

## DRAFT REGULATION ORDER

Amend sections 2222 and 2224, Article 2, Chapter 4, Division 3, Title 13, California Code of Regulations, to read as follows:

### **Chapter 4. Criteria for the Evaluation of Motor Vehicle Pollution Control Devices and Fuel Additives Article 2. Aftermarket Parts**

(Note: The proposed amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions from the existing regulatory text. "[No change]" indicates that regulatory language not being amended is not shown.

#### **§ 2222. Add-On Parts and Modified Parts.**

(a)-(d) [No Change]

(e) The executive officer may exempt add-on and modified parts based on an evaluation conducted in accordance with the "Procedures for Exemption of Add-on and Modified Parts," adopted by the state board on November 4, 1977, as amended June 1, 1990, for exemption applications submitted before January 1, 2022, or the "Procedures for Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines," adopted by the state board on June 29, 2021, as amended [insert date], hereby incorporated by reference, for exemption applications received on or after January 1, 2022.

(f)-(k) [No Change]

**NOTE:** Authority cited: Sections 39600, 39601, 43000, 43000.5, 43011 and 43107, Health and Safety Code; and Sections 27156, 38391 and 38395, Vehicle Code. Reference: Sections 39002, 39003, 39500, 43000, 43000.5, 43009.5, 43011, 43107, 43204, 43205, 43205.5 and 43644, Health and Safety Code; and Sections 27156, 38391 and 38395, Vehicle Code.

#### **§ 2224. Surveillance.**

(a) [No Change]

(b) Add-on parts and modified parts. The executive officer may order, for cause, the manufacturer of any add-on part or modified part subject to the provisions of this article to submit a reasonable number of parts typical of the

manufacturer's production for testing and evaluation. In-use performance will also be evaluated. This will include Inspection and Maintenance requirements and compliance with onboard diagnostic system regulations. The executive officer may invoke section 2225 if, after a review of the results of any tests or evaluations conducted by the state board's staff and of any information submitted by the manufacturer, the executive officer finds that an add-on part or a modified part does not conform to the "Procedures for Exemption of Add-on and Modified Parts," adopted by the state board on November 4, 1977, as amended June 1, 1990, for exemption applications submitted before January 1, 2022, or the "Procedures for Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines," adopted by the state board on June 29, 2021, as amended [insert date], hereby incorporated by reference, for exemption applications received on or after January 1, 2022.

**NOTE:** Authority cited: Sections 39600, 39601 and 43011, Health and Safety Code; and Section 27156, Vehicle Code. Reference: Sections 39002, 39003, 39500, 43000 and 43204, Health and Safety Code.

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