

**State of California  
Air Resources Board  
Board Item Summary**

**Item # 23-3-3: Public Meeting to Consider Proposed Delegation of Authority to the Executive Officer to Consider Proposed Amendments to Mobile Source Regulations**

**Staff Recommendation:**

Staff recommends that the Board delegate to the Executive Officer, for a limited time, specific powers to adopt, amend, and revoke emission standards, test procedures, and compliance test procedures for new on-road motor vehicles. Specifically, the proposed delegation of authority would authorize the Executive Officer to consider adopting or amending emission standards, test procedures, and compliance test procedures to provide manufacturers additional compliance flexibility to meet requirements of new regulations to facilitate implementation, while also ensuring that flexibility does not reduce the emissions benefits of existing Board regulations.

**Discussion:**

The California Air Resources Board (CARB or Board) is authorized to adopt, amend, and revoke emission standards and test procedures, assembly-line test procedures, and compliance test procedures for new motor vehicles, and may also expressly delegate that authority to the Executive Officer.

On August 27, 2020, the Board approved for adoption the Heavy-Duty Engine and Vehicle Omnibus Regulation and Associated Amendments (hereinafter Omnibus regulation), which primarily established more stringent exhaust emission standards for oxides of nitrogen (NO<sub>x</sub>) for 2024 and subsequent model heavy-duty trucks that are significantly more stringent than currently applicable California and federal exhaust emission standards for heavy-duty trucks.

The Omnibus regulation also currently provides manufacturers the flexibility to produce and certify limited quantities of 2024 and 2025 model year heavy-duty trucks and engines in California that do not meet Omnibus requirements, provided those manufacturers offset any resulting emissions increases with credits obtained by certifying zero-emission powertrain families. The Board has also recently approved for adoption and considered the adoption of several regulatory programs that establish more stringent emission standards for heavy-duty and light-duty motor vehicles and engines.

In February of 2023, heavy-duty engine manufacturers informed staff they would not be marketing certain engines in California in the 2024 through the 2026 model years. Those manufacturers have requested that staff amend the existing flexibility provisions of the

Omnibus regulation, so that manufacturers will be afforded additional flexibility to produce and certify greater numbers of existing engines in the 2024 through the 2026 model years, in order to better address their customer demands for new engines throughout the 2024 through 2026 model years.

Staff anticipates that manufacturers may also request that CARB amend other mobile source regulations to provide them compliance flexibility, in certain circumstances, to enable such manufacturers to successfully transition to more stringent emission standards, while also ensuring such flexibilities will not reduce emissions benefits of existing Board regulations.

Staff believes it could more expeditiously present any proposed amendments to mobile source regulations to the Executive Officer for consideration, since the Executive Officer would, pending the Board's approval, be authorized to schedule the consideration of the proposed amendments on any date or dates that he determines is more suitable for considering such amendments, rather than be limited to the dates that the Board is currently scheduled to consider rulemaking actions for the remainder of this calendar year.

The proposed delegation would terminate as of December 31, 2023.

### **Summary and Impacts:**

The proposed action would not present any significant economic or environmental impacts, since CARB staff would fully analyze and discuss the anticipated economic and environmental impacts of the proposed amendments in a subsequent regulatory action.