpose of providing public transportation or employee transportation.
- (7) MEDIUM-DUTY VEHICLE means any vehicle having a gross vehicle weight of more than 6,000 pounds and less than 14,000 pounds that is used for the express purpose of providing public transportation or employee transportation.
- (8) PASSENGER CAR means any vehicle designed primarily for transportation of persons and having a design capacity of twelve (12) persons or less. A passenger van or minivan is considered a passenger car for the purposes of this rule.
- (9) SUPER-ULTRA-LOW-EMISSION VEHICLE (SULEV) means any vehicle certified to super-ultra-low-emission standards set forth in the “California Exhaust Emission Standards and Test Procedures for 1988-2000 Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles” and “California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty

- Trucks, and Medium-Duty Vehicles,” as incorporated by reference in Sections 1960.1(k) and 1961(d), Title 13, California Code of Regulations.
- (10) ULTRA-LOW-EMISSION VEHICLE (ULEV) means any vehicle certified to ultra-low-emission standards set forth in the “California Exhaust Emission Standards and Test Procedures for 1988-2000 Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles” and “California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles,” as incorporated by reference in Sections 1960.1(k) and 1961(d), Title 13, California Code of Regulations.
- (11) VEHICLE means any self-propelled, motorized device that is permitted to operate on public roads through DMV registration.
- (12) ZERO-EMISSION VEHICLE (ZEV) means any vehicle certified to the zero-emission standards set forth in the “California Exhaust Emission Standards and Test Procedures for 2003 and Subsequent Model Zero-Emission Vehicles, and 2001 and Subsequent Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes,” as incorporated by reference in Section 1962(d), Title 13, California Code of Regulations.
- (d) Fleet Purchase Requirements
- (1) Beginning July 1, 2001, for airport fleet operators providing limousine or transit shuttle services out of commercial airport terminals to the public through the collection of fares or fees, or provide courtesy pickup services out of commercial airport terminals, all new purchases or leases of passenger cars or medium-duty vehicles used to pick up passengers at commercial airport terminals shall be a vehicle that has been certified by CARB that meets the ULEV, SULEV, or ZEV emission standards when adding or replacing a passenger car or medium-duty vehicle to their fleet.
- (2) For shuttle van services that provide multiple-party passenger transportation services to commercial airport terminals and do not operate on fixed or scheduled routes:
- (A) Beginning July 1, 2001, 50 percent of all new purchases or leases of vehicles used to transport passengers in and out of commercial airport terminals, shall be vehicles that are certified by CARB to

meet ULEV, SULEV, or ZEV emission standards when adding or replacing a passenger car or medium-duty vehicle to their fleet.

- (B) Beginning July 1, 2002, 100 percent of all new purchases or leases of vehicles used to transport passengers in and out of commercial airport terminals, shall be vehicles that are certified by CARB to meet ULEV, SULEV, or ZEV emission standards when adding or replacing a passenger car or medium-duty vehicle to their fleet.
- (3) Beginning July 1, 2001, for airport fleet operators providing transit shuttle services to the public in and out of airport terminals to airport parking lots, car rental lots, or hotels/motels, all new heavy-duty transit vehicle purchases or leases shall be alternative-fueled vehicles when adding or replacing transit vehicles to their vehicle fleet.
- (4) Beginning January 1, 2002, for airport fleet operators providing taxicab pickup services out of commercial airport terminals through the collection of fares or fees, all new purchases or leases of passenger cars or medium-duty vehicles used to pick up passengers at commercial airport terminals shall be a vehicle that has been certified by CARB that meets the ULEV, SULEV, or ZEV emission standards when adding or replacing a passenger car or medium-duty vehicle to their fleet.
- (5) Vehicles acquired pursuant to paragraph (d)(4) must be operated within the South Coast Air Quality Management District for a minimum of three years if funding to offset the purchase cost, less \$10,000 in accordance with paragraph (e)(3), was made available.
- (6) Prior to January 1, 2002, airport fleet operators voluntarily purchasing an alternative-fueled vehicle meeting requirements of paragraph (d)(4) after adoption of this rule, may apply for funding to offset the purchase cost, less \$10,000 in accordance with paragraph (e)(3).

(e) Exemptions

The provisions of this rule shall not apply to the following:

- (1) Buses used for the express purpose of providing long-distance service (out-of-District), that are generally equipped with luggage compartments, restrooms, and overhead storage.
- (2) Upon demonstration to the Executive Officer, any vehicles as required pursuant to paragraph (d) for which no alternative-fuel engine and chassis configuration is available commercially or could be used.

- (3) An airport fleet operator who provides taxicab pickup services at commercial airport terminals may purchase a light- or medium-duty vehicle that is not certified by CARB as ULEV or cleaner if the SCAQMD or its designated agent has not provided sufficient funding to fully offset the purchase cost of an alternative-fueled vehicle that complies with paragraph (d)(4) less \$10,000 (paid by or on the behalf of the airport fleet operator):
- (A) within 10 working days after notification by the airport fleet operator of the intent to purchase such vehicle and the airport fleet operator has provided documentation that the \$10,000 is immediately available for purchase of the rule compliant vehicle, or
  - (B) within two working days after the airport fleet operator has notified the SCAQMD or its designated agent in the event that the taxicab vehicle to be replaced is rendered inoperable due to a roadside accident and would require immediate replacement of the taxicab vehicle. In addition, the airport fleet operator must demonstrate that the \$10,000 to be provided by the airport fleet operator is immediately available for purchase of the rule compliant vehicle.
  - (C) Notwithstanding the provisions in paragraphs (e)(3)(A) or (e)(3)(B), the airport fleet operator shall be responsible to pay for the cost of converting the new rule compliant vehicle to meet applicable taxicab vehicle specifications and all other incidental costs including but not limited to, sales tax on the \$10,000 provided by the airport fleet operator, license, and registration fees.
  - (D) An airport fleet operator qualifying for a non-rule compliant vehicle as provided in paragraphs (e)(3)(A) or (e)(3)(B) shall purchase the non-rule compliant vehicle within 10 working days after being notified that such vehicle could be purchased or reapply for co-funding pursuant to paragraphs (e)(3)(A) or (e)(3)(B).
- (4) Vehicles not certified by CARB as ULEV or cleaner that are converted to be wheelchair accessible (to meet regulations set by the Commercial Airport Authority and all Americans with Disability Act of 1990 requirements, including door height overhead clearance as well as ramp or

lift design specifications) for the purpose of providing taxicab pickup services at commercial airport terminals.

**(f) Compliance Auditing and Enforcement**

- (1) The fleet operator shall provide at the request of the District any files and/or records created to comply with subdivision (d) including fleet-specific purchase information, such as a list of official DMV registrations, and manufacturer, model-year, model, engine family number, and fuel type of each fleet vehicle. The fleet operator shall keep all required records for a minimum of two years.
- (2) Any fleet operator seeking an exemption under subdivision (f) shall supply proof that their fleet is exempted from this rule when requested by the District.

**(g) Severability**

If any provision of this rule is held by judicial order to be invalid, or invalid or inapplicable to any person or circumstance, such order shall not affect the validity of the remainder of this rule, or the validity or applicability of such provision to other persons or circumstances. In the event any of the exceptions to this rule is held by judicial order to be invalid, the persons or circumstances covered by the exception shall instead be required to comply with the remainder of this rule.