

May 17, 2001

Mr. R. B. Summerfield
Certification Section
California Air Resources Board
9528 Telstar Ave.
El Monte, California 91731

Dear Mr. Summerfield:

The National Marine Manufacturers Association is requesting your assistance to resolve two issues related to the CARB marine engine rule: one regarding the placement and the other regarding the replacement of CARB environmental "star" labels on marine outboard engines and personal watercraft.

The label placement issue is in regards to the requirement that sport boats and PWC powered by California certified engines be labeled with a label indicating the relative cleanliness of the engine under the Air Resources Board's standards (i.e. 1-star, 2-star, 3-star). The regulation specifically requires that this label be located 2 to 3 inches to the right of the California boat registration numbers.

Due to the nature of the marine industry's distribution network, the majority of California regulated watercraft manufactured or distributed in the US will have a California environmental label. This is regardless of where the boat or PWC is eventually sold. Since these star labeled boats are sold nationally, and the engine manufacturer is responsible for correct label placement even when applied at the OEM, we want to make sure placement is as straightforward as possible. Section 2443.2(c)(2) requires the label to be placed "two to three inches to the right of the required location of the California Assigned Vessel Number displayed on the port side of the hull." We are seeing that the required location of the CARB environmental labels conflicts with the required location of many state boat registration numbers.

Section 2443.2(e) allows for manufacturers to request modification of the requirements from the Executive Officer. NMMA recommends that this issue be resolved by allowing the CARB environmental label location be changed to the "forward most" location on the boat's bow or "two to three inches to the left of the normal location of state registration numbers on the port side of the hull."

The label replacement issue is in regards to outboard engines and PWC and the need for authorized distributors and dealers to be allowed to replace CARB environmental labels that are damaged or destroyed.

Current regulations (Section 2443.2 (c) (4) (A)) specify that the engine manufacturer or OEM must affix environmental labels. This language does not specify when a distributor or dealer can affix environmental labels except in the case of pre-regulation produced engines covered in part 2443.2(c)(4)(B). NMMA would like clarification that California certified engines and PWC that have labels damaged in shipping or use can have the original labels replaced by dealers and distributors.

NMMA's position is that it is critical that manufacturer authorized dealers and distributors be able to provide replacement labels to the consumer. NMMA is requesting that CARB clarify its position on label replacement, so that if necessary the program can be modified to correct any foreseeable problems in the marketplace.

Thank you, in advance, for your prompt consideration of these important issues. If you have any questions, please call me at 202-721-1604 or e-mail jmcknight@nmma.org.

Sincerely,

John McKnight, Director
Environmental and Safety Compliance