

State of California
AIR RESOURCES BOARD

Executive Order R-21-003

Relating to the Procedures for the Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines

Whereas, on July 23, 2020, the California Air Resources Board (CARB or Board) conducted a public hearing to consider the new proposed Procedures for Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines, as set forth in Appendix A and Appendix B to the Initial Statement of Reasons released to the public on June 2, 2020;

Whereas, the environmental analysis prepared under CARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)) in the Staff Report concluded that the amendments are exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed action may result in significant adverse impact on the environment;

Whereas, following the public hearing, the Board adopted Resolution 20-21 in which the Board approved for adoption proposed amendments to sections 2222 and 2224, Article 2, Chapter 4, Division 3, Title 13, California Code of Regulations, as set forth in Attachment A and the incorporated by reference "Procedures for Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines", as set forth in Attachment B of that resolution;

Whereas, Resolution 20-21 directed the Executive Officer to make any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public review period and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications or present the regulation to the Board for further consideration if warranted;

Whereas, modified regulatory language and supporting documentation were circulated for a 15-day public comment period, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from December 2, 2020 through December 17, 2020; and

Whereas, written comments were received during the initial 45-day comment period and supplemental 15-day comment period, and those comments were considered by the Executive Officer.

Now, therefore, it is ordered that the recitals and findings contained in Resolution 20-21 are incorporated herein.

It is further ordered that amendments to sections 2222 and 2224, Article 2, Chapter 4, Division 3, Title 13, California Code of Regulation, which incorporate by reference the following document:

- Procedures for Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines,

are adopted as set forth in Attachments 1 and 2 to this Order.

It is further ordered that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 29th day of June, 2021, at Sacramento, California.



Richard W. Corey
Executive Officer

Attachments

Attachment 1: Title 13. Division 3, Chapter 4, Article 2, Sections 2222 and 2224:
Add-On and Modified Parts, and

Attachment 2: Procedures for Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines.