

Proposed Zero-Emission Forklift Regulation
Summary of Recent Changes Made to the Draft Regulatory Language

July 6, 2022

Since the last Discussion Draft was released for the February 22, 2022 Public Workgroup, staff has developed a new working version of the draft regulatory language. The following is a bulleted summary of the changes that have been made:

- New definitions were added to accommodate new regulatory concepts, including “Aggregated Operations,” “Small Fleet,” and “Large Fleet.”
- Existing definitions were refined, including “Lift Capacity” and “Rough Terrain Forklift.”
- Separate phase-out schedules were introduced for Class IV and Class V forklifts (and associated provisions were updated) in response to feedback from stakeholders as summarized below:
 - (1) Capping provision was added, limiting a fleet’s turnover obligation to 25 percent per year for Class IV forklifts for the first 4 years of the phase-out and 15 percent per year for Class V forklifts for the first 6 years of the phase-out.
 - (2) Class IV phase-out timeframe was reduced from 13 years to 10 years.
 - (3) Class V start of phase-out was delayed by 3 years to 2029 for Small Fleets (≤25 forklifts).
 - (4) Reporting requirements were reduced.
- Rental agency provisions were modified so that such entities would also be required to turn over their spark-ignited forklifts in accordance with a phase-out schedule like fleet operators.
 - (1) Fleets renting forklifts would no longer be subject to the annual 30-day limit.
 - (2) Rental agencies no longer would need to report individual transactions to the California Air Resources Board.
- A product delay compliance extension was added, which would allow additional time to comply with an applicable phase-out for fleets that have ordered zero-emission forklifts but are experiencing a delay in delivery.
- Warranty requirements for manufacturers were removed due to feedback from stakeholders.
- A provision was added that would hold an entity responsible for non-compliant forklifts used by a fleet in the performance of a job for which the fleet was hired by said entity.

Note: Like the previous version, the current version of draft regulatory text would restrict the sale and purchase of used spark-ignited forklifts in California after January 1, 2026. Staff is considering the removal of such restriction from the proposal and is currently evaluating the potential emissions impact of such change.

The updated draft regulatory language is available upon request, and CARB staff welcomes stakeholder review of this language. If you would like to obtain a copy, please email zeforklifts@arb.ca.gov.