



**COMPLIANCE ASSISTANCE BULLETIN**  
April 2010



## **The eTRIP Rule**

Rule 9410: Employer Based Trip Reduction

***JULY 1, 2010, EMPLOYER REGISTRATION DEADLINE FAST APPROACHING***

On December 17, 2009, the San Joaquin Valley Air Pollution Control District (District) adopted the eTRIP Rule, which requires employers with 100 or more eligible employees at a worksite to establish employee trip-reduction programs. These measures are designed to encourage employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. For your convenience, a *Worksite Eligibility Worksheet* is included with this bulletin to assist you with making this applicability determination.

The eTRIP Rule requirements are phased in over the next several years, and the District is committed to providing employers with guidance, training, online tools, and turnkey resources to make implementation of the rule as easy for employers as possible. **Employers are first required to register with the District by no later than July 1, 2010.** To assist with the registration requirement, the District has developed an online registration tool available by visiting [www.valleyair.org/tripreduction.htm](http://www.valleyair.org/tripreduction.htm) and clicking on the following button.



In addition to requirements of the eTRIP Rule, employers might be interested in implementing operational measures that can reduce emissions. Employers looking for tools to put their ideas into action and/or be recognized for their clean-air choices can become a **Healthy Air Living Partner**. Becoming a Healthy Air Living Partner will also assist employers in complying with the requirements of the eTRIP Rule. To request Healthy Air Living Partner information, please email your contact information to [healthylivingpartners@valleyair.org](mailto:healthylivingpartners@valleyair.org).

For more information on the eTRIP rule or assistance in completing the eTRIP Registration, please visit [www.valleyair.org/tripreduction.htm](http://www.valleyair.org/tripreduction.htm) or contact the eTRIP Rule Small Business Assistance office by email at [tripreduction@valleyair.org](mailto:tripreduction@valleyair.org) or by phone at (559) 230-6000.

**How many “Eligible Employees” do you have for the eTRIP Rule (Rule 9410)?**



Applicability for the eTRIP Rule is determined by the number of Eligible Employees at a single **worksite**. A worksite is:

- Location, structure, building, portion of a building, or grouping of buildings in close proximity in and around which employees work for the same employer
- Close proximity: individual buildings in a group...
  - No more than one mile from central work location with the largest number of employees reporting
  - Served by a common circulation or access system (such as a common parking area or driveway)
  - Not separated by an impassable barrier to pedestrian travel (freeway, flood control channel, railroad, etc.)

Complete this worksheet for **each worksite** to determine which worksites need to comply with the eTRIP Rule.

| Employee count for Worksite: |  |  |  |
|------------------------------|--|--|--|
| Line 1                       | Total number of employees at a worksite  |  |  |
| Line 2                       | How many employees arrive at work OUTSIDE of the “Peak Period?” The “Peak Period” is 6 AM through 10 AM Monday – Friday, inclusive. So, how many employees start work before 6 AM or after 10AM?<br>(Section 3.54 of Rule 9410)<br><br><i>What about shifts that vary? An employee may be an “eligible employee” one day and an “excluded employee” on another day if his or her start time changes. Employers should determine their applicability based on an average number of “eligible employees” per day for the week.</i> |  |  |
| Line 3                       | How many employees report directly to temporary field construction site? These employees are designated as “Field construction workers.” (Section 3.35 of Rule 9410)   |  |  |
| Line 4                       | How many employees spend 20% or less of their work time/week at the primary worksite <u>AND</u> either (1) do not report to worksite for pick-up of an employer-provided vehicle <u>OR</u> (2) do not return to the worksite at the end of the work day? These employees are designated as “Field personnel.” (Section 3.36 of Rule 9410)  |  |  |
| Line 5                       | How many employees are employed in growing of crops or the raising of fowl/animals? These employees are designated as “Farm workers.” (Section 3.34 of Rule 9410)  |  |  |

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|----------------|--|--|--|
| <b>Line 6</b>  | How many employees are assigned an employer-owned vehicle for commutes? These employees are designated as “Home garage employees.”<br>(Section 3.41 of Rule 9410)  |  |  |
| <b>Line 7</b>  | How many employees are required to have authorized emergency response vehicle at home or on-call basis? Also, how many employees are sworn peace officers or firefighters? These employees are designated as “Emergency health and safety employees.”<br>(Section 3.20 of Rule 9410)   |  |  |
| <b>Line 8</b>  | How many employees are required to be on-call for at least 50% of work time per year AND either <ul style="list-style-type: none"> <li>- Receive monetary compensation for on-call/standby time OR</li> <li>- Have geographic movement and personal activities restricted, and cannot trade on-call responsibilities without approval</li> </ul> These employees are designated as “On-call employees.”<br>(Section 3.52 of Rule 9410) |  |  |
| <b>Line 9</b>  | How many employees report to worksite for fewer than 32 hours per week? These employees are designated as “Part-time employees.”<br>(Section 3.53 of Rule 9410)  |  |  |
| <b>Line 10</b> | How many employees are employed less than 16 consecutive weeks per year (based on employer’s fiscal year)? These employees are designated as “Seasonal workers.”<br>(Section 3.66 of Rule 9410)  |  |  |
| <b>Line 11</b> | How many employees report to your worksite as a temporary employee under a contractual arrangement with an employment agency? These employees are designated as “Employment agency personnel.”<br>(Section 3.29 of Rule 9410)  |  |  |
| <b>Line 12</b> | How many people reporting to your worksite do not receive wages, salary, or other form of financial compensation from employer for services provided? These individuals are designated as “volunteers.”<br>(Section 3.77 of Rule 9410)   |  |  |
| <b>Line 13</b> | Add Lines 2 through 12. These are “ <b>Excluded Employees.</b> ”   |  |  |
| <b>Line 14</b> | Subtract Line 13 from Line 1. These are your “ <b>Eligible Employees.</b> ”<br>If a worksite has less than 100 Eligible Employees, then it does not need to comply with the eTRIP Rule.<br>If a worksite has 100 or more Eligible Employees, then it needs to comply with the eTRIP Rule. For more information, please visit <a href="http://www.valleyair.org/tripreduction.htm">www.valleyair.org/tripreduction.htm</a> .            |  |  |