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A-94-53

State of California
AIR RESOURCES BOARD

Executive Order G-812

A-94-53
II-B-13

WHEREAS, on January 14, 1993, the Air Resources Board (ARB/Board) conducted a public hearing, which had been postponed from November 12, 1992 and December 10, 1992, to consider amendments to certification requirements and procedures for low-emission passenger cars, light-duty trucks, and medium-duty vehicles;

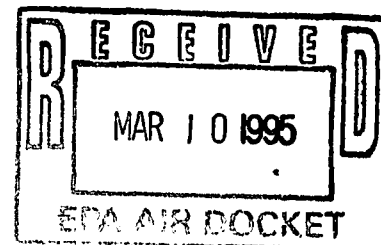
WHEREAS, following the public hearing, the Board adopted Resolution 93-3, in which the Board approved amendments to Title 13, California Code of Regulations, sections 1960.1, 1976 and 2061, as set forth in Attachment A thereto; amendments to the "California Exhaust Emission Standards and Test Procedures for 1988 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," as set forth in Attachment B thereto; amendments to the "California Evaporative Emission Standards and Test Procedures for 1978 and Subsequent Model Motor Vehicles," as set forth in Attachment C thereto; amendments to the "California Assembly-Line Test Procedures for 1983 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," as set forth in Attachment D thereto; and amendments to the "California Non-Methane Organic Gas Test Procedures," as set forth in Attachment E thereto, with the modifications to said attachments as described in Attachment F thereto;

WHEREAS, Resolution 93-3 directed the Executive Officer to incorporate into the approved regulatory amendments the modifications described in Attachment F thereto, with such other conforming modifications as may be appropriate, and to adopt the amendments after making the modified language available to the public for a period of 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted;

WHEREAS, the approved regulations were available for public comment for a period of at least 15 days in accordance with the provisions of Title 1, California Code of Regulations, section 44, with the changes to the originally proposed text clearly indicated;

WHEREAS, several comment letters were received during the 15-day comment period, and the comments were considered by the Executive Officer;

WHEREAS, in light of the comments received during the 15-day comment period, the Executive Officer determined it was necessary and appropriate to make additional modifications to the "California Non-Methane Organic Gas Test Procedures;" portions of the text of this document were made available for supplemental public comment for a period of at least 15 days in accordance



with the provisions of Title 1, California Code of Regulations, section 44, with the additional modifications clearly indicated;

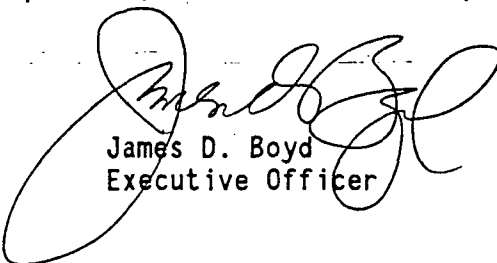
WHEREAS, several comment letters were received during the supplemental 15-day comment period, and the comments have been considered by the Executive Officer;

WHEREAS, the definition of "zero-emission vehicle" in section 1900(b)(15) of Title 13, California Code of Regulations, does not reflect the amendments adopted herein to the otherwise identical definition of "zero-emission vehicle" in section 2.Ae. of the "California Exhaust Emission Standards and Test Procedures for 1988 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," and the definition of "medium-duty vehicle" in section 1900(b)(9) does not reflect recent amendments to the otherwise identical definition of "medium-duty vehicle" as set forth in section 2.h. of the "California Exhaust Emission Standards and Test Procedures for 1988 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles"; Attachment A hereto includes nonsubstantial editorial corrections to Title 13, California Code of Regulations, section 1900(b)(9) and (b)(15) to conform the definitions of "medium-duty vehicle" and "zero-emission vehicle" to the definitions of these terms in the "California Exhaust Emission Standards and Test Procedures for 1988 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles" as amended herein;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 93-3 are incorporated herein.

IT IS FURTHER ORDERED, in accordance with Resolution 93-3 and the above findings, that the amendments to sections 1960.1, 1976, 2061 and 1900, Title 13, California Code of Regulations, are adopted as set forth in Attachment 1 hereto, and the amendments to the incorporated test procedures are amended as set forth in Attachments 2, 3, 4, 5, and 6 hereto.

Executed this 22nd day of September, 1993 at Sacramento, California.



James D. Boyd
Executive Officer

Attachments

ATTACHMENTS

Within-Scope-of-the-Waiver Request

Amendments to the California Requirements and Procedures for Certification of Low-Emission Vehicles

1. Public Hearing Notice, dated September 15, 1992; Notice of Postponement, dated November 4, 1992; Second Notice of Postponement, dated December 2, 1992.
2. Initial Statement of Proposed Rulemaking, Amendments to the Low-Emission Vehicle Program (Staff Report), release date September 25, 1992.
3. Supplement to Initial Statement of Proposed Rulemaking (Staff Report), Amendments to the Low-Emission Vehicle Program, release date November 13, 1992, and accompanying November 13, 1992 Notice of Availability.
4. Summary of Test Data and Speciated FTP Results (made available November 13, 1992).
5. Modeling Protocol and Partial Results, California Air Resources Board, Research Division, dated November 24, 1992.
6. Modeling Protocol and Final Results, California Air Resources Board, Research Division, dated December 15, 1992.
7. Board Resolution 93-3, dated January 14, 1993.
8. Notice of Availability of Modified Text and Supporting Documents and Information, Including Attachments I-V, issued March 22, 1993.
9. Complete Modified Text of Test Procedures, included as or referenced in Attachment III of item 8 above, issued March 22, 1993.
10. Second Notice of Public Availability of Modified Text and Supporting Documents and Information, issued June 2, 1993.
11. Final Statement of Reasons for Rulemaking, Including Summary of Comments and Agency Responses, September, 1993.
12. Executive Order G-812, dated September 22, 1993.
13. Face sheet for filing regulations with OAL, and attached amendments to Title 13, California Code of Regulations, sections 1960.1, 1976, 2061, and 1900, as adopted.

14. California Exhaust Emission Standards and Test Procedures for 1988 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, as amended September 22, 1993.
15. California Assembly-Line Test Procedures for 1983 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles, as amended September 22, 1993.
16. California Evaporative Emission Standards and Test Procedures for 1978 and Subsequent Model Motor Vehicles, as amended September 22, 1993.
17. California Non-Methane Organic Gas Test Procedures, as amended September 22, 1993.
18. Memorandum from ARB Senior Staff Counsel Thomas Jennings to OAL Senior Staff Counsel Victoria Cline, dated November 2, 1993 (without attachments).
19. Memorandum from ARB Senior Staff Counsel Thomas Jennings to OAL Senior Staff Counsel Victoria Cline, dated November 5, 1993, with attachments.
20. OAL's Notice of Approval of Regulatory Action, dated November 8, 1993.
21. Final Regulation Order, Amendments to Title 13, California Code of Regulations, sections 1960.1, 1976, 2061 and 1900.