RULE 2202 – ON-ROAD MOTOR VEHICLE MITIGATION OPTIONS

IMPLEMENTATION GUIDELINES

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I. BACKGROUND

A. SUMMARY

Rule 2202 has been designed to reduce emissions from motor vehicles used by employees for commute purposes. The Rule provides employers with a menu of options that they can choose from to implement and meet the emission reduction target (ERT) for their worksite.

The purpose of this document is to provide guidelines for compliance with the provisions of Rule 2202. The various emissions reduction strategies and trip reduction strategies currently contained in the Rule that employers can implement and receive credit towards their ERTs are listed below.

Emission Reduction Strategies
(Subdivision (f))

- Mobile Source Emission Reduction Credits (MSERCs) (Regulation XVI)
- Air Quality Investment Program
- Short Term Emission Reduction Credits (STERCs) from Stationary Sources (Regulation XIII)
- Emission Reduction Credits (ERCs) from Stationary Sources (Regulation XIII) approved for transfer prior to June 6, 2014.
- Area Source Credits (Regulation XXV)

Trip Reduction Strategies
(Subdivision (g))

- Peak Commute Trip Reductions
- Other Work-Related Trip Reductions
- Off-Peak Commute Trip Reductions
- Vehicle Miles Traveled (VMT) Programs

The Rule 2202- On-Road Motor Vehicle Mitigation Options Implementation Guidelines outlines the framework, calculation methodology, and criteria used in determining emission reductions credits and vehicle trip emission credits (VTECs) that can be applied towards meeting emission reduction targets (ERT).

An employer would comply with the provisions of the rule by submitting an Emission Reduction Strategy (ERS). The ERS submittal will describe the ERT calculation and how it will be implemented to meet the worksite's ERT.

As an alternative to meeting the ERT at their worksite, the Rule allows the employers to implement an optional Employee Commute Reduction Program (ECRP). Implementation details of this optional program are included in the ECRP Guidelines.

B. EMISSION REDUCTION TARGET (ERT)
(R2202, subdivision (e))

Employers subject to Rule 2202 are required to implement an emission reduction program and meet an annual ERT for Volatile Organic Compounds (VOC), Oxides of Nitrogen (NOx) and Carbon Monoxide (CO). Figure I-1 outlines the equation used to determine the ERT for each pollutant.

$$\begin{bmatrix}\text{Emission}\\ \text{Reduction Target}\\ \text{(lbs/year}\end{bmatrix} = \left[[\text{Employees}] \times \begin{bmatrix}\text{Employee Emission}\\ \text{Reduction Factor}\end{bmatrix}\right] - [\text{VTEC}]$$

The employer's emission reductions can be further reduced through generation of Vehicle Trip Emission Credits (VTECs) from the implementation of optional trip reduction strategies. These VTECs, obtained through peak and off-peak commute trip reductions, other work-related trip reductions, or vehicle miles traveled (VMT), can be applied towards meeting an employer's ERT. Credit for any program must go beyond the requirements of existing state and federal programs to avoid "double counting" the emission reductions. All emission credits are valid according to the conditions, guidelines, or regulations under which they were originally issued.

C. POLLUTANTS CONSIDERED

Vehicle trips are responsible for the emissions of VOC, NOx, and CO. Most trip reduction programs reduce emissions by similar relative amounts. Emission reduction strategies, however, aimed primarily at reducing emissions rather than trips, may reduce emissions by different relative amounts. Rule 2202 is designed to reduce emissions of VOC, NOx, and CO, by an equal or greater amount to that achievable through trip reduction. Rule 2202 allows employers to select and implement a combination of emission reduction strategies and meet the site-specific ERTs for VOC, NOx, and CO.

II. EMISSION REDUCTION STRATGIES

The emission reduction strategies considered in this document may include old-vehicle scrapping, clean on-road vehicles, clean off-road vehicles, other programs under Regulation XVI, STERCs, area source credits, and the air quality investment program. In addition, companies can meet the emission reduction requirements, in whole or in part, by obtaining sufficient VTECs.

A. Mobile Source Emission Reduction Program Credits (MSERCs)
(R2202, paragraph (f)(1))

Any person may elect to use mobile source emission reduction credits (MSERCs) issued in accordance with the provisions of Regulation XVI - Mobile Source Offset Programs. Regulation XVI sets forth the requirements that are based on voluntary programs that achieve emission reductions beyond those required by local, state and federal regulations or programs. Any person may generate MSERCs through the voluntary implementation of any Regulation XVI program and apply them toward meeting the ERT for their worksite or trade and/or sell them to other persons. Alternatively, employers that have a shortfall in meeting their ERTs can purchase surplus MSERCs from other employers or a credit vendor. Credits issued under Regulation XVI programs are subject to the quantification, issuance, and credit life restriction of the applicable rules and may be used for Rule 2202 as well as other South Coast AQMD rule compliance that authorizes such use.

B. Short Term Emission Reduction Credits (STERCs)
(R2202, paragraph (f)(3))

Employers may elect to use STERCs issued in accordance with Regulation XIII – New Source Review. In order for STERCs to be used to meet employers' emission reductions target or as part of an Air Quality Investment Program, the following apply for purposes of use in Rule 2202:

1. Only STERCs issued in accordance with Rule 1309 - Emission Reduction Credits and Short Term Credits shall be allowed for use in Rule 2202.
2. STERCs are subject to the application, eligibility, registration, use, and transfer requirements in Rule 1309.
3. STERCs issued pursuant to Rule 1309 may be used only if the original ERC was generated on or after January 1, 1996. The credit generation date is defined as the original date the South Coast AQMD issued the official Certificate of Title, not the date when the emission reductions occurred or when the ERC or Certificate was split or transferred.
4. For the purposes of Rule 2202, STERCs will be converted into annual emissions (lbs/year). The average number of operating days used in the original ERC evaluations shall be the basis for converting the STERC to annual emissions. If the number of operating days is unspecified, the default value of 260 days will be used for the number of operating days. Such conversions shall be done at the time when the STERCs are transferred to the Rule 2202 program.
5. STERCs, issued pursuant to Rule 1309(f), shall be transferred into the Rule 2202 program as one year increments.

6. Any person transferring a STERC into Rule 2202 shall submit an application for the transfer of each certificate and pay the applicable per certificate transfer fees in accordance with Rule 301 – Permitting and Associated Fees. Upon approval and transfer into the Rule 2202 program the original Certificate of Title shall be cancelled and the cancellation recorded in the NSR Register of Title.
7. STERCs can only be used in the Rule 2202 program during the specific calendar year for which the STERC is valid.
8. STERCs in the Rule 2202 program may be divided among several worksites.
9. The permanent credit portion of the STERC, if any, issued pursuant to Rule 1309(f)(1), are subject to the requirements below governing ERCs.

C. Emission Reduction Credits (ERCs)

(R2202, paragraph (f)(2))

Employers may elect to use ERCs that were approved for transfer into the program before June 6, 2014 and were issued in accordance with Regulation XIII. In order for ERCs to be used to meet an employer's emission reduction target or as part of an Air Quality Investment Program, the following apply for purposes of use in Rule 2202:

1. ERCs that have been transferred into the Rule 2202 program shall permanently remain in the program, unless specified pursuant to section C.2. below.
2. The original ERC certificate may be transferred out of the Rule 2202 program at any time in accordance with the following conditions:
    a. None of the original ERC certificate has ever been used in any discrete year to comply with any requirement of this rule since the initial transfer into the Rule 2202 program;
    b. The applicant submits an application for transfer and applicable fees, and receives approval of the Executive Officer, based on a determination that none of the original ERC certificate has been used. Upon approval by the Executive Office and reissuance of an ERC certificate, the ERCs may be used in any District program authorizing use of such ERCs except Rule 2202; and,
    c. The amount of ERC certificate to be reissued in pounds per day shall be based on the amount that was transferred into Rule 2202 minus the 10% originally discounted when the ERC was initially transferred into the program.
3. For purposes of Rule 2202, ERCs shall be converted into an annual allocation of pounds per calendar year. The average number of operating days used in the original ERC evaluations shall be the basis for converting the ERC pounds per day (lbs/day) to the annual allocation (lbs/year). If the number of operating days is unspecified, the default value of 260 days will be used for the number of operating days. Such conversions shall be done at the time when the ERC is transferred to the Rule 2202 program.
4. Annual allocations are only available for use in the calendar year for which it was allocated. Unused portions of the annual allocation cannot be banked or rolled over for future use. The annual allocation may be divided and used by multiple employers for meeting their ERT.

5. The initial annual allocation shall be based on the date the ERC Certificate of Title was transferred into the Rule 2202 program.
6. Effective January 1, 2015, the existing broker account ERCs will be annually discounted beginning the eighth year after the initial date of transfer into Rule 2202 and shall have their initial 10% discount restored on January 1st of the eighth year. The initial 10% discount was taken in accordance with South Coast AQMD policies for the transfer of ERC into Rule 2202.
7. Each year on January 1st, the annual discount shall be determined by the percent change between the year of use and the previous year emission factors expressed as pounds per year per daily commute vehicle as determined by the most recent California Air Resources Board (CARB) and U.S. Environmental Protection Agency (U.S. EPA) approved EMFAC emission model as follows:

$$\begin{bmatrix}\text{Current Year}\\\text{Annual Allocation}\end{bmatrix} = \begin{bmatrix}\text{Previous Year}\\\text{Annual Allocation}\end{bmatrix} \times \left[\frac{ef_{current\ year}}{ef_{previous\ year}}\right]$$

Where:

ef =	Emission factor in pounds/year/daily commute vehicle
$ef_{current\ year}$ =	Emission factor for the current year of use
$ef_{previous\ year}$ =	Emission factor for the year immediately prior to the current year of use

The annual discount percentages (i.e., $ef_{current\ year}/ef_{previous\ year}$) will be published annually.

8. If Rule 2202 is rescinded, all ERCs held in the Rule 2202 program shall be permanently retired and will no longer be available for use unless otherwise specified in section C.2. above.

D. Area Source Credits (ASCs)

(R2202, paragraph (f)(4))

Regulation XXV - Intercredit Trading provides an opportunity for employers to generate or obtain emission reductions from alternative sources and apply them towards meeting the ERT for their worksite or trade them to other employers or persons in accordance with paragraph (f)(4) of the Rule. Regulation XXV emission credits that are used in Rule 2202 are subject to the same limitations on quantification, credit issuance, credit life, and eligibility, as set forth in that regulation.

Area source credit generation is a voluntary program and provides a mechanism to convert emission reductions from non-permitted stationary sources into tangible emission credits. Area sources include a wide variety of sources, such as small combustion equipment including engines, heaters, and boilers.

E. Air Quality Investment Program (AQIP)
(R2202, paragraph (f)(5))

Employers may participate in the AQIP by submitting an air quality investment, to be placed in a restricted fund as set forth in Rule 311 - Air Quality Investment Program Fees.

The South Coast AQMD Executive Officer will recommend to the South Coast AQMD Governing Board the release of request for proposals (RFP) or program announcement to solicit projects that will achieve the emission reduction targets for a given compliance period. At a minimum, the release will be on an annual basis.

Proposals for using monies from the Rule 2202 AQIP restricted fund will be accepted by the South Coast AQMD Executive Officer on, at a minimum, an annual basis. The South Coast AQMD Executive Officer will determine the amount of emission reductions required to demonstrate equivalent emissions reductions and the amount that will be achieved by the proposal. The quantification protocols shall be consistent with conditions specified under Section F. Other Emission Reductions Strategies. The Executive Officer will then recommend to the Governing Board proposals that achieve equivalent emissions reductions. The Executive Officer may use inter-pollutant crediting to achieve emissions equivalent to the level of the employers' participation. The AQIP emission reduction commitment will be based on the rule emission factors for the current year in question regardless of when the initial monies were placed into the program. In addition, the Executive Officer will recommend that the allocation of funding for proposals that reduce equivalent emissions within each county be proportional to the contribution level of employers within each county to the greatest extent feasible.

F. Other Emission Reduction Strategies
(R2202, paragraph (f)(6))

Any person may submit an application, pursuant to paragraph (f)(6) of the Rule, to generate VOC, NOx, and CO emission reductions from alternative emission reduction projects for use in Rule 2202. Applications, with complete information, shall be submitted at least 30 days prior to implementing an emission reduction project. The Executive Officer shall approve or disapprove the application and any subsequent revisions in writing within 90 days of submittal.

1. The application shall be submitted on a form specified by the South Coast AQMD, and at a minimum include the following:
    a. Project description;
    b. Name and address of the applicant;
    c. Name and address of the owner and/or operator of the equipment;
    d. Identification of the geographical area(s) served by the project;
    e. Equipment description (including manufacturer specifications, certification data, etc.);
    f. Project start date;
    g. Project life;
    h. Activity level (such as, hours of operation, fuel usage, odometer mileage);
    i. Estimated emission reductions;

j. Emission reduction calculations, description of methodology used and references; and
k. Monitoring, recordkeeping and reporting methods, including methods for tracking project emission reductions.

2. The alternative emission reduction project shall be subject to the following conditions:
   a. For meeting District regulatory requirements, the credits issued under paragraph (f)(6) shall only be used for R2202, and shall be subject to all provisions of Rule 2202.
   b. The South Coast AQMD shall approve all emission reductions prior to use.
   c. The emission reductions shall be valid for two years from the date of South Coast AQMD approval unless otherwise specified in the approved emission reduction quantification protocols developed in paragraphs 2d. and 2e. below.
   d. The emission reduction quantification shall be based on applicable South Coast AQMD rules and regulations, approved methodologies, Governing Board policies and guidelines, and the guidelines and methodologies established by CARB and U.S. EPA. The emission reduction quantification protocol shall be reviewed by the Governing Board Mobile Source Committee.
   e. If there is no applicable protocol, an emission reduction quantification protocol shall be developed. The proposed emission reduction quantification protocol shall be presented to the Governing Board Mobile Source Committee for review and approval.
   f. Emission reductions generated under this provision shall not be the result of funding from any other South Coast AQMD, state or federal program that prohibits the use of such reductions for other purposes (e.g., AB2766 subvention funding, Carl Moyer, etc.).
   g. Emission reductions achieved by the project shall be based on the actual operation of the equipment as provided in the emission reduction quantification protocol.
   h. Emission reductions may be issued quarterly or semi-annually, based on the actual activity level for the previous quarter or six-months.
   i. Emission reductions may be held in a broker account, for tracking purposes, until transferred to an employer for rule compliance purposes.
   j. The application shall be deemed a plan, and plan fees shall be assessed in accordance with Rule 308 – On-Road Motor Vehicle Mitigation Options Fees.
   k. Emission reductions generated from projects that are in excess of those designated for Rule 2202 compliance may be used for other purposes subject to the approval of the Executive Officer.

South Coast AQMD staff is available to work with project proponents to develop emission reduction protocols and intends to compile protocols, when available, to ensure public accessibility.

G. Employee Commute Reduction Program (ECRP)
(R2202, paragraph (f)(7))

Any employer may elect to implement an ECRP. The implementation of an ECRP is expected to lead to achievement and maintenance of the employer's designated Average Vehicle Ridership (AVR) target, determined by the worksite's AVR Performance Zone pursuant to Rule 2202 (f)(7) through the reduction of employee vehicle trips. The ECRP compliance option is further detailed in the Rule 2202 ECRP Guidelines.

H. General Emission Credit Provisions
(R2202, subdivisions (h))

Employers that implement an emission reduction program and have surplus emission reductions with respect to some of the pollutants can use them towards their future ERT or trade or sell them to other employers in accordance with subdivision (h) of Rule 2202. Alternatively, employers that have a shortfall in meeting their ERTs may obtain surplus emission credits from other employers or other credit providers.

Once eligible emission credits have been transferred into the Rule 2202 program, the credits may be placed into a Rule 2202 program broker account or an employer's emission bank. Emission credits that have been transferred into the Rule 2202 program can only be transferred out of or removed from this program in accordance with subdivision (h) of Rule 2202.

I. Inter-Pollutant Crediting
(R2202, paragraph (h)(6))

Any employer or the AQIP may apply VOC or NOx emission credits in lieu of all or part of a worksite's CO emission reduction target. VOC or NOx emission credits that could be used may come from various sources such as ASCs, STERCs, ERCs in the Rule 2202 program, MSERCs, or credits generated pursuant to paragraphs (f)(5) or (f)(6) of the rule. Inter-pollutant crediting is to be used only by employers to facilitate meeting the worksite's CO emission reduction target. Inter-pollutant crediting shall only be used for compliance with an approved employer's Rule 2202 registration. Inter-pollutant crediting shall not be used to increase or build a CO emission bank. The inter-pollutant crediting ratios are:

1 pound VOC = 10 pounds CO
1 pound NOx = 6 pounds CO

For example: An employer calculated their worksite CO emission reduction target to be 100 pounds. Instead of generating or purchasing CO emission credits, the employer may implement inter-pollutant crediting by dividing the CO target by VOC ratio value of 10. Thus, 10 pounds of VOC could be used in lieu of the worksite's 100 pound CO emission reduction target. Alternatively, an employer may chose to apply NOx credits. Dividing 100 lbs of CO by 6 will result in 17 pounds of NOx that may be used in lieu of the worksite's CO emission target. Note that calculation results are to be rounded to the nearest whole pound. Employers are not limited to using only VOC or NOx and may use any combination of the two pollutants to meet the calculated emission reduction target.

J. Emission Reduction Requirements

Any proposed emission reduction strategy should contain an emissions or trip quantification methodology which follows applicable South Coast AQMD, CARB, or U.S. EPA policies and methodologies. Any proposed program may be submitted in combination with other programs, including, but not limited to, old vehicle scrapping or work-related trip reduction programs. South Coast AQMD will evaluate programs to assure that they produce emissions or trip reductions that are real, surplus, quantifiable, and enforceable.

1. Real Reductions

"Real" reductions are those that result in actual emission reductions and do not occur as a result of accounting practices, or "paper reductions." The key test in determining whether a strategy will result in real reductions is in establishing a proper emissions or trip baseline level. If, for example, facility XYZ has reduced emissions in excess of those required by the ERT, no "real" reductions will result from the establishment of ERT as a performance standard. Therefore, all quantification methodologies will be required to establish a standardized baseline condition, or use a default condition established by the Executive Officer, from which to calculate real emissions or trip reductions.

2. Surplus Reductions

"Surplus" reductions occur when an action is taken beyond existing regional, state, and federal requirements. Obtaining surplus emission reductions means the benefit of a control strategy is not "double counted." In many cases, the proposed strategy requirements overlap completely with another rule, regulation, statute, or legislation. However, by revising the strategy to become more stringent, the action would become partially creditable, or surplus. To meet this surplus criterion, all quantification methodologies will be required to include a mechanism for subtracting any regulatory overlaps with the standardized baselines established to meet the "real" criterion described earlier.

3. Quantifiable Reductions

Although transportation control measures (TCM) involve some degree of variance and uncertainty, creditable actions can be quantified through use of assumptions that are based either on case studies or on transportation supply and demand theories. Each assumption that is used to assign effectiveness or efficiency should be matched with either a case study, or on some measurable parameter. Basic "intuition," especially for indirect actions such as general education, "goodwill," or other "good faith efforts," is not sufficient. Quantifiability is the main criterion used to determine the extent of any credit discounting. Those actions which are more easily quantified, with strong assumptions, would have limited discounting applied, while the more "intuitive" actions would need to be discounted to a much greater extent.

4. Enforceable

In addition, each proposed program should include a recordkeeping mechanism for compliance verification, as outlined in Chapter IV. The enforceability component requires that all records, sufficient to demonstrate compliance, be maintained by participating companies and be made available to the South Coast AQMD upon request.

III. TRIP REDUCTION STRATEGIES

Rule 2202 offers employers the opportunity to obtain VTECs from the implementation of the following optional trip reduction strategies. These VTECs, obtained through peak-commute trip reductions, other work-related trip reduction, VMT offsets or off-peak commute trip reductions, can be applied towards meeting an employer's ERT.

A. PEAK COMMUTE TRIP REDUCTIONS

Rule 2202 provides the option to obtain credit for reducing employee commute trips. Specifically, employers can reduce trips to work that occur for the purpose of reporting to work during the morning peak congestion period (or "Peak Window") by creating incentives for ridesharing and other alternative transportation modes. VTECs shall be calculated using the formula in Figure III-1.

$$VTEC = \begin{bmatrix} \text{Creditable Commute} \\ \text{Vehicle Reductions (CCVR)} \end{bmatrix} \times \begin{bmatrix} \text{Emission Factor (EF)} \\ \text{lbs/year} \end{bmatrix}$$

Where:

CCVR = The daily average of total commute vehicle reductions that are real, enforceable, surplus, and quantifiable.

EF = Annual Emission Factor (lbs/year/daily commute vehicle)

Figure III-1. Vehicle Trip Emission Credit Generation for Work-Related Trip Reduction Programs

In calculating VTEC, employers may utilize data obtained by an alternative methodology approved in writing by the Executive Officer or designee.

B. OTHER WORK-RELATED TRIP REDUCTIONS

Employers may receive additional VTECs from employee commute reductions from peak and non-peak commutes or from non-commute vehicle usage. VTECs from Other Work-Related Trip Reductions can be calculated using the formula in Figure III-2. The conversion factor is used to convert vehicle trip reductions to commute vehicles reductions and accounts for the return trip home, and includes an additional adjustment to account for other vehicle usage reduction during and outside the peak window.

Other sources of VTEC may also be calculated, on a voluntary basis, from non-regulated worksites, non-employee such as independent contractors, or employees of other entities at the worksite that participate in the employer's trip reduction program. Additional VTEC may also be determined from reduced staffing that would reduce commute trips not as a result of any rideshare program. Reduced staffing may occur from events such as school recesses/breaks, inventory, or temporary facility closures.

The use of VTEC is subject to approval by the Executive Officer.

$$\text{VTEC} = \left[\frac{\text{Creditable Trip Reductions (CTR)}}{\text{CF}}\right] \times \left[\begin{matrix}\text{Emission Factor (EF)}\\ \text{lbs/year}\end{matrix}\right]$$

Where:

CTR =	The daily average of total one-way trip reductions that are real, enforceable, surplus and quantifiable. A round trip is considered to be two one-way trips.
CF =	2.0 for A.M. Peak Window 2.3 for Other Trips
EF =	Annual Emission Factor (lbs/year/daily commute vehicle)

Figure III-2. Vehicle Trip Emissions Credit Generation for Peak-Commute and Other Work Relate Trip Reduction Programs

C. VEHICLE MILES TRAVELED (VMT) PROGRAMS

Vehicle Miles Traveled (VMT) is an alternative metric that can be used to calculate emissions from employee commute trips and establish VMT reduction programs pursuant to Rule 2202.

Subject to approval of the Executive Officer or designee, employers may elect to implement VMT reduction programs and receive VTECs toward their ERT. Reduction of annual employee commute VMT may result from employment center relocation, video-conference centers, telecommuting centers or other alternative programs approved by the Executive Officer or designee. The Executive Officer shall not approve any VTEC program for VMT reduction unless it includes baseline VMT estimates and demonstrates that VMT reductions result in real, enforceable, quantifiable, and surplus emission reductions.

D. PARKING CASH-OUT PROGRAM

Employers may elect to implement a Parking Cash-Out Program to reduce employee commutes and receive VTEC toward meeting their ERT. Parking Cash-Out is a program where an employer offers to provide a cash allowance to an employee equivalent to the parking subsidy that the employer would otherwise pay to provide the employee with a parking space. VTEC calculation formula for this program is the same as the one used for Other Work-Related Trip Reductions.

E. EMPLOYEE COMMUTE REDUCTION PROGRAMS

Details of this voluntary compliance option are provided in a companion guidance document titled “Employee Commute Reduction Program Guidelines.”

IV. PROGRAM ADMINISTRATION

A. REGISTRATION

Employers participating in the Rule 2202 On-Road Motor Vehicle Mitigation Options emissions reduction program are required to notify the South Coast AQMD which option or options are selected through registration. Employer registration serves the purpose of both notifying the South Coast AQMD of the intent to implement options provided in the program, and also serves to identify the goals of the chosen options, including any demonstrations required. Registration shall be renewed annually.

Employers with 250 or more employees upon becoming subject to Rule 2202 shall notify the South Coast AQMD in writing within 30 days. Once the employer has notified the South Coast AQMD, within 90 days, the employer must submit a Rule 2202 registration with appropriate filing fees.

An employer's registration and the conditions under which it was approved shall remain in effect until the next approval date. Employers will not be held liable for any emission reduction shortfalls incurred due to changes in emission factors or the guidelines during those years in which the factors are updated after the registration is approved or pre-approved. Employers shall have up to 180 days from the date of receipt of their registration pre-approval letter to surrender the required emission credits to meet the worksite emission reduction target. However, the use of this provision does not change the compliance period.

B. REGISTRATION FORM

i. Employers must identify which options will be used to attain their ERT. The registration form must include information which identifies the company and the worksites affected by the emissions reduction program, including the following information: The name of the highest ranking official, the name of the contact person, company address, and telephone number for each worksite;

ii. Effective January 1, 2025, the business type/classification;

   a. Worksites will designate the primary nature of work conducted at the worksite by selecting one option from the list provided by South Coast AQMD:

Business Type/Classification	**NAICS codes**
Utilities	22
Construction	23
Manufacturing	31-33
Wholesale Trade	42
Retail Trade	44-45
Transportation and Warehousing	48-49
Information	51
Finance and Insurance	52
Real Estate and Rental and Leasing	53
Professional, Scientific, and Technical Services	54

Management of Companies and Enterprises	55
Administrative and Support and Waste Management and Remediation Services	56
Educational Services	61
Health Care and Social Assistance	62
Arts, Entertainment, and Recreation	71
Accommodation and Food Services	72
Public Administration/Government	92
Other (please specify):	

iii. The on-road vehicle mitigation option(s) that will be used;
iv. The total number of employees that report to work in the peak window;
v. The total number of employees assigned to the worksite;
vi. Effective January 1, 2025, the total VMT by employees assigned to the worksite;
  a. If an AVR survey is conducted, the total VMT will be reported on the AVR survey summary form,
  b. If an AVR survey is not conducted, the worksite will report employee home zip codes based on Human Resources (HR)/payroll records in a format provided by South Coast AQMD. Zip codes shall be reported using anonymized employee data such that specific employee names or other identifying information is not included.
vii. Effective January 1, 2025, information on telecommuting practices including, but not limited to:
  a. The total number of employees who are eligible to telecommute, the maximum number of days per week they are allowed to telecommute, the number of employees who are currently telecommuting, the average number of days per week that your employees telecommute, if any telecommute incentives are offered, and if the employees teleworking schedules are permanent, temporary or a return to office date has been set. An employer may choose to submit this information for different categories of employees at their worksite if telecommuting practices vary among the categories.
  b. A formalized telecommuting policy does not need to be developed for Rule 2202 compliance reporting purposes.
viii. Calculations for VOC, NOx, and CO emission reductions or the vehicle trip emission credit options, as applicable.

C. VTEC CALCULATIONS

Employers claiming VTECs from the implementation of the optional Vehicle Trip Reduction strategy shall include as a part of their registration all VTEC calculations. All supporting documents shall be maintained on the worksite for three years. Emission factors (i.e., pounds of pollutant per vehicle-year) to be used in the calculations are provided in this document.

D. AIR QUALITY INVESTMENT PROGRAM

South Coast AQMD's Executive Officer will determine the amount of emission reductions for air quality investment programs when proposals are submitted for approval. Individual employers seeking this safe harbor alternative are not responsible for demonstrating emissions reduction equivalency; they are only responsible for keeping records of employment, and of "in-lieu fee" submittal.

E. RECORDKEEPING

The enforceability component of the On-Road Motor Vehicle Mitigation Options program requires that all records, sufficient to demonstrate compliance, be maintained by participating companies for a period of no less than three years and made available to the South Coast AQMD upon request in order to determine compliance. Specifically, participating companies should maintain, at a minimum, a copy of the following records at all worksites:

- Registration form,
- VTEC data and calculations, and
- List of program strategies or elements used for implementation.

F. COMPLIANCE

Compliance with an alternative emission reduction program will be determined through an employer review process conducted by the South Coast AQMD. Compliance requirements for the "Employee Commute Reduction Program" exemption are included in the ECRP Guidelines.

Examples of violations of Rule 2202 would include: failure to maintain records; fabrication of records; or failure to obtain the amount of VTECs or emissions reductions identified as part of the company's registration submittal. In addition, failure to submit air quality investment "in-lieu" fees would be constituted as a violation of Rule 2202 for employers selecting this option.

G. SPECIAL PROCEDURES

1. Extensions

Any employer may request an extension to the registration due date under the following circumstances:

- If an employer needs more time to submit a registration to meet the requirements of Rule 2202, additional time may be requested from the South Coast AQMD. The request must be in writing, state the reason for the extension request, the length of time needed, and include the appropriate filing fee.
- All extension requests and fees must be received by the South Coast AQMD, no later than 15 calendar days prior to the program due date;
- Requests are considered on a case-by-case basis and are granted for reasons that are beyond the control of the employer;
- An employer may request an extension to the registration due date after the registration has been disapproved for the first time. The request must be received within 15 days of

the receipt of the registration disapproval. The South Coast AQMD will inform the employer in writing within 15 calendar days of receipt of request, whether the extension has been granted;

- An employer may, upon receipt of a written objection to the terms of the proposed registration by an employee, employee representative or employee organization; request a single extension of 30 days. A copy of the written objection should be attached to the request. One such request shall be granted by the South Coast AQMD; no subsequent extension may be granted for this purpose; and
- Any change in the permanent due date that results in additional time to submit a registration will be considered an extension of time and shall be subject to an extension filing fee.

2. Change of Ownership

In the case of ownership mergers, or change of ownership, the new owner must notify South Coast AQMD of this change within 30 days of the new ownership. The new owner must comply with all provisions of Rule 2202 and Guidelines within 90 days of the change of ownership. The new owner(s) may choose to submit a letter, instead of a new registration, which states they will continue to implement the registration or program last approved by the South Coast AQMD.

3. Relocation

Any employer relocating to a new worksite must notify the South Coast AQMD within 30 days of the relocation. Relocations fall into two categories and are explained below:

- Employers relocating within two miles of the previous worksite address may elect to continue to implement the most recently approved registration. Or, the company may elect to submit a new registration or program. The employer must inform South Coast AQMD of the preference in the notification of relocation letter.
- Employers relocating more than two miles from the previous worksite are required to submit a new registration. The employer must submit the new registration or program within 90 days of the relocation.

4. Registration Disapproval Appeals

The South Coast AQMD has 90 days to review the resubmitted registration. If the employer believes that the program meets the requirements of Rule 2202 and the Guidelines, and that the registration was improperly disapproved, the employer may appeal the disapproval to the South Coast AQMD Hearing Board. A petition for appeal of disapproval must be made within 30 calendar days after the employer receives the notice of disapproval.

5. Delay Registration Review Requests

If an employer, employee, employee representative or employee organization requests a delay in action of registration review, the request must be in writing to the South Coast AQMD within 10 days of registration submittal and cannot delay the period of time to exceed the 90th day after submittal.

6. Police, Sheriff, and Federal Field Agents

Police, Sheriff, and Federal Field Agents shall be included in the employee count for rule applicability but are not required to be included in the number of employees in the peak window and may be excluded from ridership surveys. Surveying only part of this group is not acceptable.

Federal Field Agents are employees who are employed by any federal agency whose main responsibility is national security and performs field enforcement and/or investigative functions. Examples of Federal Field Agents include, but are not limited to, field employees of Federal Bureau of Investigation (FBI), Customs and Border Protection or US Coast Guard.

7. Telecommute Employees on the AVR Survey

Telecommuting occurs when an employee works from home, off site, a satellite office, or a Telecommuting center which eliminates a trip to the worksite or reduces the commute travel distance by more than 50%. Telecommute employees are included in the employee count for rule applicability and are required to be included in the number of employees within the peak window.

Telecommute employees include employees who telecommute on a full time or hybrid schedule. Additionally, telecommuting employees include remote employees who are assigned to the regulated worksite, however, primarily live and work at locations outside of the South Coast AQMD, and physically commute to the regulated worksite less than five days a year.

Employers are required to report information on telecommute practices on a compliance form as part of their annual registration submittal. This information will include the information outlined in Section (IV)(B)(vii) above. The reported information must be validated using Human Resources (HR)/Payroll records including a HR/Payroll representative/ETC signature with the annual submittal to validate telecommute activity.

For those employers reporting telecommuting employees for compliance purposes, the following procedures for each compliance option apply:

AQIP – If a worksite selects the AQIP option, they may deduct the average number of daily telecommuters from their average peak window employee count based on HR/Payroll records. The average number of daily telecommuters will be calculated using the total number of weekly telecommute trips divided by the number of work days in the week. The worksite will be required to pay the appropriate AQIP fee per average number of daily employees that physically arrive at the worksite based on HR/Payroll records.

ERS using default AVR – If a worksite selects the ERS option, they may deduct the average number of daily telecommuters from their average peak window employee count based on HR/Payroll records. The average number of daily telecommuters will be calculated using the total number of weekly telecommute trips divided by the number of work days in the week. The worksite will use the number of average daily employees that physically arrive at the worksite in the calculation to determine the amount of emission credits required.

ERS with AVR survey or ECRP – If a worksite is conducting an AVR survey, they may report total daily telecommute trips on the AVR summary form. Total daily telecommute employee trips may be reported even if not all telecommute employees respond to the AVR survey if the telecommute employees can be validated based on HR/Payroll records. For an employee on a hybrid schedule that does not respond to the AVR survey, the ETC will mark the commute mode as “no response” for the days that the employee physically reported to the worksite and telecommute for the days that they did not physically report to the office. This ensures that the worksite will receive full credit for the total number of commute trips reduced by telecommuting.

Worksites may only use the number of telecommuters in their annual plan submittal as described above if the telecommute employee number can be validated.

8. Furloughed Employees on the AVR Survey

Furloughed employees are employees that are under a temporary, unpaid leave of absence or reduction in hours.

Furloughed employees shall be included in the employee count for rule applicability but are not required to be included in the number of employees in the peak window and may be excluded from the AVR survey.

9. Change of Status

An employer who has submitted an ERS and becomes exempt from the rule requirements during the compliance year after having received a provisional compliance letter may seek to have the worksite ERT prorated based on the actual operating days for the compliance year, prior to surrendering the required emission credits.

1. Employers seeking to prorate the worksite ERT must submit a plan amendment pursuant to Rule 2202 (i)(4) prior to the surrender of any emission credits.
2. The plan amendment for a prorated ERT must be submitted at least 15 calendar days prior to the credit submittal deadline of 180 days as stated in the provisional approval of the worksite’s compliance plan.
3. Plan amendments for a prorated ERT may be submitted after the 15 calendar day period and prior to the 180 day deadline only if the plan amendment is accompanied by a request to extend the 180 day deadline.
4. The worksite ERT proration shall be based on the number of operating days divided by 260 days per year.

5. Employers who have submitted the required emission credits are not eligible to prorate the worksite ERT and will not have any emission credits returned that have been surrendered.

10. Employee Transportation Coordinator (ETC) Training

Effective January 1, 2025, Employers must designate an employee to serve as an Employee Transportation Coordinator (ETC) for each worksite with 250 or more employees or per Multi-Site program that conducts an AVR survey. This person must successfully complete an South Coast AQMD ETC certification course.

This training provides the individual with the necessary information to conduct the survey process, prepare and implement the program, market the program and track the program results.

Employers submitting a multi-site program may designate an ETC at one worksite and designate On-Site Coordinators for all other worksites. The On-Site Coordinator is a person designated and instructed by the employer to have knowledge of the employer's ECRP and marketing methods. The On-Site Coordinator is accountable for program implementation rather than plan development. The ETC or the On-site Coordinator must be at the worksite and available during normal business hours when the majority of employees are at the worksite.

In the event of an absence of a trained ETC, Consultant ETC, or On-site Coordinator, exceeding eight consecutive weeks, a replacement must be designated and trained. The South Coast AQMD must be notified of this change in writing by the employer within 12 weeks after the beginning of the absence.

a. Consultant Employee Transportation Coordinator

An employer may use a Consultant ETC in lieu of an ETC, provided the Consultant ETC meets the definition of an ETC and the same minimum certification requirements as the ETC. A Transportation Management Association/Transportation Management Organization (TMA/TMO) may be considered a Consultant ETC provided its staff, acting in this capacity, meets the same certification requirements as the ETC. As an alternative to having a Consultant ETC available during normal business hours, the employer shall designate an On-Site Coordinator for each worksite.

H. EMISSION CREDIT TRANSFERS

Emission credits transferred into the Rule 2202 program shall not be transferred out of these programs unless otherwise specified in section II.C.2. of these guidelines. Transfer of emission credits into the program shall be subject to the applicable Regulation III transfer fee. This fee is not required if the buyer/transferee is a Rule 2202 regulated worksite and the emission credits are intended to be used for Rule 2202 compliance within the credit submittal cycle. The credit submittal cycle is within the 180 days from the date of receipt of a registration pre-approval letter for which employers must surrender the required emission credits.

Transfers outside of the credit submittal cycle of the buyer/transferee, between employers, non-Rule 2202 South Coast AQMD emission credit accounts, or Rule 2202 broker accounts shall be subject to a transfer fee. One transaction request shall count as one transfer for fee purposes. The transfer fee is intended to cover administrative costs in processing the request and to ensure the account balance is properly tracked. No additional cost is assessed when credits are transferred during the credit submittal cycle, because the annual registration fee has already accounted for such activities.

V. AVERAGE VEHICLE RIDERSHIP SURVEY

A. CALCULATING AVR

1. Employee categories

Employees that do not begin work at least one day during the 6:00 a.m. - 10:00 a.m. peak commute window are not included in the peak AVR calculation. Employees that are classified in the "Other Days Off" category are included in the AVR calculation if they begin work in the window at least one day during the survey week. The net effect of "Other Days Off" on the AVR calculation will be neutral. Employees in this category include, but are not limited to, the following:

- employees on vacation, sick, or furlough;
- employees on per-diem or on-call that do not meet the definition of field personnel;
- employees on jury duty, military duty;
- employees who begin work outside the window provided they begin in the window at least one other day during the week;
- employees not scheduled to work that day;
- employees that are home dispatched;
- employees on maternity leave;
- employees on bereavement leave; and/or,
- employees on medical /disability leave.

The following employee categories, as defined in the Glossary, are not considered for rule applicability or in calculating AVR:

- temporary employees;
- seasonal employees;
- volunteers;
- field personnel;
- field construction workers; and/or,
- independent contractors.

2. Police, Sheriff, and Federal Field Agents

Police, Sheriff, and Federal Field Agents, as defined in the Glossary, are included for rule applicability but are not required to be included in the 6:00 a.m. - 10:00 a.m. peak window survey or included in the AVR calculation. It is the discretion of the employer whether to include them in the window count. Surveying only part of this group is not acceptable. Those worksites electing to exclude such employees from the AVR survey and calculation must provide the basic ridesharing support strategies including, but not limited to, ride matching and transit information for all employees as well as preferential parking and guaranteed return trips for employees who are ridesharing. Employees who perform non-field work or non- investigative functions are required to be included in the peak window survey and included in the AVR calculation. Examples of Federal Field Agents include, but are not limited to, field employees of the Federal Bureau of Investigation (FBI), Customs and Border Protection or US Coast Guard.

3. Telecommute Employees

If a worksite is conducting an AVR survey, they may report total daily telecommute trips on the AVR summary form. Total daily telecommute employee trips may be reported even if not all telecommute employees respond to the AVR survey if the telecommute employees can be validated based on HR/Payroll records. For an employee on a hybrid schedule, the ETC will mark the commute mode as "no response" for the days that the employee physically reported to the office and telecommute for the days that they did not physically report to the office. This ensures that the worksite will receive full credit for the total number of commute trips reduced by telecommuting.

Worksites may only use the number of telecommuters in their annual plan submittal as described above if the telecommute employee number can be validated.

4. Furloughed Employees

Furloughed employees are employees that are under a temporary, unpaid leave of absence or reduction in hours.

Furloughed employees shall be included in the employee count for rule applicability but are not required to be included in the number of employees in the peak window and may be excluded from the AVR survey.

5. AVR Adjustments

a. Carpools are counted as 2-6 people traveling together for 51% of the total trip distance. The credit is given by dividing the total weekly number of occupants in the vehicle by the maximum occupancy in the vehicle.
b. Vanpools are counted as 7-15 people traveling together for 51% of the total trip distance. The credit is given by dividing the total weekly number of occupants in the vehicle by the maximum occupancy in the vehicle.
c. Employees walking, bicycling, telecommuting, using public transit, using a zero emissions vehicle (ZEV) or other vehicles as approved by the Executive Officer or designee, or on their day off under a compressed work week, should be counted as employees arriving at the worksite with no vehicle.
    i. Carpool occupants of a ZEV may be counted as arriving at the worksite with no vehicle by marking the zero emission option on the AVR survey.
    ii. Employees arriving to work in a plug-in hybrid electric vehicle (PHEV) can be considered to be using a ZEV provided that the entire home-to-work trip is made exclusively under electric power without use of the gasoline engine or cogeneration system.
    iii. None of the employee ZEVs can be included in the AVR calculation if the employer has implemented a ZEV charging program that will result in the generation of emission reduction credits pursuant to Rule 2202 (f)(6) or other approved South Coast AQMD emission credit programs.
d. Compressed Work Week (CWW) credit will only be granted when all days worked and all CWW days off fall within the established AVR survey period. Employers may

develop alternatives to the recognized compressed work week schedules of 3/36, 4/40, and 9/80 upon written approval by the South Coast AQMD. The proposed alternative must ensure that the resulting trip reductions are real, surplus, quantifiable, and enforceable. The types of CWW day(s) off must be clearly indicated on the AVR survey as follows:

i. 3/36 - 3 days work, 12 hours per day, 2 days off during the survey week;
ii. 4/40 - 4 days work, 10 hours per day, 1 day off during the survey week; or
iii. 9/80 - 9 days work, 80 hours per two weeks, 1 day off in a 2 week period during the survey.

If a person on a 3/36 scheduled work week works a 4th day during the surveyed work week, an employer may only take credit for one (1) CWW day off since an additional commute trip occurred during the survey period.

e. Non-commuting AVR credit is allowed for employees who remain at the worksite (if in the South Coast AQMD's jurisdiction), or entirely out of the South Coast AQMD's jurisdiction, for at least a full 24-hour period, to complete work assignments, and who generate no vehicle trips during the AVR window associated with arriving at the worksite. Non-commuting AVR credit is calculated as arriving at the worksite with no vehicle. Examples of employees who may be considered to be in this category are firemen, airline pilots, or flight attendants.

f. AVR credit for all employees leaving the worksite, during the window, may be calculated and averaged with employees arriving at the worksite during the window to obtain an aggregate AVR. However, if off-peak credits are used in the AVR calculation this credit cannot be used.

g. Off-Peak Credits - Employers may receive additional credits from employee trip reductions that occur outside of the peak window. An AVR survey or an alternative approved data collection method is required to obtain this data. This AVR survey cannot be older than 6 months at the time of program submittal. This credit may be calculated as follows:

$$\mathrm{AVR} = \frac{\mathrm{E}}{\mathrm{V} - [\mathrm{CCVR} \div 2.3]}$$

Where:

E	=	Total number of weekly window employees in the peak window.
V	=	Total number of weekly window vehicle trips in the peak window.
CCVR	=	Creditable commute vehicle reductions that occur outside of the peak window.
2.3	=	Discount factor.

h. Non-Regulated Worksite Credits - Employers may voluntarily include worksites with less than 250 employees as described in section II.D. Aggregating AVR for Multi-site Employers and/or employees of other businesses located at the worksite not subject to the Rule.

i. Reduced Staffing - Employers may receive additional trip reduction credits, that have been discounted, from reduced staffing that occurs during events that are longer than five consecutive work days, such as school recesses/breaks, inventory, or temporary facility closures, as approved by South Coast AQMD. A separate AVR survey is required to obtain this data. This AVR survey cannot be older than 12 months old at the time of program submittal. This credit is not allowed for staff reductions resulting from actions such as layoffs, relocations, transfers, facility closures or temporary closures that are part of regularly schedule facility vacations. This credit may be calculated as follows:

$$\mathrm{AVR} = \frac{\mathrm{E} \times \mathrm{T}}{[\mathrm{Vn} \times \mathrm{Tn}] + [\mathrm{Vr} \times \mathrm{Tr} \times 1.15]}$$

Where:

E = Total number of weekly window employees during the regular operating schedule

T= Total number of annual operating workdays for the worksite, which is the sum of Tn and Tr. For example, the default value is 260 days for employers with a 5 day work schedule, and a default value of 365 days for a 7 day work schedule.

Vn= Total number of weekly window vehicle trips during the regular operating schedule.

Tn= Total number of regularly scheduled operating days for the worksite.

Vr= Total number of weekly window vehicle trips that occur during the reduced staffing schedule.

Tr= Total number of reduced staffing schedule days.

1.15= Discount factor.

j. Employees that begin work during the window and do not respond to the survey must be calculated as one employee per vehicle arriving at the worksite.
k. Drive alones count as one person per vehicle arriving at the worksite.
l. Reporting errors resulting from missing or incorrect information must be calculated as one employee per vehicle arriving at the worksite. Reporting errors that do not indicate the time when the employee begins work must be assumed to occur in the peak window.

6. Electric Vehicle (EV) or Other Alternative-Fueled Vehicles

EV and other alternative vehicles, including hydrogen fuel cell vehicles, play an important role in reducing greenhouse gas and criteria pollutant emissions from employee commutes in comparison to conventional vehicles trips.

Employers that use EV’s or other alternative vehicles in reference to the AVR survey and survey responses or for ECRP strategies can refer to the descriptions below. The following vehicle categories qualify as “zero emission vehicles” when conducting and AVR survey. The South Coast AQMD retains the authority to alter or update any approved electric vehicles or alternative vehicles for use in any Rule 2202 AVR survey or ECRP strategies.

a. Zero emission vehicle (ZEV) is a vehicle that produces zero exhaust emissions of any criteria pollutant (or precursor pollutant) or greenhouse gas under any possible operational modes or conditions.

b. Fuel Cell Electric Vehicle (FCEV) is a vehicle that uses a hydrogen powered fuel cell instead of an engine to generate electricity for the batters and electric motor. These vehicles generally utilize the same components as a battery electric vehicle, but with the addition of a hydrogen fuel cell and hydrogen storage tank.

Employees arriving to work in a Plug-In Hybrid Electric Vehicle (PHEV) meet the definition of a zero emission vehicle provided that the entire trip to work is made exclusively under electric power. This applies to plug-in vehicles with all electric range that can travel exclusively under electric power without use of the gasoline engine or cogeneration system.

Employees using electric bicycles for the commute trip to the worksite should be accounted for in the bicycle mode on the AVR survey form. Employees using electric scooters for the commute trip to the worksite should be accounted for in the Zero Emission Vehicle (ZEV) mode on the AVR survey form. Employees utilizing electric bicycles and scooters for commute trips to the worksite will be counted as employees arriving at the worksite with no vehicle for purposes of the AVR calculation.

B. AVR DATA COLLECTION METHODS

Each employer must collect AVR data by one of the following applicable methods:

1. AVR Survey

Employers must conduct an AVR survey approved by the South Coast AQMD. The survey should be taken over five consecutive workdays, Monday through Friday, and identify the transportation modes that employees used to travel to the worksite and begin work during the 6:00 a.m. - 10:00 a.m. window, each day during the survey week. The AVR survey data must be available and traceable to an individual employee. This may be through employee identification numbers, employee signature, or a pre-approved electronic identifier specific to each employee. The surveys shall be distributed at the end of or following the planned survey week so that the survey responses will represent actual commute activity. A South Coast AQMD approved employee survey form can be found in the ECRP forms.

a. AVR Survey Parameters

The AVR survey data cannot be more than six months old at the time of program submittal. The six month period begins on the final day of the survey period. The response rate to the survey must be at least 60 percent of those employees who begin work during the window. The remaining non-responses over 60 percent to 100 percent shall be treated as single occupant vehicle commuters, however, if an employer achieves a 90 percent response rate or higher, the remaining non-response percentage can be reported in the “Other Days Off” category. The net effect on the AVR calculation will be neutral. The AVR survey must be conducted during a typical work week. The weeks to be specifically excluded from the AVR survey week are the weeks including the following dates:

New Year’s Day	January	1
Martin Luther King Jr. Birthday	January	(Third Monday)

Presidents Day	February	(Third Monday)
Memorial Day	May	(Last Monday)
Juneteenth	June	19
Independence Day	July	4
Labor Day	September	(First Monday)
California Rideshare Week	October	(First Week)
Veteran's Day	November	11
Thanksgiving Day	November	(Fourth Thursday)
Christmas Day	December	25

AVR surveys shall not be conducted during these weeks even if the employer does not observe these holidays or is open for business. Nor shall employers conduct an AVR survey during a week in which they observe a holiday not listed above.

The days these holidays are observed may vary from year to year; therefore, it will be the responsibility of the employer to obtain these specific holiday dates to ensure exclusion of these weeks from their AVR survey week.

b. Window Period for AVR Calculation

The employer must calculate the AVR based on the 6:00 a.m. - 10:00 a.m., Monday through Friday window except for businesses operating seven days a week. The AVR window for businesses operating seven days a week is 6:00 a.m. - 10:00 a.m. and the AVR reporting period is the five consecutive days, of the seven operating days, when the majority of the employees are scheduled to begin work. Businesses operating seven days a week may survey over a seven-day period so that for purposes of AVR reporting, they will account for individual employees over that portion of their five-day work week that falls within the five consecutive days.

The employer may use an alternative window or week upon writing the South Coast AQMD and receiving written approval. The alternative window must be a consecutive four-hour period between 4:00 a.m. and 11:00 a.m. and a consecutive five-day period of the seven-day week when the majority of their employees are scheduled to report to the worksite in the peak window. Consequently, the reporting period must be the same five consecutive days for all employees included in the AVR calculation.

c. AVR Calculation

The AVR calculation is based on data obtained from an approved South Coast AQMD survey method, random sampling, or recordkeeping, and shall include all employees who begin work in the 6:00 a.m. - 10:00 a.m. window.

The AVR is calculated by dividing the number of employees who report to the worksite, by the number of vehicles that arrive at the worksite, during the five-day window period. The AVR figure should be rounded off to the second decimal place. For example: 1.4576 becomes 1.46 AVR.

2. Random Sampling

Employers with a minimum of 400 employees reporting to the worksite during the peak window, have the option of determining AVR by a random sample method. The random sample method and sample size must receive written approval from the South Coast AQMD prior to administration of the survey. The random sample method shall comply with all of the following criteria:

a. Members of the sample must be selected on a probability basis (random selection) that assures that each population member is given an equal chance of selection;
b. All employees reporting in the window for calculating AVR must be considered as the relevant population from which the sample is drawn;
c. The sample must measure all potential commute modes for employees arriving at the worksite during the window and shall account for all employees not arriving at the worksite during the window due to compressed workweek day off, vacation, sick leave, furlough day, or other (e.g., maternity leave, bereavement leave, etc.);
d. Any employees designated for the random sample that do not respond to the survey are counted as solo drivers;
e. At least 60 percent survey response rate must be achieved;
f. Data from the last three compliance years shall be kept at the worksite and available for inspection;
g. Any data submitted via electronic media must be compatible with South Coast AQMD's software;
h. The random sample survey must be taken not more than six months prior to submittal of the Annual Program, with the six-month period beginning on the last day of the survey week; and,

The random sample method must be re-certified 60 calendar days prior to the program due date, only when the employer proposes to modify its approved certification method or upon amendments to Rule 2202 or guidelines that changes AVR data collection, calculations or methodologies.

3. Alternate AVR Data Collection

Employers have the option of selecting an alternative AVR data collection method for calculating the worksite AVR. Alternative AVR data collection methods must be certified by the South Coast AQMD prior to use, in accordance with the ECRP guidelines and the following criteria:

a. Employers, vendors, consultants, or other entities requesting certification for alternative AVR data collection methods must request certification at least 60 calendar days prior to the annual ECRP due date;
b. Data must be gathered from all employees who begin work during the window;
c. The response rate to the data collection method must be at least 60 percent of those employees who begin work during the peak window. The remaining non-responses over 60 percent to 89 percent shall be treated as single occupant vehicle commuters. However,

if an employer achieves a 90 percent response rate or higher, the remaining non-response percentage can be reported in the “Other Days Off” category in the AVR calculation;

d. The data collected must reflect the daily commuting activity of employees and their modes of travel that occur during each month or quarter of the program cycle;
e. Quarterly or monthly AVR must be calculated separately, and must be aggregated to determine the yearly AVR calculation;
f. Data from the last three compliance years shall be kept at the worksite and be made available upon request;
g. The following data must be available, and traceable to individual employee records: travel mode for each day data is collected; any data that is specified in section II.C. AVR Data Collection Methods; and, employee ID number or other individual identification;
h. Any data submitted via electronic media must be compatible with the South Coast AQMD’s software;
i. The data used for the AVR calculations cannot be more than six months old, with the six month period beginning on the last day of the survey week; and,
j. The alternative AVR data collection method shall be re-certified 60 calendar days prior to each program due date, when the employer proposes to modify its approved method or upon amendments to Rule 2202 or guidelines that changes AVR data collection, calculations or methodologies.

4. Vehicle Miles Traveled (VMT) Reporting

Vehicle Miles Traveled (VMT) is the number of miles traveled one-way by an employee during their commute trip to the worksite. VMT for an employee is determined based on the distance (in miles) from the employee’s home to the worksite. Total VMT is the total number of miles traveled by all employees based on their commute distance to the worksite and is required to be reported on the annual compliance submittal.

Worksites will collect VMT data through the AVR survey. All survey participants will report miles traveled one-way from home to the worksite. The number of miles traveled will be reported once per survey taker and will apply to all five days of the survey period. For each individual employee, the number of miles from home to worksite will be used to calculate the miles traveled per commute mode. Individual employee survey VMT information will be combined and summarized on the AVR survey summary.

Employers will report VMT data per commute mode by summing the miles traveled of daily employee trips for each commute mode type. Employers will submit the AVR summary with VMT data. Total VMT will not impact AVR or the measured success of the program.

C. AGGREGATING AVR FOR MULTI-SITE EMPLOYERS (OPTIONAL)

Employers that submit a multi-site plan may choose to aggregate the AVR data for all of the regulated worksites in that ECRP. For worksites that belong to the multi-site employer, the aggregate AVR is the total number of window employees divided by the total number of vehicle trips for all the worksites in the multi-site plan. All worksites that are to be included in the aggregate AVR calculation must be within the same AVR Performance Zone.

Aggregate AVR can be obtained in three steps. First, the number of peak window employees used in calculating each worksite AVR must be added. This sum will yield the total number of window employees for all worksites. Second, the number of vehicle trips used in calculating each worksite AVR must be added. This total will yield the total number of vehicle trips for all worksites. Finally, the total number of employees must be divided by the total number of vehicle trips to obtain the combined AVR for all worksites. This calculation will then yield the aggregate AVR for the multi-site employer.

Example:

$$\mathrm{AVR} = \frac{\text{Window employees for site 1} + \text{window employees for site 2} \ldots}{\text{Vehicle trips for site 1} + \text{vehicle trips for site 2} \ldots}$$

Employers submitting multi-site programs may also voluntarily include worksites with fewer than 250 worksite employees in the aggregated AVR and/or employees of other businesses located at the worksite not subject to the Rule. In order to do so, all provisions of the AVR Data Collection section must be met, and the employer must demonstrate that an AVR baseline calculation has been established. Employers at non-regulated worksites are not required to implement other ECRP elements, such as having an on-site ETC or offering employer incentives and good faith effort determination elements. Employers voluntarily including worksites that have less than 250 worksite employees, must provide a letter of declaration signed by an official authorized to contract on behalf of and/or legally bind the employer which declares the following:

a. The employer is voluntarily agreeing to subject itself to the authority and requirements of Rule 2202 for the worksites which currently have fewer than 250 employees, and that they are doing so freely and wholly voluntarily without any duress on behalf of the South Coast AQMD;
b. The employer waives its right to challenge the applicability of Rule 2202 to any and all included sites within the South Coast AQMD should enforcement action be taken against the employer; and,

The employer is receiving a benefit from agreeing in that they are being allowed to claim vehicle trip credit toward their aggregate AVR.

VI. EMISSION FACTORS

(R2202, subdivisions (e), (g) and (m))

Emission Reduction Target (ERT) is the annual VOC, NOx, and CO emissions required to be reduced by each worksite based on the number of employees reporting to work during the peak window and the appropriate Performance Zone in accordance with Rule 2202. The ERT for each pollutant, for each worksite may be calculated by using the appropriate emission factors based on CARB approved on-road mobile source emission factors (EMFAC) model.

The emission factors will be revised upon U.S. EPA's final approval for use of the California Air Resources Board (CARB) approved EMFAC model in accordance with subdivision (m) of the Rule. The Executive Office or designee will publish, on the South Coast AQMD web site, the updated emission factors within 30 days of U.S. EPA approval.

The emission factors may be modified to worksite specific emission factors reflecting vehicle age and trip length characteristics of the employee vehicle fleet.

In calculating VTECs for Commute Trip Reductions, employers may also utilize data obtained by one of the following methods:

a. Default data based on the weighted average of the average vehicle ridership survey data of the previous three years;
b. Data obtained by conducting an average vehicle ridership survey in accordance with Rule 2202 - Employee Commute Reduction Program Guidelines;
c. Data based on the default average vehicle ridership of 1.10; or
d. Data obtained by an alternative methodology, which may include documentation of the CCVR claimed, approved by the Executive Officer or designee.

VII. GLOSSARY

1. ANNUAL REGISTRATION means an annual form submitted by an employer to the South Coast AQMD per paragraph (j)(1) of the Rule.
2. AREA SOURCE CREDITS (ASCs) are emission credits, issued pursuant to Regulation XXV - Intercredit Trading.
3. AVR DATA COLLECTION METHOD is a method for gathering employee commute mode data needed to calculate an employer's average vehicle ridership.
4. BROKER ACCOUNT is an account held by the South Coast AQMD, opened by any person or other entity within the Rule 2202 program that may be used to bank emission credits from emission reduction strategies as described in section II. Emission Reduction Strategies, prior to transfer or assignment for use in satisfying an employer's Emission Reduction Target.
5. BUSINESS TYPE/CLASSIFICATION is the activity type that classifies the primary nature of work conducted at the worksite.
6. COMPRESSED WORK WEEK (CWW) applies to employees who as an alternative to completing basic work requirement in five eight-hour workdays in one week, or 10 eight-hour workdays in two weeks, are scheduled in a manner which reduces vehicle trips to the worksite. The recognized compressed work week schedules for this Rule are, but not limited to, 36 hours in three days (3/36), 40 hours in four days (4/40), or 80 hours in nine days (9/80).
7. DISABLED EMPLOYEE means an individual with a physical impairment which prevents the employee from traveling to the worksite by means other than a single-occupant vehicle.
8. EMISSION REDUCTION CREDITS (ERCs) are credits as defined in subdivision (l) of Rule 1302 Definitions and includes the permanent credit issued under Rule 1309(f)(1).
9. .
10. EMPLOYEE is any person employed by a person(s), firm, business, educational institution, non-profit agency, or corporation, government or other entity. The term excludes seasonal employees; temporary employees; volunteers; field personnel; field construction workers; and independent contractors.
11. EMPLOYEE COMMUTE REDUCTION PROGRAM is a compliance option that allows employers the ability to choose and implement various rideshare strategies included in the ECRP Guidelines at the worksite.
12. EMPLOYEE TRANSPORTATION COORDINATOR (ETC) is an individual who has completed a South Coast AQMD certified training course and has been appointed to develop, market, administer, and monitor the worksite's chosen Rule 2202 compliance option.
13. FEDERAL FIELD AGENT means any employee who is employed by any federal entity whose main responsibility is National Security and performs field enforcement and/or investigative functions. This does not include employees in non-field or non-investigative functions.

14. FIELD CONSTRUCTION WORKER means an employee who reports directly to work at a construction site.
15. FIELD PERSONNEL means employees who spend 20% or less of their work time, per week, at the worksite and who do not report to the worksite during the peak period for pick-up and dispatch of an employer-provided vehicle.
16. FURLOUGH means a temporary, unpaid leave of absence or reduction in hours. Furloughed employees should be assigned as furloughed and continue to be employed by the worksite.
17. HOLIDAYS are those days designated as National and State Holidays that shall not be included in the survey period.
18. INDEPENDENT CONTRACTOR means an individual who enters into a direct written contract or agreement with an employer to perform certain services and is not on the employer's payroll.
19. INTER-POLLUTANT CREDITING means the use of emission reduction credits of one type of pollutant that may be used in lieu of another type of pollutant.
20. LOW-INCOME EMPLOYEE means an individual whose salary is equal to, or less than, the current individual income level set in the California Code of Regulations, Title 25, Section 6932, as lower income for the county in which the employer is based. Higher income employees may be considered to be "low-income" if the employees demonstrate that the program strategy would create a substantial economic burden.
21. MOBILE SOURCE EMISSION REDUCTION CREDITS (MSERCs) are emission reduction credits issued pursuant to Regulation XVI - Mobile Source Offset Programs.
22. MOTOR VEHICLE means a self-propelled vehicle, consistent with California Vehicle Code 415.
23. PART-TIME EMPLOYEE means any employee who reports to a worksite on a part-time basis fewer than 32 hours per week, but more than four hours per week. These employees shall be included in the employee count for purposes of Rule applicability; and for emission reduction calculations of the employer provided the employees report to the worksite during the Peak Commute Window.
24. PEAK COMMUTE WINDOW is the period of time, Monday through Friday between the hours of 6:00 a.m. and 10:00 a.m.
25. PERFORMANCE ZONE for each worksite is determined by its geographic location within the geographic boundaries as described in Attachment I of Rule 2202.
26. POLICE/SHERIFF means any employee who is certified as a law enforcement officer and is employed by any state, county or city entity. Such employees are only police officers and sheriffs who perform field enforcement and/or any investigative functions. This would not include employees in non-field or noninvestigative functions.
27. REMOTE EMPLOYEES are telecommuting employees who are assigned to a regulated worksite, however, primarily live and work at locations outside of the South

Coast AQMD, and physically commute to the regulated worksite less than five days a year

28. SCHOOL means any public or private School, including juvenile detention facilities with classrooms, used for the education of more than 12 children at the School in kindergarten through grade 12. School also means an Early Learning and Developmental Program by the U.S. Department of Education or any state or local early learning and development programs such as preschools, Early Head Start, Head Start, First Five, and Child Development Centers. A School does not include any private School in which education is primarily conducted in private homes. The term includes any building or structure, playground, athletic field, or other area of School property
29. SEASONAL EMPLOYEE means a person who is employed for less than a continuous 90-day period or an agricultural employee who is employed for up to a continuous 16-week period.
30. SHORT TERM EMISSION REDUCTION CREDITS (STERCs) are credits as defined in subdivision (am) of Rule 1302 - Definitions.
31. STUDENT WORKERS are students who are enrolled and gainfully employed (on the payroll) by an educational institution. Student workers who work more than four hours per week are counted for Rule applicability and if they report to work during the 6:00 a.m. - 10:00 a.m. window are counted for emission reduction calculations.
32. TELECOMMUTING occurs when an employee works from home, off site, a satellite office, or a Telecommuting center which eliminates a commute trip to the worksite or reduces the commute travel distance by more than 50%.
33. TEMPORARY EMPLOYEE means any person employed by an employment service or agency that reports to a worksite other than the employment agency's worksite, under a contractual arrangement with a temporary employer. Temporary employees are only counted as employees of the temporary agency for purposes of Rule applicability.
34. TRANSPORTATION MANAGEMENT ASSOCIATION OR TRANSPORTATION MANAGEMENT ORGANIZATION (TMA/TMO) means a private/non-profit association that has a financial dues structure joined together in a legal agreement for the purpose of achieving mobility and air quality goals and objectives within a designated area.
35. VEHICLE MILES TRAVELED (VMT) means the number of miles traveled one-way by a motor vehicle for a worksite commute trip.
36. VOLUNTEER means any person(s) at a worksite who, of their own free will, provides goods or services, without any financial gain.
37. WORKSITE EMPLOYEE THRESHOLD means 250 employees employed at a single worksite for the prior consecutive six-month period calculated as a monthly average and 33 or more employees scheduled to report to work during the Peak Commute Window any one day during the prior consecutive 90 days