



Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board

Mary D. Nichols, Chairman
9480 Telstar Avenue, Suite 4
El Monte, California 91731 www.arb.ca.gov



Arnold Schwarzenegger
Governor

September 11, 2008

Mail-Out #MSC 08-25

TO: ALL HEAVY-DUTY VEHICLE AND ENGINE MANUFACTURERS
ALL INDEPENDENT SERVICE REPAIR FACILITIES
ALL OTHER INTERESTED PARTIES

SUBJECT: PUBLIC WORKSHOP REGARDING PROPOSED AMENDMENTS TO
THE HEAVY-DUTY ON-BOARD DIAGNOSTICS (OBD) REGULATION.

Background: In 1989, the California Air Resources Board (ARB or Board) originally adopted section 1968.1, title 13 California Code of Regulations (CCR) which contains the malfunction detection and diagnostic system requirements known as OBD II. The regulation required that all 1996 and newer model year light-duty and medium-duty vehicles be equipped with OBD II systems. Subsequently, ARB updated the OBD II requirements with adoption of section 1968.2, title 13, CCR, improving and addressing several concerns and issues regarding the OBD II regulation. At the same time, ARB also adopted section 1968.5, title 13, CCR, which set up OBD II-specific enforcement requirements. In 2005, ARB subsequently adopted section 1971.1, title 13, CCR, which established OBD requirements for 2010 and subsequent model year heavy-duty vehicles and engines. The regulation details, among other things, monitoring requirements for emission controls, standardization requirements for communication with off-board tools and access to diagnostic information, and certification and demonstration testing requirements.

At the July 2005 hearing, the Board directed the staff to continue to follow manufacturers' progress towards meeting the heavy-duty OBD requirements, and to report back should modifications to the requirements be deemed appropriate. Since then, staff has developed amendments to the heavy-duty OBD regulation that will be brought before the Board at a public hearing scheduled for early 2009. Some of the proposed amendments relate to the diesel engine monitoring requirements, including modifications that add lead time to specific monitoring requirements, increase malfunction thresholds for specific monitors, and maintain consistency with the OBD II requirements. Other proposed amendments include updates to reference documents incorporated in the regulation as well as clarifications and/or modifications to several areas of the regulation, including the in-use monitor performance ratio denominator definitions, standardization requirements, and certification demonstration test aging requirements. All of staff's proposed modifications are contained in the draft regulatory language available at the website mentioned below, with proposed additions to the

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

All Heavy-Duty Vehicle and Engine Manufacturers
All Independent Service Repair Facilities
All Other Interested Parties
September 11, 2008
Page 2

regulation denoted by underline and proposed deletions denoted by ~~strikeout~~. Staff encourages industry to review the draft regulation and to comment on any proposed amendment of concern at the workshop. Additionally, any other issue related to technical feasibility may be raised for discussion at the workshop. Any such requests for modifications or changes should be supported by data and/or technical analysis substantiating the need for the change.

In addition to the proposed amendments to section 1971.1, staff is also proposing adoption of section 1971.5, title 13, CCR, which would detail in-use enforcement provisions that apply specifically to heavy-duty OBD systems that conform to the heavy-duty OBD regulation, section 1971.1. Similar to the OBD II enforcement regulation (section 1968.5), this proposed regulation would include detailed procedures for in-use enforcement testing of heavy-duty OBD systems, and would also detail procedures that would be followed by ARB if, after such testing, heavy-duty OBD systems of a tested engine family were found to be nonconforming. Among other things, the proposed procedures would authorize ARB to take remedial action, which may include recall of engines in which the nonconforming systems are installed and assessment of monetary penalties against the affected engine manufacturer. As the staff is currently still determining the appropriate enforcement procedures to apply to heavy-duty OBD systems, draft regulatory language for this proposed enforcement regulation is not available at this time.

The draft regulatory language for proposed changes to the heavy-duty OBD regulation (section 1971.1) and this workshop notice are available on the ARB website below. The draft regulatory language for the proposed heavy-duty OBD enforcement regulation will also be made available on this website once it is completed:

<http://www.arb.ca.gov/msprog/obdprog/obdworkshops.htm>.

Workshop: The staff requests comments from industry in an effort to refine the proposed amendments and enforcement regulation and implementation schedules in a manner that will allow for efficient and effective use of developmental resources. ARB staff has scheduled a workshop to discuss its current position and proposals and obtain information to further formulate specific proposals prior to the release of the Staff Report and documents relating to the 2009 Board Hearing.

All Heavy-Duty Vehicle and Engine Manufacturers
All Independent Service Repair Facilities
All Other Interested Parties
September 11, 2008
Page 3

The workshop will be held at the date, time, and location below:

Date: Wednesday, October 15, 2008
Time: 9:00 a.m. to 5:00 p.m.
Location: Air Resources Board
Annex IV Auditorium
9530 Telstar Avenue
El Monte, CA 91731

If you would like to make a formal presentation during the workshop, please contact Mr. Michael McCarthy, Manager, Advanced Engineering Section, at (626) 771-3614, or email at mmccarth@arb.ca.gov.

Interested parties unable to participate in the workshop or those wishing to supply additional information are encouraged to submit written comments by October 9, 2008. Written comments should be sent to Ms. Adriane Chiu, Advanced Engineering Section, Air Resources Board, 9480 Telstar Avenue, Suite 4, El Monte, CA 91731.

If any party wishes the information submitted to be treated as confidential by ARB staff, it should be clearly marked as "confidential" and should be on pages that are easily detachable from other, non-confidential, information. California guidelines (sections 91000-91002, title 17, CCR, and Health and Safety Code section 39220 (e)) will be followed in the handling of confidential information.

If you have a disability-related accommodation need, please go to <http://www.arb.ca.gov/html/ada/ada.htm> for assistance, or contact the ADA Coordinator at (916) 323-4916. If you are a person who need assistance in a language other than English, please visit <http://www.arb.ca.gov/as/eo/languageaccess.htm> or contact the Bilingual Coordinator at (916) 324-5049.

Sincerely,

/s/

Robert Cross, Chief
Mobile Source Control Division

cc: see next page

All Heavy-Duty Vehicle and Engine Manufacturers
All Independent Service Repair Facilities
All Other Interested Parties
September 11, 2008
Page 4

cc: Mr. Michael McCarthy, Manager
Advanced Engineering Section
Mobile Source Control Division

Ms. Adriane Chiu, Air Resources Engineer
Advanced Engineering Section
Mobile Source Control Division