



ston H. Hickox  
ncy Secretary

# Air Resources Board

Alan C. Lloyd, Ph.D.  
Chairman

9528 Telstar Avenue • P.O. Box 8001 • El Monte, California 91731 • [www.arb.ca.gov](http://www.arb.ca.gov)



Gray Davis  
Governor

July 26, 2001

Reference No. NMC-2001-001

Mr. John McKnight  
Director of Environmental Safety and Compliance  
National Marine Manufacturers Association  
1819 L Street N.W., Suite 700  
Washington, D.C. 20036

Dear Mr. McKnight:

This is in response to your May 17, 2001 letter regarding the placement, and replacement of environmental labels on outboard marine engines as well as personal watercraft. Environmental labels indicate the relative cleanliness (e.g., "one-star", "two-star", or "three-star") of marine engines to both engine/watercraft owners and enforcement personnel. In your letter, the National Marine Manufacturers Association (NMMA) requested:

- 1) Latitude in selecting the location for affixing the environmental labels, and
- 2) Permission for the authorized distributors and dealers to replace the environmental labels that are damaged or destroyed in shipping and in-use for 2001 and later model year products.

In regards to the label location, the Air Resources Board (ARB) sent a letter to your attention (Reference No. C-2000-351) on May 17, 2000, describing ARB's policy on label location for outboard marine engines. As for label location for personal watercraft (PWC), California Code of Regulations, Section 2443.2 (c)(2) specifies that a single label must be affixed two to three inches to the right of the required location of the California Assigned Vessel Number (CAVN) displayed on the port side of the hull. In your letter, you indicated that this requirement conflicts with the location of many state boat registration numbers. Consequently, in order to facilitate the sale of California labeled products nationally, ARB's policy is to provide flexibility to manufacturers (i.e. move the label more than two or three inches to the left or right of the CAVN) so long as the label is affixed near the CAVN on the port side of hull and is visible from 100 feet.

In regards to the second issue (replacement of damaged/destroyed labels by authorized dealers and distributors), Section 2443.2 (c)(4)(A) specifies that labels must be affixed

*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

Mr. John McKnight

-2-

to new watercraft or engines by the engine manufacturer or the original equipment manufacturer. ARB understands that it is critical for dealers and distributors to be able to provide replacement labels for those engines that have been damaged in shipment or in-use. Consequently, ARB's policy would be to allow the dealers and distributors to procure a single replacement label from the engine manufacturer corresponding to each specific consumer request. The manufacturer will be responsible for assuring that the appropriate replacement label is provided, recording the engine identification/serial number, the date that the label is shipped, and sending the replacement label to the dealer or distributor for installation. The engine manufacturer must include one of the following identification measures:

- 1) Manufacturer name and a serialized label.
- 2) Manufacturer name and the letter "R".

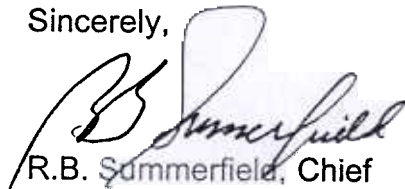
The only exception to this rule would be that, prior to the sale of a PWC to the ultimate purchaser, a manufacturer may replace a damaged label with an original equipment manufacturer label. The engine identification/serial numbers of personal watercraft engines that have been issued replacement labels must be made available to the ARB Executive Officer upon request.

Please note that the engine manufacturer remains the ultimate party responsible for ensuring that the labels are correctly administered. Improper labeling or distribution of labels may subject the engine manufacturer to penalties as described in Section 2443.2 (h).

On a separate note, I would like to clarify an issue regarding Environmental label/Consumer notification requirements as described in Section 2443.3. The regulations were drafted with the intent that the nonpermanent label (hand tag) would be attached to each engine or watercraft while in display in the showroom so that the consumers can utilize this information while making a purchasing decision. Please take the necessary steps to assure that this important information is disseminated to all NMMA members in a timely fashion.

If you have further questions on this matter, please contact Mr. Kumar Muthukumar at (626) 575-7040 or via e-mail at [cmuthuku@arb.ca.gov](mailto:cmuthuku@arb.ca.gov).

Sincerely,



R.B. Summerfield, Chief  
Mobile Source Operations Division