

ORDINANCE NO. P-7

Adopted by Board of Supervisors 5/26/94
Effective July 1, 1994

MARICOPA COUNTY TRIP REDUCTION ORDINANCE

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MARICOPA COUNTY TRIP REDUCTION ORDINANCE

Section 1 PURPOSE

Pursuant to A.R.S. 49-581, et. seq., the purpose of this ordinance is to reduce traffic impacts on air pollution within the County by requiring employers and schools to develop, implement, and maintain a Trip Reduction Program.

Section 2 DEFINITIONS

In this ordinance, unless the context otherwise requires:

ADMINISTRATOR means the Administrator of the Environmental Protection Agency or an authorized representative.

ALTERNATIVE FUEL means liquefied petroleum gas, natural gas, hydrogen, solar energy, electricity, and alcohol fuels that contain not less than eighty-five per cent alcohol by volume.

ALTERNATIVE FUEL VEHICLE DEDICATED means any motor vehicle engineered and designed to operate only on alternative fuel.

ALTERNATIVE FUEL VEHICLE DUAL-FUEL means any motor vehicle engineered and designed to operate on either petroleum-based or alternative fuel, but not a mixture.

ALTERNATIVE FUEL VEHICLE FLEXIBLE-FUEL means any motor vehicle engineered and designed to operate on a varying mixture of petroleum-based fuel and alternative fuel.

ALTERNATIVE MODE means any mode of commute transportation other than the single-occupancy vehicle.

APPROVABLE TRIP REDUCTION PLAN means a plan meeting the requirements of Section 7 (C) for an employer; or, a plan meeting the requirements of Section 8 (C) for a school.

ARIZONA EMISSION STANDARDS means the set of emission standards adopted and currently in use by the state of Arizona and approved for use in the state of Arizona by the Environmental Protection Agency pursuant to Arizona Administrative Code R18-2-1006.

BOARD means the Board of supervisors.

CARPOOL means two to four persons commuting in a motor vehicle to or from work or school.

CERTIFIED VEHICLE means any motor vehicle which has met all criteria identified in Section 9(c) and 9(f) for an alternative fuel vehicle, or Section 9(d) and 9(g) for a motor vehicle with a device.

CLEAN AIR ACT means the Clean Air Act of 1963 (42 U.S.C. 7401 et. seq., as amended.

COMMUTE TRIP means a trip taken by an employee to or from a work site located within the County or by a student to or from a school site located within the County.

COMMUTER MATCHING SERVICE means a system, whether it uses computer or manual methods, which assists in matching employees and/or students for the purpose of sharing rides to reduce commuter travel.

COMPRESSED WORK WEEK means any work schedule which eliminates at least one commute trip to a work site or school site in each two week period.

COUNTY means Maricopa County.

COUNTY PROGRAM means the combination of all implemented plans within the County.

DEVICE means any component or equipment which is designed to be installed in or on a motor vehicle as an addition to, as a replacement for, or through alteration or modification of, any original component or device. Any fuel conversion configuration or conversion kit is a device.

EMPLOYEE means an employee who works at or reports to a single work site within the County during any twenty-four hour period at least three days per week for at least six months of the year.

EMPLOYER means a sole proprietor, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district, or other individual or entity, public or private, who has submitted a Trip Reduction survey and continues to employ at least 96% of the number surveyed; or, who employs 75 or more employees; working at or reporting to a single work site or, from and after May 31, 1994, who employs 50 or more employees working at or reporting to a single work site.

FEDERAL CLEAN FUEL FLEET VEHICLE (CFFV) STANDARDS means the standards to which low emission vehicles are certified pursuant to 40 CFR Part 88.

MEASURE means an incentive or disincentive intended to reduce the rate of single-occupancy trips or the rate of single-occupancy vehicle miles traveled, such as:

- a) A commuter matching service to facilitate ridesharing for commute trips.

- b) Providing of vans for vanpooling.
- c) Subsidies for carpooling or vanpooling including payment for fuel, insurance, or parking.
- d) Use of company vehicles for carpooling.
- e) Provision for preferential parking for carpool or vanpool users which may include close-in parking or covered parking facilities.
- f) Cooperation with other transportation providers to provide additional regular or express service buses to the work site or school site.
- g) Subsidized bus fares.
- h) Construction of special loading and unloading facilities for transit, carpool, or vanpool users.
- i) Cooperation with a political subdivision to construct walkways, or bicycle routes to the work site or school site.
- j) Provision of bicycle racks, lockers, and showers for employees who walk or bicycle to work or students who walk or bicycle to school.
- k) Provision of a special information center where information on alternative modes and other Trip Reduction measures is available.
- l) Establishment of a telecommuting program for employees.
- m) Establishment of a program of adjusted work hours which may include compressed work weeks or staggered work hours. Work hour adjustments should not interfere with or discourage the use of ridesharing and transit.
- n) Establishment of a program of parking incentives such as a rebate for employees or students who do not use the parking facility.
- o) Incentives to encourage employees to live closer to work or students to live closer to school.
- p) Provision of day care facilities.
- q) Emergency transportation services.
- r) Joining a Transportation Management Association.

- s) Incentives to encourage the use of certified vehicles for commute trips.
- t) Establishment of a Trip Reduction committee to define new strategies and assist with the implementation of measures.

MODE means the type of conveyance used for commute trips, including single-occupancy motor vehicle, rideshare vehicles, transit, bicycle and walking.

MOTOR VEHICLE means any self-propelled vehicle including a car, van, bus, motorcycle, and all other motorized vehicles.

PLAN means a Trip Reduction plan.

POLITICAL SUBDIVISION means the County or an incorporated city or town within the County.

RATE OF SINGLE-OCCUPANCY VEHICLE MILES TRAVELED means the number of single-occupancy vehicle commute trip miles traveled divided by the total number of vehicle commute trip miles traveled by all modes for that work site or school site.

RATE OF SINGLE-OCCUPANCY VEHICLE TRIPS means the number of single-occupancy vehicle commute trips divided by the total number of commute trips taken by all modes for that work site or school site.

REDUCED EMISSIONS VEHICLE means a motor vehicle which is certified by the Task Force as being substantially lower emitting in actual use than like vehicles generally purchased in the area.

REDUCED EMISSION VEHICLE CREDIT means the allowance given when a reduced emission vehicle factor is applied to the rates of single-occupancy vehicle trips and single-occupancy vehicle miles traveled.

REDUCED EMISSION VEHICLE FACTOR means the factor applied to the rates of single-occupancy vehicle trips and miles pursuant to A.R.S. 49-581, Et. Seq. which will allow a reduced emission vehicle to receive less than the full count than that of a regular single-occupancy vehicle trip or mile traveled.

REDUCED EMISSION VEHICLE STANDARDS means the standards described in Section 9 for the purpose of applying reduced emission vehicle factors and subsequent reduced emission vehicle credit toward Trip Reduction goals.

RIDESHARING means transportation of more than one person for commute purposes, in a motor vehicle, with or without the assistance of commuter matching service.

SCHOOL means any school district, community college, trade school, university, or other educational institution that has submitted a Trip Reduction survey and continues to employ or enroll at least 96% of the number of employees and students surveyed; or, with 75 or more employees or students working at or reporting to a single school site; or, from and after May 31, 1994, with 50 or more employees or students working at or reporting to a single school site.

SINGLE-OCCUPANCY VEHICLE means a motor vehicle occupied by one employee or student for commute purposes, including motorcycles.

STAFF means the County staff assigned to the Task Force.

STAGGERED WORK SCHEDULE means a work schedule that begins before the hour of 6:00 a.m. or after the hour of 10:00 a.m.

STUDENT means a driving-aged student commuting to a single school site within the County at least three days per week.

SUBSTANTIALLY LOWER EMITTING VEHICLE means any motor vehicle or group of motor vehicles demonstrating a carbon monoxide emission level of twenty percent or more below the average carbon monoxide emission of a like motor vehicle generally purchased in the area, as determined by the most recent EPA mobile monitoring model, and having the emission standards identified in Table 1 or 2, as applicable.

SURVEY DATA RESULTS means a summary provided by staff of the information from an employer's or school's initial or annual survey.

TASK FORCE means the Trip Reduction Regional Task Force, designated by the Board as the responsible agency to implement and enforce this ordinance, and established in the County by Title 49, Chapter 3, Article 8, Arizona Revised Statutes.

TELECOMMUTING means eliminating commute trips and, or, vehicle miles traveled by allowing employees to work at home, or a location close to home.

TRANSIT means a bus or other public conveyance system.

TRANSIENT LOADED EMISSIONS TEST means a motor vehicle emissions test which simulates onroad driving conditions and measures carbon monoxide (CO), nitrates of oxygen (NOx), and non-methane organic gases (NMOG) in terms of grams per mile.

TRANSPORTATION COORDINATOR means a person designated by an employer or school to serve as the lead person in developing and implementing a Trip Reduction Program.

TRIP REDUCTION PLAN means a written report describing Trip Reduction measures an employer or school intends to implement.

TRIP REDUCTION PROGRAM means a program that implements a Trip Reduction plan by an employer or school and is designed to achieve target reductions in the rate of single-occupancy vehicle trips and, or, in the rate of single-occupancy vehicle miles traveled through various measures.

VEHICLE OCCUPANCY means the number of occupants in a motor vehicle including the driver.

VANPOOL means more than four persons commuting in a motor vehicle to or from work or school.

VOLUNTARY PARTICIPANT means an employer or school that is not included in the definition of employer or school and chooses to participate in the Trip Reduction Program.

WORK SITE means a building and any group of buildings which are on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way and which are owned or occupied by the same employer.

Section 3 TRIP REDUCTION REGIONAL TASK FORCE COMPOSITION

A) A Trip Reduction Regional Task Force is established in a county with a population of one million two hundred thousand or more persons for the purpose of this ordinance under Title 49, Section 582. The Regional Public Transportation Authority, established under Title 28, Chapter 20, and the regional planning agency for the county, shall provide assistance to the Task Force. The Task Force shall nominate a chairman for the Task Force who is then officially appointed by the Board. The Board shall appoint the Trip Reduction Program director to supervise the staff and to be assistant chairman of the Task Force. The director is not a voting member.

B) The Board shall appoint members of the Task Force in an equitable manner. Task Force members shall be appointed to serve two year terms, and membership shall be staggered so that no more than two-thirds of the appointed members' terms expire on January 31, of any year. The Board shall determine the method of selection and appointment of Task Force members, as provided by law, ordinance or the guidelines established by Title 49, Chapter 3, Article 8, Arizona Revised Statutes.

C) The Task Force members shall be appointed to represent interests affected by the Trip Reduction Program. Candidates for membership must be residents of the county and shall be selected from employers and, or schools, a member or manager of a transportation management association, an owner or manager of a business park, industrial park, office building, shopping center or other concentration of commercial interests, a public interest

group established to address transportation or air quality issues or political subdivisions within the county.

Section 4 DUTIES AND POWERS OF THE TASK FORCE

A) The Task Force shall review and approve the baseline survey distributed to employers and schools for the purpose of collecting data on commuting patterns. The Task Force shall provide uniform formats for data to be provided by each employer and school on the commuting patterns of its employees and, or, students and the effectiveness of its Trip Reduction Program. Collected data shall include the mode used and the distance traveled for commute trips. The Task Force shall establish uniform requirements for record keeping and reporting as necessary to comply with this ordinance and reasonable deadlines for submittal of additional data as required.

B) The Task Force shall:

- 1) Evaluate the employer's or school's Trip Reduction plan and approve or object to any such plan received.
- 2) Review all responses by an employer or school to the annual survey and determine if they meet the requirements of this ordinance.
- 3) Review the Trip Reduction plan submitted by an employer or school, along with a staff report on the plan, to conclude if the plan contains Trip Reduction measures which seek to achieve the target reduction goals.
- 4) Monitor the implementation of a Trip Reduction plan as submitted by an employer or school and as approved by the Task Force.
- 5) Develop and implement policies, standards and criteria for certifying eligible motor vehicles as being reduced emission vehicles if they are substantially lower emitting in actual use than like vehicles generally purchased in the area. The Task Force shall not certify any reduced emission vehicle or group of vehicles unless the Task Force has evidence of all of the following:
 - a) Results of a federal test procedure conducted pursuant to 40 Code of Federal Regulations Part 86, Subpart B, effective July 1, 1992, or an equivalent method approved by the Administrator of the United States Environmental Protection Agency, demonstrating substantially lower emissions from the vehicle or group of vehicles.
 - b) In the case of any device added to the vehicle to reduce emissions, that the device has printed on it, or on the packaging, clear statements by the device manufacturer as to whether use of the device will void any existing

vehicle warranty or adversely affect the onboard diagnostics system, and what the responsibility of the device manufacturer will be under such circumstances. The state shall have no responsibility as to the validity of such statements.

c) United State Environmental Protection Agency approval of the use of a reduced emission factor for that vehicle or group of vehicles as a revision to the State Implementation Plan.

6) Develop and implement policies, standards and criteria for reduced emission vehicle factors to be applied to the rate of single-occupancy vehicle trips and rate of single occupancy vehicle miles traveled pursuant to Section 7 and Section 8, in this ordinance. The reduced emission vehicle factor applied to a reduced emission vehicle shall be proportional to its average emission reduction in actual use as compared to like vehicles generally purchased in the area and shall be less than or equivalent to the reduced emission vehicle standards identified in Section 9, Table 1 or 2, of this ordinance, as applicable.

7) Make available to employers and schools with one hundred or more employees at a single work site or school site, a standard form which is to be used by employees to indicate their compliance with the requirements of Arizona Revised Statute 49-542.

C) A plan submitted to the Task Force under subsection b, paragraph 1 of this section shall be approved or objections shall be filed within ninety days of its submission. The plan is automatically approved unless objected to by the Task Force within ninety days. Objections shall be based upon criteria set forth in Section 7 and Section 8. If the Task Force objects to the plan, it shall be reviewed and revised in consultation with the employer or school. The Task Force shall determine if enforcement action is appropriate and shall recommend action as it deems necessary.

D) If any response submitted to the Task Force pursuant to subsection b, paragraph 2 of this section is not approved, the Task Force shall direct the employer or school to submit additional data within ten working days. If subsequent submissions of data are not approved, the Task Force shall evaluate the employer or school and supporting data and decide if enforcement action is appropriate.

E) If a Trip Reduction plan submitted to the Task Force pursuant to subsection b, paragraph 3 of this section is not approved, the Task Force shall describe the inadequacies and direct the employer or school to modify the plan within ten working days. If the plan as modified is not approved, the Task Force shall evaluate the supporting data and decide if enforcement action is necessary.

F) If an employer or school has not implemented the Trip Reduction plan as submitted and approved by the Task Force pursuant to subsection b, paragraph 4 of this section, the Task Force shall describe the inadequacies and shall direct modifications to the plan implementation. If the employer's or school's efforts remain inadequate, the Task Force shall evaluate the supporting data and decide if enforcement action is necessary.

G) If an employer's or school's Trip Reduction plan fails to achieve the target reduction goals, the Task Force shall direct the staff to work with the employer or school to increase the use of alternative modes and reduce single-occupancy vehicle miles traveled, consistent with the target reduction goals. The employer or school shall submit a plan addendum outlining measures aimed at achieving the target reduction goals. When the implementation of measures identified on the plan addendum demonstrates that there has been no further progress towards attaining reduction goals, the Task Force shall determine whether the employer or school is putting forth a good faith effort to meet the goals. On an individual basis, the Task Force shall evaluate the supporting data and decide if enforcement action is necessary. The Task Force shall consider:

- 1) The cost of the employer's or school's Trip Reduction Program as compared to the average cost of such programs for all employers and schools.
- 2) Unusual circumstances faced by the employer or school. If unusual circumstances exist, the Task Force shall determine if an employer or school who fails to submit a plan addendum within thirty days of written notice should be subject to enforcement action.

H) The Task Force shall direct the staff to identify and contact potential voluntary participants to encourage and assist them in participating in cooperative efforts to collect data on commuting patterns, needs and desires of their employees and their tenants' employees. These potential voluntary participants shall include property managers and other employers or schools who may wish to participate in a Trip Reduction Program. The Task Force shall encourage these owners, managers, schools, and employers to form transportation management associations. Among other activities, the transportation management associations may disseminate information on alternative modes of transportation. The Task Force shall encourage transportation management associations to assist member employers and schools in developing and implementing Trip Reduction plans.

I) The Task Force shall review the performance of the regional program annually and prepare a report for the Board. The report shall include successes and problem areas and shall recommend revisions to this ordinance, as necessary.

Section 5 STAFF DUTIES

The staff shall provide support to the Task Force, employers, and schools. The staff shall:

- 1) Provide assistance to each employer or school in coordinating data collection, dissemination of information on air quality, alternative modes programs, developing a Trip Reduction plan and increasing the effectiveness of selected Trip Reduction measures.
- 2) Coordinate training programs for employers and schools to assist them in training their transportation coordinator, preparing and implementing their Trip Reduction plans and preparing annual reports.
- 3) Coordinate survey and data collection activities and overall program monitoring with the Task Force.
- 4) Under direction of the Task Force, develop an implementation schedule for annual surveys of the employer and school community.
- 5) Assist the Task Force in developing and implementing policies, standards and criteria for certifying eligible motor vehicles as being reduced emission vehicles.
- 6) Assist the Task Force in developing and implementing policies, standards and criteria for reduced emission vehicle factors to be applied to the rates of single-occupancy vehicle trips and rate of single-occupancy vehicle miles traveled pursuant to Sections 7 and 8 of this ordinance.

Section 6 VOLUNTARY PARTICIPATION

Employers and schools or groups of employers and schools, not affected by this ordinance, are encouraged to participate in data collection, information dissemination efforts, and in the preparation of their own Trip Reduction plans on a voluntary basis. The Task Force shall assist these groups; these groups are eligible for participation in all programs and services and are encouraged to form transportation management associations.

Section 7 REQUIREMENTS OF EMPLOYERS

An Employer Shall:

A) Conduct and submit to the Task Force, on an annual basis, a survey for each work site as directed by the Task Force. An employer's annual survey shall be reviewed by staff to determine if the requirements set forth by the Task Force have been met. If any survey is not approved by the Task Force, the employer shall submit additional data as required by the Task Force within ten working days of notice of disapproval. An employer's rate of single-occupancy vehicle trips and rate of single-occupancy vehicle miles traveled will be determined from the survey for each work site. The results of the initial survey shall form a baseline against which attainment of future targets identified in subsection b, paragraph 1, of this section, shall be measured.

1) The baseline for participation in alternative modes of transportation shall be based on the proportion of employees commuting by single-occupancy vehicles. This proportion shall be identified as the rate of single-occupancy vehicle trips.

2) The baseline for vehicle miles traveled shall be the number of single-occupancy vehicle commute miles traveled divided by the total number of commute miles traveled by all modes to a work site. This proportion shall be identified as the rate of single-occupancy vehicle miles traveled.

B) Implement all Trip Reduction measures approved by the Task Force to maintain a rate of single-occupancy vehicle trips of not more than sixty percent or maintain a rate of single-occupancy vehicle miles traveled of not more than sixty percent; or, implement all Trip Reduction measures approved by the Task Force to attain target reductions in single-occupancy vehicle trips or single-occupancy vehicle miles traveled as follows:

1) The first year target will be a ten percent reduction from the rate of single-occupancy vehicle trips or the rate of single-occupancy vehicle miles traveled as determined by an employer's initial survey for each work site. The second, third, fourth, and fifth year target will be a ten percent reduction from the target of the previous year. The sixth, seventh, and eighth year target will be a five percent reduction from the target of the previous year.

C) Develop and submit to the Task Force within five weeks after it receives survey data results, an approvable Trip Reduction plan designed to meet target reductions for all work sites. An employer's plan shall be reviewed by staff to determine if the requirements of the Task Force have been met. An employer shall be notified of the approval or disapproval of the plan within ninety days. If any plan is not approved by the Task Force, the employer shall modify and resubmit the plan within ten working days of notice of disapproval. An approvable Trip Reduction plan shall include:

1) The name and signature of the designated Transportation Coordinator.

2) A description of information programs and Trip Reduction measures that were completed in the previous year.

3) A description of information programs and Trip Reduction measures that will be implemented in the current year.

a) For employers who do not meet target reduction goals in the second year of the program, the plan shall contain any two of the following measures, and shall contain any four of the following measures when target reduction goals are not met in any year thereafter. Measures shall be consistent with the work site, location, and/or survey data results.

- 1) A pay for parking program.
- 2) Preferential parking for carpools/vanpools.
- 3) A telecommuting program that seeks to achieve the target reduction for the rates of single-occupancy vehicle trips or miles traveled to each work site.
- 4) A compressed work week program that seeks to achieve the target reduction for rates of single-occupancy vehicle trips or miles traveled to each work site.
- 5) Subsidized vanpool. The cost to employee shall be comparable to other alternate modes such as transit or carpooling.
- 6) Subsidy program where 50% or more of the commute trip cost is reimbursed by the employer when an alternative mode is used.
- 7) Guaranteed ride home program.
- 8) Program to recruit and reward new alternate mode users and those employees who move closer to the work site.
- 9) Prize drawings which encourage alternate mode participation.
- 10) On-site day care facility added after June 1, 1994.
- 11) Shower and locker facilities constructed or renovated after June 1, 1994, for bicyclists and walkers.

b) After the second year, the Task Force shall review the Trip Reduction Program of any employer who does not meet regional targets and may recommend additional measures.

4) A description of a mechanism for regular distribution of alternative mode transportation information to employees.

5) Name, address, telephone number, and signature of the Chief Executive Officer or the highest ranking official responsible for implementing the plan.

6) Such other information as may be required by the Task Force.

D) Implement a Trip Reduction plan approved by the Task Force.

E) Provide each employee with information on alternative mode options and Trip Reduction measures. This information shall also be provided to new employees at the time of hiring.

F) Designate a Transportation Coordinator responsible for implementing the employer's Trip Reduction Program and serving as the liaison to the Task Force.

G) Provide its employer name, addresses for all its work sites in the County, and the name and address of a person who works for the employer and can provide information as required by the Task Force within 60 days of opening for business or hiring, relocating or otherwise adding employees so as to become subject to this Ordinance.

H) Notify their employees of the employee's duty to comply with the requirements of Arizona Revised Statute 49-542 when 100 or more employees report to a single work site. All employees of those employers shall complete and sign a statement annually, indicating that they have complied with the requirements of Section 49-542.

I) Keep all records necessary to prove compliance with and verify implementation of an approved Trip Reduction plan.

Section 8 REQUIREMENTS OF SCHOOLS

A School Shall:

A) Conduct and submit to the Task Force, on an annual basis, a survey for employees and a survey for students for each school site as directed by the Task Force. A school's annual survey shall be reviewed by staff to determine if the requirements set forth by the Task Force have been met. If any survey is not approved by the Task Force, the school shall submit additional data as required by the Task Force within ten working days of notice of disapproval. A rate of single-occupancy vehicle trips and rate of single-occupancy vehicle miles traveled will be determined for employees for each school site; a separate rate of single-occupancy vehicle trips and rate of single-occupancy vehicle miles traveled will be determined for students for each school site. the results of the initial survey shall form a baseline against which attainment of future targets identified in subsection b, paragraph 1, of this section, shall be measured.

1) The baseline for participation in alternative modes of transportation shall be based on the proportion of employees and students commuting by single-occupancy vehicles. This proportion shall be identified as the rate of single-occupancy vehicle trips.

2) The baseline for vehicle miles traveled shall be the number of single-occupancy vehicle commute miles traveled divided by the total number of commute miles traveled by all modes to a work site. This proportion shall be identified as the rate of single-occupancy vehicle miles traveled.

B) Implement all Trip Reduction measures approved by the Task Force to maintain a rate of single occupancy-vehicle trips of not more than sixty percent for employees, or maintain a rate of single-occupancy vehicle miles traveled of not more than sixty percent for employees; or, implement all Trip Reduction measures approved by the Task Force to attain target reductions in single-occupancy vehicle trips or single-occupancy vehicle miles traveled as follows:

1) The first year target for employees will be a ten percent reduction from the rate of single-occupancy vehicle trips or the rate of single-occupancy vehicle miles traveled as determined by a school's initial survey for employees for each school site; the first year target for students will be a ten percent reduction from the rate of single-occupancy vehicle trips or the rate of single-occupancy vehicle miles traveled as determined by a school's initial survey for students for each school site. The second, third, fourth, and fifth year target for employees will be a ten percent reduction from the target of the previous year for employees for each school site; the sixth, seventh, and eighth year target for employees will be a five percent reduction from the target of the previous year. The second, third, fourth, and fifth year target for students will be a ten percent reduction from the target of the previous year for students for each school site. The sixth, seventh, and eighth year target for students will be a five percent reduction from the target of the previous year.

C) Develop and submit to the Task Force within five weeks after it receives survey data results, an approvable Trip Reduction plan designed to meet target reductions for all school sites. A school's plan shall be reviewed by staff to determine if the requirements of the Task Force have been met. A school shall be notified of the approval or disapproval of the plan within ninety days. If any plan is not approved by the Task Force, the school shall modify and resubmit the plan within ten working days of notice of disapproval. An approvable Trip Reduction plan shall include:

- 1) The name and signature of the designated Transportation Coordinator.
- 2) A description of information programs and Trip Reduction measures that were completed in the previous year.
- 3) A description of information programs and Trip Reduction measures that will be implemented in the current year.
 - a) For schools who do not meet target reduction goals in the second year of the program, the plan shall contain any two of the following measures, and shall contain any four of the following measures when target reduction goals are not met in any year thereafter. Measures shall be consistent with the work site, location, and/or survey data results.

- 1) A pay for parking program.
- 2) A telecommuting program for employees that seeks to achieve the target reduction for the rates of single-occupancy vehicle trips or miles traveled to each school site.
- 3) A compressed work week program for employees that seeks to achieve the target reduction for the rates of single-occupancy vehicle trips or miles traveled to each school site.
- 4) Subsidized vanpool. The cost to employee shall be comparable to other alternate modes such as transit or carpooling.
- 5) Subsidy program where 50% or more of the commute trip cost is reimbursed by the school when an alternative mode is used.
- 6) Guaranteed ride home program.
- 7) Program to recruit and reward new alternate mode users and those employees or students who move closer to the school site.
- 8) Prize drawings which encourage alternate mode participation.
- 9) A school sponsored program which addresses air quality concerns and the Trip Reduction Program.
- 10) On-site day care facility added after June 1, 1994.

b) After the second year, the Task Force shall review the Trip Reduction Program of any school who does not meet regional targets and may recommend additional measures.

4) A description of a mechanism for regular distribution of alternative mode transportation information to employees and students.

5) Name, address, telephone number, and signature of the Chief Executive Officer or the highest ranking official responsible for implementing the plan.

6) Such other information as may be required by the Task Force.

D) Implement a Trip Reduction plan approved by the Task Force.



E) Provide each employee and student with information on alternative mode options and Trip Reduction measures. This information shall also be provided to new employees at the time of hiring and to new students upon enrollment.

F) Designate a Transportation Coordinator responsible for implementing the school's Trip Reduction Program and serving as the liaison to the Task Force.

G) Provide its school name, addresses for all its school sites in the County, and the name and address of a person who works for the school and can provide information as required by the Task Force within 60 days of opening for business or hiring, relocating or otherwise adding employees and/or students so as to become subject to this ordinance.

H) Notify their employees of their duty to comply with the requirements of Arizona Revised Statute 49-542 when 100 or more employees report to a single school site or work site. All employees of those schools shall complete and sign a statement annually, indicating that they have complied with the requirements of Section 49-542.

I) Keep all records necessary to prove compliance with and verify implementation of an approved Trip Reduction plan.

SECTION 9 REDUCED EMISSION VEHICLE CREDITS

Reduced emission vehicle (rev) factors and reduced emission vehicle credit (credit) may be applied toward an employer's or school's rates of single-occupancy vehicle trips and miles traveled when a reduced emission vehicle is used for commute trips.

A) Initial application for credit will be made when credit has not been previously awarded for that vehicle or group of vehicles. Continuing award of credit for years following initial application will require an application for recertification to be made when the employer or school submits the annual survey to the county. Credits are not transferrable and shall not be awarded to any vehicle that exceeds eighty percent of the carbon monoxide standard established for the model year and vehicle classification of that vehicle.

B) Employer or school shall demonstrate to the Task Force that the vehicle or group of vehicles meets the standards identified in Tables 1 or 2, as applicable.

1) Upon implementation of a transient loaded emissions test procedure, or by January 1, 1995, whichever is sooner, Table 1 will be used by staff to calculate credit. The REV standards identified in Table 1 originate from the California Low Emission Vehicle Standards, hereinafter referred to as the California LEV standards. For Trip Reduction Program purposes, the carbon monoxide (CO) emission standard of the California LEV standards has been reduced by twenty percent, while standards for oxides of nitrogen (NOx) and non-methane organic gases (NMOG)

remain at their established levels for these standards. The California LEV standards are identified in grams per mile.

2) In the absence of the availability and implementation of a transient loaded emission test initial award of credit will be calculated by staff based upon the emission standards identified in Table 2. Table 2 will not be used for the recertification of reduced emission vehicles or for the calculation of any credit after January 1, 1995. The REV standards in Table 2 originate from the State of Arizona Emission Standards. For Trip Reduction Program purposes, the standard for carbon monoxide has been reduced by twenty percent. Arizona emission standards in Table 2 identify percentages of carbon monoxide and parts per million of hydrocarbons.

TABLE 1
TRP REDUCED EMISSION VEHICLE (REV) STANDARDS

LEVEL	CO gm/mi	NOx gm/mi	NMOG gm/mi	REV FACTOR CALCULATION BASED ON:
LEVEL 1	.01 - 2.72	.4	.125	ACTUAL EMISSION
LEVEL 2	ZERO	ZERO	ZERO	.10

TABLE 2
TRP REDUCED EMISSION VEHICLE (REV) STANDARDS

MODEL YEAR	CYLINDERS	CO %	HC ppm	REV FACTOR CALCULATION BASED ON:
1980 +	N/A	.96	220	ACTUAL CO EMISSION
1975-1979	N/A	1.76	250	ACTUAL CO EMISSION
1972-1974	N/A	4.0	400	ACTUAL CO EMISSION

C) For an employer or school to receive certification of an alternative fuel vehicle as a reduced emission vehicle and award of credit for that vehicle or group of vehicles, the employer or school shall provide to the Task Force at the time of application:

- 1) A completed application form.
- 2) Evidence of the certification of that vehicle or group of vehicles to the California LEV standards or Federal Clean Fuel Fleet program standards by the motor vehicle manufacturer (for initial application only).
- 3) Current emission test results for that vehicle or group of vehicles from an official state of Arizona vehicle emissions inspection station.

4) Documentation reflecting commute trips and miles for that vehicle or group of vehicles.

5) A certified copy of vehicle registration, lease agreement or 3rd party contract for that vehicle or group of vehicles. (For initial application only.)

6) Alternative fuel purchase or distribution records substantiating a sixty percent overall use of alternative fuel for that vehicle or group of vehicles (for dual-fuel and flexible-fuel vehicles only).

D) For an employer or school to receive certification of a vehicle with a device as a reduced emission vehicle and award of credit for that vehicle or group of vehicles, the employer or school shall provide to the Task Force at the time of application:

1) A completed application form.

2) Evidence of any one of the following: 1) certification of the device to California LEV standards or federal clean fuel fleet vehicle emission standards on that vehicle or group of vehicles by a vehicle manufacturer; or 2) certification of the device to California LEV standards or Federal Clean Fuel Fleet vehicle emission standards by the epa; or 3) a certificate of compliance, issued by a Bureau of Automotive Repair Referee Smog Check Station in the State of California, specifying that the retrofit system is certified to California LEV standards, or 4) the final report published from the Voluntary Device Evaluation program of the EPA, pursuant to 40 CFR Part 610, relating the results of the federal test procedure when the device is added to that vehicle or group of vehicles. (For initial application only.)

3) The name of the device and its manufacturer. (For initial application only.)

4) A clear statement from the device manufacturer as to whether the use of the device will void any existing vehicle warranty and what the responsibility of the device manufacturer will be under such circumstances. The State of Arizona shall have no responsibility as to the validity of such statement. (For initial application only.)

5) A clear statement from the device manufacturer as to whether the use of the device will adversely affect onboard diagnostics and what the responsibility of the device manufacturer will be under such circumstances. The State of Arizona shall have no responsibility as to the validity of such statement. (For initial application only.)

6) Device purchase receipts. (For initial application only).

- 7) Proof of device installation, which may include receipts or signed statements from the repair shop mechanic. (For initial application only).
- 8) Current emission test results for that vehicle or group of vehicles from an official State of Arizona vehicle emissions inspection station.
- 9) Documentation reflecting commute trips and miles for that vehicle or group of vehicles.

E) Credit will be awarded by the Task Force after the vehicle has been certified as being a reduced emission vehicle and will be reflected in the survey data results for that employer or school.

F) The Task Force shall certify an alternative fuel vehicle as a reduced emission vehicle or group of vehicles, when the employer or school demonstrates to the Task Force:

- 1) The vehicle manufacturer has certified that vehicle or group of vehicles to California LEV standards or Federal Clean Fuel Fleet vehicle emission standards.
- 2) The vehicle or group of vehicles is substantially lower emitting.
- 3) A vehicle emission inspection test was completed as required by Arizona Revised Statute 49-542 for that vehicle or group of vehicles.
- 4) The employer or school is not receiving emission credits for that vehicle which are being relied upon to comply with the requirements of Title I of the Clean Air Act.

G) The Task Force shall certify a vehicle with a device as a reduced emission vehicle or group of vehicles, when the employer or school demonstrates to the Task Force:

- 1) In absence of certification of the device to California LEV standards or Federal Clean Fuel Fleet vehicle emission standards from a vehicle manufacturer, the epa, or the California Air Resource Board, a device manufacturer used a Voluntary Device Evaluation program of the EPA which used the federal test procedure as a means of emission and device evaluation. The result of that federal test procedure on that vehicle or group of vehicles shall demonstrate significantly lower emissions.
- 2) The vehicle or group of vehicles is substantially lower emitting.
- 3) A vehicle emission inspection test was completed as required by Arizona Revised Statute 49-542 for that vehicle or group of vehicles.
- 4) The device does not void any existing vehicle warranty or adversely affect the onboard diagnostic system.

5) The employer or school is not receiving emission credits for that vehicle or group of vehicles which are being relied upon to comply with the requirements of title I of the Clean Air Act.

l) Once a vehicle has been certified by the Task Force as being a reduced emission vehicle, the methodology used by the Task Force to apply a reduced emission vehicle factor and credit to the rate of single-occupancy vehicle trips and miles traveled will be:

a) The actual carbon monoxide (CO) emission level of that reduced emission vehicle will be compared to the average CO emission for the vehicle class and model year of that vehicle, hereinafter, referred to as the average, to ensure the actual CO of that vehicle is substantially lower emitting.

B) When the emissions of that vehicle are found to be substantially lower emitting, the actual CO emission for that vehicle will be divided by the average. The reduced emission vehicle factor will be calculated based upon the percentage cleaner that vehicle is found to be when compared to the average.

C) The reduced emission vehicle factor will be applied to the rates of single-occupancy vehicle trips and miles traveled for that reduced emission vehicle, resulting in adjusted rates of single-occupancy vehicle trips and miles traveled for the employer or school.

Example Calculation

A) Assumptions: The actual CO emission of a vehicle equals 2.3 grams per mile (gm/mi). The actual NOx emission equals .18 Gm/mi; actual nmog emission equals .70 gm/mi. The average CO emission of like vehicles generally purchased in the area has been determined to be 3.2 gm/mi.

B) To calculate:

1) Ensure actual CO level of vehicle is 2.56 or less. (To be substantially lower emitting, CO must be twenty percent lower than the average: $3.2 - 20\% = 2.56$)

2) Divide the actual CO by the average CO ($2.3 \div 3.2 = .72$),

3) This vehicle has been found to be .28 cleaner than the average emission.

4) The reduced emission vehicle factor will be .72 (Each commute trip and each mile for that vehicle will be calculated at .72 instead of 1.0.)

SECTION 10

VARIANCES

Any employer or school wishing a variance from any of the requirements of this ordinance may make written application to the Task Force. A request for variance shall be finally approved or disapproved within ninety days after the filing of a request by an employer or school.

SECTION 11

EXEMPTIONS

A) Employers or schools opening for business, or hiring, relocating or otherwise adding employees or students so as to become subject to the requirements of this ordinance within sixty days before the annual due date for the annual survey, are not required to submit the survey or plan until the next annual due dates.

B) The Task Force may grant an exemption to employers or schools from the requirement to attain Trip Reduction goals specified in Section 7 or Section 8, as applicable. Exemptions shall be granted if the employer or school demonstrates the effective Trip Reduction strategies were implemented on or after July 1, 1988. Those exemptions may be granted only for the first year in which an employer or school is subject to this ordinance. Employers or schools shall demonstrate that effective strategies are in place by providing:

- 1) a detailed description of the Trip Reduction strategies and how they are implemented.
- 2) The period of time that the strategies have been in place.
- 3) Evidence indicating that the strategies have been effective in reducing the proportion of employees or students commuting by single-occupancy vehicles.

C) The Task Force shall grant an exemption only on finding:

- 1) The evidence submitted by the employer or school is valid.
- 2) The Trip Reduction strategies have reduced trips at least as much as specified in the Trip Reduction goals in Section 7 or 8, as applicable.

SECTION 12

APPEALS

Any employer, school, or resident of the County may appeal to the Board of Supervisors a decision of the Task Force to authorize or withhold variances, a decision to approve or disapprove a Trip Reduction plan, or a decision that an employer or school is subject to the requirements of this ordinance. Any petition by an employer, school, or resident of the County appealing the decision of the Task Force must be filed with the Clerk of the Board

within ten working days after the employer, school, or resident of the County receives notice of the decision.

SECTION 13

ENFORCEMENT

A) PRODUCTION OF RECORDS AND OTHER INFORMATION

The Task Force may order an employer or school to produce any and all records or other information it deems necessary to verify compliance with this ordinance or any order of the Task Force.

B) ENFORCEMENT ACTIONS

If the Task Force determines that an employer or school has violated any of the requirements of this ordinance or any order of the Task Force it shall recommend to the Board appropriate enforcement action. The Board may request the County Attorney to take appropriate legal action.

C) CIVIL PENALTIES

An employer or school who violates any provision or requirement of this ordinance or any order of the Task Force shall be subject to increasing civil penalties not to exceed one hundred dollars for the first violation, two hundred dollars for the second violation, and three hundred dollars for each additional violation. Violations which continue for more than one day shall constitute a separate violation for each day.

1) Violations of any of the following requirements may subject an employer or school to increased civil penalties:

- a) Failure to collect or supply information requested by the Task Force.
- b) failure to disseminate information on alternative modes and other Trip Reduction measures as specified in this ordinance.
- c) Failure to designate a transportation coordinator.
- d) Failure to submit an approvable Trip Reduction plan.
- e) Failure to implement an approved Trip Reduction plan within the time scheduled or failure to perform a revision of a plan as required by the Task Force.

2) Failure by an employer or school to meet Trip Reduction goals as prescribed in Section 7 and Section 8, as applicable, does not constitute a violation if the employer or school is attempting in good faith to meet the goals.