

SUMMARY OF BOARD ITEM

AGENDA ITEM # 03-4-7: Public Meeting to Consider Findings on Exempting Additional Vehicles from California's Basic Smog Check Program, in Response to Assembly Bill 2637 (Cardoza, 2002).

STAFF RECOMMENDATION: Staff evaluated the emissions impact of exempting five and six year old cars from biennial inspections in Basic Smog Check areas. Currently, cars are exempt their first four years. Staff's evaluation indicates that increasing the exemption to five or six would result in an adverse impact in Basic Smog Check areas that are classified as severe or extreme ozone nonattainment areas under the federal Clean Air Act, and that do not qualify for redesignation to attainment. Consequently, staff recommends that the Board find that increasing the exemption in those areas would prohibit California from meeting its State Implementation Plan (SIP) obligations.

DISCUSSION: AB 2637 exempts new vehicles from Smog Check inspections for up to six model years, statewide, starting January 1, 2004, unless ARB finds that exempting additional vehicles would prohibit the State from meeting the federal Clean Air Act conformity requirements or California SIP commitments. At the April 24, 2003 Board hearing, the Board considered a staff proposal to exclude all areas subject to the Enhanced Smog Check requirements from the six-year exemption. The Board found that in Enhanced Smog Check areas, a fleet-wide exemption for new motor vehicles beyond the current four years would result in adverse emissions impact that would prohibit the State from meeting California's commitments with respect to the SIP. The Board also directed staff to further investigate the impact of the six-year exemption in Basic Smog Check areas to determine if increasing the exemption to five or

determine if increasing the exemption to five or six years in these basic areas would prohibit California from meeting its SIP commitments.

Staff analysis indicates that any loss of benefits, in federal severe and extreme ozone nonattainment areas that do not qualify for redesignation to attainment, would inhibit the areas from meeting federal one-hour ozone attainment deadlines. The severe area attainment deadlines are either 2005 or 2007. The extreme area attainment deadline is 2010. Staff analysis also indicates that five and six-year old vehicles could be exempted in serious and moderate nonattainment and attainment areas without impacting California's ability to meet its SIP obligations. The moderate and serious attainment deadlines have passed and are 1996 and 1999, respectively.

SUMMARY AND IMPACTS:

Approval of the staff's recommendations will leave the Basic Smog Check program unchanged in federal severe and extreme nonattainment and those areas that do not qualify for redesignation to attainment, thereby, preserving all the associated emissions benefits and ensuring compliance with the California SIP. The exemption for new cars subject to the Basic Smog Check Program in serious and moderate nonattainment or attainment areas, would be expanded from four to six model years as provided by AB2637, thereby reducing costs to persons with cars registered in those areas.