

§2062. Assembly-Line Test Procedures - 1998 and Subsequent Model Years.

New 1998 through 2000 model-year passenger cars, light-duty trucks, and medium-duty vehicles, subject to certification and manufactured for sale in California, except for zero-emission vehicles and medium-duty vehicles certified according to the optional standards and test procedures of Section 1956.8, Title 13, California Code of Regulations, shall be tested in accordance with the "California Assembly-Line Test Procedures for 1998 through 2000 Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," adopted June 24, 1996, as last amended August 5, 1999, which is incorporated herein by reference. New 2001 and subsequent model-year passenger cars, light-duty trucks, and medium-duty vehicles, subject to certification and manufactured for sale in California, except for zero-emission vehicles and medium-duty vehicles certified according to the optional standards and test procedures of Section 1956.8, Title 13, California Code of Regulations, shall be tested in accordance with the "California Assembly-Line Test Procedures for 2001 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles." adopted August 5, 1999, which is incorporated herein by reference. These test procedures shall also apply to federally certified light-duty motor vehicles, except as provided in "Guidelines for Certification of 1983 and Subsequent Through 2002 Model-Year Federally Certified Light-Duty Motor Vehicles for Sale in California," adopted July 20, 1982, as last amended ~~July 21, 1994~~ July 30, 2002, and the "Guidelines for Certification of 2003 and Subsequent Model-Year Federally Certified Light-Duty Motor Vehicles for sale in California," adopted July 30, 2002, which ~~is~~ are incorporated herein by reference.

NOTE: Authority cited: Sections 39515, 39600, 39601, 43013, 43018, 43101, 43104 and 43210, Health and Safety Code. Reference: Sections 39002, 39003, 39500, 43000, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43204, 43210, 43211 and 43212, Health and Safety Code.

FINAL REGULATION ORDER

NOTE: This document is written in a style to indicate changes from the existing provisions. All existing language is indicated by plain text. All additions to language are indicated by underlined text. All deletions to language are indicated by ~~strikeout~~. Only those portions containing the suggested modifications from existing provisions are included. All other portions remain unchanged and are indicated by the symbol “* * * * *” for reference.

Amend sections 2111, 2112, 2411, 2412, 2413, and 2415, title 13 California Code of Regulations, and the incorporated California Exhaust Emission Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles, to read as follows:

§ 2111. Applicability.

(a) These procedures shall apply to:

(1) California-certified 1982 and subsequent model-year passenger cars, light-duty trucks, medium-duty vehicles, heavy-duty vehicles, motorcycles, California-certified 1997 and subsequent model-year off-road motorcycles and all-terrain vehicles, and 2007 and subsequent model-year off-road sport vehicles, off-road utility vehicles, and sand cars, including those federally certified vehicles which are sold in California pursuant to Health and Safety Code 43102,

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018 and 43105, Health and Safety Code.
Reference: Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107, and 43204-43205.5, Health and Safety Code.

~~§ 2112. Definitions.~~

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~~(l)(12) For 1997 and subsequent model year off-road motorcycles, all-terrain vehicles, and for 2007 and subsequent model year off-road sport vehicles, off-road utility vehicles, sand cars, and engines used in such vehicles, a period of use of five years or 10,000 kilometers (6,250 miles), whichever first occurs.~~

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Amend sections 2111, 2112, Appendix A to Article 2.1, 2139, 2147, 2440, 2441, 2442, 2443.1, 2443.2, 2443.3, 2444.1, 2444.2, 2445.1, 2445.2, 2446, and 2474, and delete section 2448, title 13 California Code of Regulations, to read as follows:

Chapter 2. Enforcement of Vehicle Emission Standards and Surveillance Testing

Article 2.1. Procedures for In-Use Vehicle Voluntary and Influenced Recalls

§ 2111. Applicability.

(a)e These procedures shall apply to:e

(4)e California-certified 2008 model year spark-ignitione sterndrive/inboard marine engines with maximum rated power lesse than or equal to 373 kilowatts complying with the Option 2e requirements in Section 2442(b)(1) and all California-certified 2009e and subsequent model-year spark-ignition sterndrive/inboard ande sterndrive marine engines, complying with the Option 1e requirements in Section 2442(b)(1) and California-certified 2008e and subsequent model-year spark-ignition inboard and sterndrivee marine engines complying with the Option 2 requirements ine Section 2442(b)(1).e

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Note: Authority cited: Sections 39600, 39601, 43013, 43018, 43105, and 43106 Health and Safety Code.

Reference: Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107 and 43204-43205.5, Health and Safety Code.

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Amend sections 2111, 2112, 2411, 2412, 2413, and 2415, title 13 California Code of Regulations, and the incorporated California Exhaust Emission Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles, to read as follows:

~~§ 2111. Applicability.~~

~~(a) These procedures shall apply to:~~

~~(1) California-certified 1982 and subsequent model-year passenger cars, light-duty trucks, medium-duty vehicles, heavy-duty vehicles, motorcycles, California-certified 1997 and subsequent model-year off-road motorcycles and all-terrain vehicles, and 2007 and subsequent model-year off-road sport vehicles, off-road utility vehicles, and sand cars, including those federally certified vehicles which are sold in California pursuant to Health and Safety Code 43102,~~

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~~NOTE: Authority cited: Sections 39600, 39601, 43013, 43018 and 43105, Health and Safety Code.~~

~~Reference: Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107, and 43204-43205.5, Health and Safety Code.~~

§ 2112. Definitions.

* * * * *

(l)(12) For 1997 and subsequent model year off-road motorcycles, all-terrain vehicles, and for 2007 and subsequent model year off-road sport vehicles, off-road utility vehicles, sand cars, and engines used in such vehicles, a period of use of five years or 10,000 kilometers (6,250 miles), whichever first occurs.

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43104 and 43105 and 43806, Health and Safety Code; and Section 28114, Vehicle Code.

Reference: Sections 39002, 39003, 39500, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43107, 43202, 43204-43205.5, 43206, 43210, 43211, 43212, 43213 and 43806, Health and Safety Code; and Section 28114, Vehicle Code.

§ 2411. Definitions.

(a) The definitions in Section 1900(b), Chapter 1, Division 3, Title 13 of the California Code of Regulations, apply with the following additions:

(1) "All-Terrain Vehicle (ATV)" means any ~~motorized~~ off-highway motor vehicle 50 inches (1270 mm) or less in overall width, that has all of the following features and characteristics: designed to travel on four or more low pressure tires, having a single seat designed to be straddled by the operator and or a single seat designed to be straddled by the operator and a seat for no more than one passenger, having handlebars for steering control, and intended for use by a single operator and no passengers. The vehicle is designed to carry not more than 350 pounds (160 kg) payload, excluding the operator, and is powered by an internal combustion engine. Width shall be exclusive of accessories and optional equipment. A golf cart, off-road sport vehicle, off-road utility vehicle, or sand car is not, for purposes of this regulation, to be classified as an all-terrain vehicle.

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(13) "Off-Highway Recreational Vehicle Engines" or "Engines" are identified as: two-stroke or four-stroke, air-cooled, liquid-cooled, gasoline, diesel, or alternate-fuel powered engines or electric motors that are designed for powering off-road recreational vehicles and engines included in, ~~but not limited to use in,~~ the following: off-road motorcycles, all-terrain vehicles, off-road sport vehicles, off-road utility vehicles, sand cars, and golf carts. All engines and equipment that fall within the scope of the preemption of Section 209(e)(1)(A) of the Federal Clean Air Act, as amended, and as defined by regulation of the Environmental Protection Agency, are specifically not included within this category.

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(17) "Off-Road Sport Vehicle" means any off-highway motor vehicle that has all of the following features and characteristics: designed to travel on four wheels, having bench or bucket seating for one or more persons, having a steering wheel

FINAL REGULATION ORDER

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Amend sections 2111, 2112, Appendix A to Article 2.1, 2139, 2147, 2440, 2441, 2442, 2443.1, 2443.2, 2443.3, 2444.1, 2444.2, 2445.1, 2445.2, 2446, and 2474, and delete section 2448, title 13 California Code of Regulations, to read as follows:

Chapter 2. Enforcement of Vehicle Emission Standards and Surveillance Testing

Article 2.1. Procedures for In-Use Vehicle Voluntary and Influenced Recalls

~~§ 2111. Applicability.~~

~~(a) These procedures shall apply to:~~

~~*****~~

- ~~(4) California-certified 2008 model year spark-ignition sterndrive/inboard marine engines with maximum rated power less than or equal to 373 kilowatts complying with the Option 2 requirements in Section 2442(b)(1) and all California-certified 2009 and subsequent model-year spark-ignition sterndrive/inboard and sterndrive marine engines, complying with the Option 1 requirements in Section 2442(b)(1) and California-certified 2008 and subsequent model-year spark-ignition inboard and sterndrive marine engines complying with the Option 2 requirements in Section 2442(b)(1).~~

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~~Note: Authority cited: Sections 39600, 39601, 43013, 43018, 43105, and 43106 Health and Safety Code.~~

~~Reference: Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107 and 43204-43205.5, Health and Safety Code.~~

§ 2112. Definitions.

(a) "Capture rate" means ...

* * * * *

(l) "Useful life" means, for the purposes of this article:

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(20) For 2004 and subsequent model-year heavy heavy-duty diesel engines, 2004 and subsequent model-year heavy-duty diesel urban buses, 2004 and subsequent model-year heavy-duty diesel engines to be used in urban buses, and 2004 and subsequent model year hybrid-electric urban buses for carbon monoxide, particulate, and oxides of nitrogen plus non-methane hydrocarbon emissions standards, a period of use of 10 years or 435,000 miles, or 22,000 hours, whichever first occurs, or any alternative useful life period approved by the Executive Officer, except as provided in paragraphs ~~(19)(i)(20)(A)~~ and ~~(19)(ii)(20)(B)~~.

(i)

(A) The useful life limit of 22,000 hours in paragraph (19) of this definition is effective as a limit to the useful life only when an accurate hours meter is provided by the manufacturer with the engine and only when such hours meter can reasonably be expected to operate properly over the useful life of the engine.

(ii)

(B) For an individual engine, if the useful life hours limit of 22,000 hours is reached before the engine reaches 10 years or 100,000 miles, the useful life shall become 10 years or 100,000 miles, whichever occurs first, as required under Clean Air Act section 202(d) (42 U.S.C. 7521(d)).

* * * * *

(23) (A) For California-certified 2009~~2008~~ and subsequent model year spark-ignition sterndrive/inboard and sterndrive marine engines with maximum rated power less than or equal to 373 kilowatts and complying with the Option 42 requirements in Section 2442(b)(1), and for California-certified 2009 and subsequent model-year spark-ignition sterndrive/inboard and sterndrive marine engines complying with the Option 2 requirements in Section 2442(b)(1) with a maximum rated or maximum engine power less than or equal to 485 kilowatts, a period of ten years or 480 hours, whichever first occurs, for engines 485 kilowatts and less.

(B) For California-certified 2009 and subsequent model year spark-ignition sterndrive/inboard marine engines greater than 485 kilowatts, a period of one year or 50 hours, whichever first occurs. Manufacturers of spark-ignition sterndrive/inboard marine engines greater than 485 kilowatts may petition the Executive Officer for a approval of a shorter period when appropriate.

Appendix A to Article 2.1

California In-Use Vehicle Emission-Related Recall Procedures, Enforcement Test Procedures, and Failure Reporting Procedures for 1982 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks, Medium-Duty Vehicles, Heavy-Duty Vehicles and Engines, Motorcycles, 1997 and Subsequent Model-Year Off-Road Motorcycles and All-Terrain Vehicles, 2000 and Subsequent Model-Year Off-Road Compression-Ignition Engines, and 2008 and Subsequent Model-Year Spark-Ignition ~~Inboard and Sterndrive/Inboard~~ Marine Engines.

Vehicle and Engine Parameters, Components, and Specifications

- I. Passenger Car, Light-Duty Truck, Medium-Duty Vehicle, Motorcycle, and Inboard and Sterndrive Parameters and Specifications.

F. Engine Cooling System: Thermostat calibration.

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G. Exhaust Emission Control system.

Note: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43104, 43105 and 43806, Health and Safety Code; and Section 28114, Vehicle Code.

Reference: Sections 39002, 39003, 39500, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43107, 43202, 43204-43205.5, 43206, 43210, 43211, 43212, 43213 and 43806, Health and Safety Code; and Section 28114, Vehicle Code.

§2112. Definitions.

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(b) "Correlation factor" means a pollutant-specific multiplicative factor calculated by a manufacturer for an engine family or test group which establishes a relationship between chassis exhaust emission data, as determined from the test procedures specified in section 1960.1, ~~or 1961~~, or 1961.2, Title 13, California Code of Regulations, and engine exhaust emission data, as determined from the test procedures specified in section 1956.8, Title 13, California Code of Regulations.

* * * *

(l)(9) For 2001 ~~and subsequent~~ through 2019 model year medium-duty low-emission, ultra-low-emission and super-ultra-low-emission vehicles certified to the primary standards in section 1961(a)(1), and motor vehicle engines used in such vehicles, a period of use of ten years or 120,000 miles, whichever occurs first. For 2001 ~~and subsequent~~ through 2019 medium-duty low-emission, ultra-low-emission and super-ultra-low-emission vehicles certified to the optional 150,000 mile standards in section 1961(a)(1), and motor vehicle engines used in such vehicles, a period of use of fifteen years or 150,000 miles, whichever occurs first. For all other 1995 and subsequent model-year medium-duty vehicles, and motor vehicle engines used in such vehicles, and 1992 through 1994 model-year medium-duty low-emission, and ultra-low-emission vehicles certified to the standards in Section 1960.1(h)(2), and motor vehicle engines used in such vehicles, a period of use of eleven years or 120,000 miles, whichever occurs first.

* * * *

(l)(18) For those passenger cars, light-duty trucks, and medium-duty vehicles certified to the standards in section 1961.2 or 1961.3, the useful life shall be fifteen years or 150,000 miles, whichever occurs first.

[renumber subsections (l)(18) through (l)(23) as (l)(19) through (l)(24)]

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43104, 43105 and 43806, Health and Safety Code; and Section 28114, Vehicle Code. Reference: Sections 39002, 39003, 39500, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43107, 43202, 43204-43205.5, 43206, 43210, 43211, 43212, 43213 and 43806, Health and Safety Code; and Section 28114, Vehicle Code.

Chapter 2. Enforcement of Vehicle Emission Standards and Surveillance Testing

Article 2.3. In-Use Vehicle Enforcement Test Procedures

§ 2139. Testing.

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- (h) For spark-ignition ~~inboard and sterndrive~~/inboard marine engines, in-use compliance tests shall be performed pursuant to section 2442, Title 13, California Code of Regulations. The in-use compliance testing shall use the same test procedure utilized for the specific engine's original certification testing.

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Note: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43104 and 43105, Health and Safety Code.

Reference: Sections 39002, 39003, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43103, 43104, 43105, 43106, 43107, 43204-43205.5 and 43211-43213, Health and Safety Code.

§2139. Testing.

After the vehicles have been accepted and restorative maintenance, if any, has been performed, the ARB or its designated laboratory shall perform the applicable emission tests pursuant to the following:

(a) For passenger cars and light-duty trucks, in-use compliance emission tests shall be performed pursuant to section 1960.1, ~~or 1961, 1961.2, or 1961.3,~~ Title 13, California Code of Regulations, as applicable.

(b) For medium-duty vehicles certified according to the chassis standards and test procedures specified in section 1960.1, ~~or 1961, 1961.2, or 1961.3,~~ Title 13, California Code of Regulations and the documents incorporated by reference therein, in-use compliance emission tests shall be performed pursuant to section 1960.1, ~~or 1961, 1961.2, or 1961.3,~~ Title 13, California Code of Regulations, as applicable.

(c) For medium-duty engines and vehicles certified according to the optional engine test procedures specified in section 1956.8, Title 13, California Code of Regulations and the documents incorporated by reference therein, in-use compliance emission tests shall be performed pursuant to one of the following procedures:

* * * *

(2) Medium-duty vehicles may be tested according to the chassis test procedures specified in section 1960.1(k), ~~or 1961, or 1961.2,~~ as applicable, if a manufacturer develops correlation factors which establish the relationship between engine and chassis testing for each engine family or test group and submits these correlation factors within one year after the beginning of production. The correlation factors shall be applied to the measured in-use engine exhaust emission data to determine the in-use engine exhaust emission levels. All correlation factors and supporting data included in a manufacturer's application must be submitted to and approved by the Executive Officer in advance of their use by a manufacturer. Correlation factors intended to apply to a specific engine family or test group shall be applicable for each vehicle model incorporating that specific engine. Manufacturers shall submit test data demonstrating the applicability of the correlation factors for vehicle models comprising a minimum of 80 percent of their engine sales for that specific engine family or test group. The correlation factors for the remaining fleet may be determined through an engineering evaluation based upon a comparison with similar vehicle models. The Executive Officer shall approve a submitted correlation factor if it accurately corresponds to other established empirical and theoretical correlation factors and to emission test data available to the Executive Officer.

A manufacturer may choose to use the results from the chassis in-use testing as a screening test. If an engine family or test group does not demonstrate compliance with any of the applicable in-use engine standards, as determined from the chassis test data and the applied correlation factors, the manufacturer shall be subject to the requirements and cost of in-use compliance engine testing, as specified in section 2139(c)(1). The manufacturer shall be subject to engine testing for any non-complying engine family or test group for each subsequent year until compliance with the engine emission standards is demonstrated.

Subsequent to approval of the correlation factors, the Executive Officer may make a determination that the original correlation factors are not valid. Such a determination may be based upon in-use emission data, including chassis and engine testing. Upon determination that the correlation factors for a specific engine family or test group are not valid, the manufacturer of the engine family or test group shall be subject to the enforcement testing requirements and costs of in-use compliance engine testing, as specified in section 2139(c)(1).

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43104 and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43103, 43104, 43105, 43106, 43107, 43204-43205.5 and 43211-43213, Health and Safety Code.

§2140. Notification and Use of Test Results.

* * * *

(b) If the results of the in-use vehicle emission tests conducted pursuant to Section 2139 indicate that the average emissions of the test vehicles for any pollutant exceed the applicable emission standards specified in Title 13, California Code of Regulations, Section 1960.1, 1961, 1961.2, 1961.3, 1956.8, 1958, 2412, 2423 or 2442, the entire vehicle population so represented shall be deemed to exceed such standards. The Executive Officer shall notify the manufacturer of the test results and upon receipt of the notification, the manufacturer shall have 45 days to submit an influenced recall plan in accordance with Sections 2113 through 2121, Title 13, California Code of Regulations. If no such recall plan is submitted, the Executive Officer may order corrective action including recall of the affected vehicles in accordance with Sections 2122 through 2135, Title 13, California Code of Regulations.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018 and 43105, Health and Safety Code. Reference: Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107, 43204-43205.5 and 43211-43213, Health and Safety Code.

§2145. Field Information Report.

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(b) All field information reports shall be submitted to the Chief, Mobile Source Operations Division, 9528 Telstar Avenue, El Monte, CA 91731, and shall contain the following information in substantially the format outlined below:

* * * *

(3) A description of each class or category of California-certified vehicles or engines affected including make, model, model-year, engine family or test group and such other information as may be required to identify the vehicles or engines affected. The description shall include those engine families or test groups related to the affected engine family or test group through common certification test data allowed under ~~Title 40, Code of Federal Regulations, Section 86.085-24(f), as amended December 10, 1984~~ or Title 40 Code of Federal Regulations, Section 86.1839-01, as ~~adopted May 4, 1999~~ amended January 17, 2006 ("carry-over" and "carry-across" engine families or test groups).

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NOTE: Authority cited: Sections 39600, 39601 and 43105, Health and Safety Code. Reference: Sections 43000, 43009.5, 43018, 43101, 43104, 43105, 43106, 43107 and 43204-43205.5, Health and Safety Code.

Chapter 2. Enforcement of Vehicle Emission Standards and Surveillance Testing

Article 2.4. Procedures for Reporting Failures of Emission-Related Components

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§ 2147. Demonstration of Compliance with Emission Standards.

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- (b) A manufacturer may test properly maintained in-use vehicles with the failed emission-related component pursuant to the applicable certification emission tests specified in Title 13, California Code of Regulations, Section 1960.1 or 1961, as applicable, for passenger cars, light-duty trucks and medium-duty vehicles, Section 1956.8 for heavy-duty engines and vehicles, Section 1958 for motorcycles, and Section 2442 for ~~inboard and sterndrive~~/inboard marine engines. The emissions shall be projected to the end of the vehicle's or engine's useful life using in-use deterioration factors. The in-use deterioration factors shall be chosen by the manufacturer from among the following:

* * * * *

Note: Authority cited: Sections 39600, 39601 and 43105, Health and Safety Code.
Reference: Sections 43000, 43009.5, 43018, 43101, 43104, 43105, 43106, 43107 and 43204-43205.5, Health and Safety Code.

§2147. Demonstration of Compliance with Emission Standards.

* * * *

(b) A manufacturer may test properly maintained in-use vehicles with the failed emission-related component pursuant to the applicable certification emission tests specified in Title 13, California Code of Regulations, Section 1960.1, ~~or 1961~~, 1961.2, or 1961.3, as applicable, for passenger cars, light-duty trucks, and medium-duty vehicles, Section 1956.8 for heavy-duty engines and vehicles, Section 1958 for motorcycles, and Section 2442 for sterndrive/inboard marine engines. The emissions shall be projected to the end of the vehicle's or engine's useful life using in-use deterioration factors. The in-use deterioration factors shall be chosen by the manufacturer from among the following:

* * * *

(3) subject to approval by the Executive Officer, a manufacturer-generated deterioration factor. The Executive Officer shall approve such deterioration factor if it is based on in-use data generated from certification emission tests performed on properly maintained and used vehicles in accordance with the procedures set forth in Section 1960.1, ~~or 1961~~, or 1961.2 of Title 13 of the California Code of Regulations, as applicable, for passenger cars, light-duty trucks, and medium-duty vehicles; Section 1956.8 of Title 13 of the California Code of Regulations for heavy duty vehicles and engines; and Section 1958 of Title 13 of the California Code of Regulations for motorcycles, and if the vehicles from which it was derived are representative of the in-use fleet with regard to emissions performance and are equipped with similar emission control technology as vehicles with the failed component.

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NOTE: Authority cited: Sections 39600, 39601 and 43105, Health and Safety Code. Reference: Sections 43000, 43009.5, 43018, 43101, 43104, 43105, 43106, 43107 and 43204-43205.5, Health and Safety Code.

