



# **Omnibus Workshop**

In-use Corrective Action Requirements Update

March 20, 2024

# Background Information

- California Air Resources Board (CARB) requires manufacturers to follow specific requirements when conducting recalls
- Manufacturers are subject to corrective action when emission-related components exceed the corrective action thresholds specified in Title 13, California Code of Regulations (CCR) 2143 (thresholds have been adjusted to account for longer warranty periods). CARB objectively evaluates all information submitted by a manufacturer pursuant to CCR 2146 and 2148 in assessing whether corrective action is required
- Due to the advent of over-the-air technology (OTA) and the proliferation of internet availability, certain requirements are being updated
- The following updates will help to streamline the recall process while maintaining its effectiveness

# Recall Repair Labels

## CCR 2116, 2128, 2169.3

- Current Requirement: Manufacturers are required to affix a recall repair label to vehicles after completing a recall repair. If a vehicle is repaired over the air, manufacturers must mail a recall repair label along with instructions on how to affix the repair label to the vehicle owner
- Proposed Requirement: Manufacturers will be exempt from the recall repair label requirement if the following conditions are met:
  - The recall involves only software and/or software calibration repairs or changes and does not involve hardware repairs or changes
  - The manufacturer keeps a record of the vehicle identification numbers (VIN) of all vehicles that were inspected and/or repaired
  - Upon request from the Executive Officer, the manufacturer provides information about running changes, field fixes, service campaigns, and recalls for any given VIN from all vehicles affected by the nonconformity
- Engine serial numbers cannot be used in lieu of VINs because the Department of Motor Vehicles (DMV) system requires VINs to be used for recall registration holds

# Proof of Correction Certificate CCR 1971.5, 2117, 2129, 2169.4 (Applies to OTA Recalls)

- Current Requirement: During the first six months of a recall manufacturers must mail a hardcopy proof of correction certificate or provide an electronic copy to vehicle owners that have a recall repair performed OTA (Manufacturers Advisory Correspondence #2023-03 Over-the-Air Recall Requirements)
- Proposed Requirement: During the first six months of a recall manufacturers will not have to provide a proof of correction certificate to vehicle owners that have the recall repair performed OTA

\*Vehicle owners that receive a recall repair after the first six months of the recall must be provided with a hardcopy proof of correction certificate if they have the recall performed physically at a repair station, or mailed a hardcopy proof of correction certificate if the recall is performed OTA. The DMV will not accept electronic proof of correction certificates to remove registration holds, therefore manufacturers must provide hardcopies

# New Owner Information

## CCR 1971.5, 2118, 2127, 2169.2

- Current Requirement: As part of the corrective action notification requirements, manufacturers are required to provide a card to be used by a vehicle owner in the event the vehicle to be recalled has been sold. Such card should be addressed to the manufacturer, have postage paid, and shall provide a space in which the owner may indicate the name and address of the person to whom the vehicle, engine, or trailer was sold or transferred
- Proposed Requirement: Manufacturers will be given the option to collect new owner information electronically through a website link, QR code, etc. in lieu of using a physical card. A physical card may still be used if a manufacturer prefers to do so

# Contact Information

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