

State of California  
AIR RESOURCES BOARD

Summary of Board Meeting  
May 20, 2004

Air Resources Board  
Central Valley Auditorium, Second Floor  
1001 I Street  
Sacramento, CA 95814

MEMBERS PRESENT: Hons. Alan C. Lloyd, Ph.D., Chairman  
Dr. William A. Burke  
Mr. Joseph C. Calhoun  
Ms. Dorene D'Adamo  
Supervisor Mark DeSaulnier  
Professor C. Hugh Friedman  
Dr. William F. Friedman  
Mr. Matthew R. McKinnon  
Supervisor Barbara Riordan

AGENDA ITEM #

**04-5-1: Health Update: Particulate Air Pollution and Infant Mortality**

SUMMARY OF AGENDA ITEM:

Staff summarized the results of two studies evaluating the association between air pollution and infant mortality in Seoul, South Korea and the United States. Numerous previous epidemiological studies have found an association between air pollution and mortality in elderly populations in the United States and worldwide. There is also evidence that air pollution may be associated with infant mortality. Results from a study conducted 1995-1999 in Seoul found that infants (defined as children aged one month to one year) were most at risk of respiratory mortality from increased exposure to PM10 relative to the other age groups. A study conducted in the United States from 1989-1991 revealed an increased risk of mortality in normal birth weight infants living in high-PM10 areas relative to low-PM10 areas. These studies indicate that particulate air pollution may influence an infant's chance of survival. There are several limitations to both of these papers that should be noted. The authors in the Seoul paper did not take into account important factors such as maternal smoking or education. Neither study considered exposure to environmental

tobacco smoke. Another limitation was that both studies looked at only outdoor concentrations of pollutants. Infants, especially infants less than one year old, spend most of their time indoors. It is unclear, therefore, how representative the outdoor concentrations of pollutants were of the infant's true exposure. Future investigators need to take these important limitations into account when designing and conducting studies to understand the relationship between infant mortality and air pollution.

Board Member Dr. Friedman noted that both studies are flawed in different ways. He noted that neither the American study nor the South Korean study accounted for common causes of infant mortality such as prematurity and malformations, which account for the majority of infant mortality. He also concurred with staff on the importance of the indoor air quality issue. He stated that there is undoubtedly an association between PM10 and infant mortality, but he cautioned that the real numbers could not be known until further studies take into account the usual causes of infant mortality.

ORAL TESTIMONY: None

FORMAL BOARD ACTION: None (Informational Item).

RESPONSIBLE DIVISION: Research Division

STAFF REPORT: No

**04-5-2: Public Meeting to Consider a Research Proposal**

SUMMARY OF AGENDA ITEM:

Staff recommended approval of the following contract:  
Proposal No. 2550-239, "Analysis of Building Characteristics and Indoor Environmental Quality in California Classrooms"

ORAL TESTIMONY: None

FORMAL BOARD ACTION:

The Board approved resolution 04-15 by a unanimous vote.

RESPONSIBLE DIVISION: Research Division

STAFF REPORT: No

**04-5-3: Report to the Board on the Hydrogen Highway Update**

SUMMARY OF AGENDA ITEM

Staff and Shannon Baxter, Special Advisor to California Environmental Protection Agency Secretary, Terry Tamminen, updated the Board on the Governor's Executive Order S-7-05, directing Cal/EPA to develop a California Hydrogen Economy Blueprint Plan by January 2005, in consultation with the State Legislature, State and local agencies and other key stakeholders. Staff outlined the details of the Executive Order and described the near, mid and long term process through which it will be implemented.

ORAL TESTIMONY: None

FORMAL BOARD ACTION: None (Informational Item).

RESPONSIBLE DIVISION: Mobile Source Control Division

STAFF REPORT: None

**04-5-4: Public Hearing to Consider Adoption of Engine Manufacturer Diagnostic System Requirements (EMD)**

SUMMARY OF AGENDA ITEM:

Staff proposed adoption of California Code of Regulations, title 13, section 1971, which requires all 2007 and subsequent model year on-road heavy-duty diesel and gasoline engines produced for sale in California in a vehicle with a gross vehicle weight rating greater than 14,000 pounds to be equipped with a diagnostic system.

The EMD regulation requires manufacturers to monitor the fuel system, exhaust gas recirculation system, the particulate matter trap, and emission-related electronic components. The proposed EMD monitoring requirements require manufacturers to indicate a malfunction when a component is operating outside of its design or control limits. When a malfunction is detected, the proposed regulation requires the EMD system to illuminate a warning light, which could be an existing light or a new light based on the manufacturer's preference. Additionally, though the EMD system is required to output diagnostic information for use by repair technicians, the proposed regulation does not establish

standardized requirements defining the content or format of specific information required to be output.

The proposed EMD regulation is intended to be the first step towards adopting comprehensive heavy-duty diagnostic system requirements that are analogous to the current on-board diagnostic system requirements for light-duty and medium-duty vehicles. The future regulation proposal would include more comprehensive monitoring requirements of all emission-control components and systems as well as standardization requirements, among other things. The Air Resources Board intends to present this proposal to the Board for adoption in 2005.

ORAL TESTIMONY:

Jed Mandel, Engine Manufacturers Association (EMA)  
Robert M. Clarke, Truck Manufacturer Association (TMA)

FORMAL BOARD ACTION:

The Board approved Resolution No. 04-16 by a unanimous vote.

RESPONSIBLE DIVISION: Mobile Source Control Division

STAFF REPORT: Yes

**04-1-4: Report to the Board on the Amendments to the California Motor Vehicle Service Information Regulation.**

SUMMARY OF AGENDA ITEM:

In January 2004, the Board amended the motor vehicle service information regulation, originally approved in December 2001. The purposed of the regulation is to ensure that independent service facilities and aftermarket part companies are able to obtain the same types of information and tools commonly available to franchised dealerships. The U.S. Environmental Protection Agency adopted similar amendments to its own service information regulation in 2003.

The 2004 amendments addressed access to immobilizer initialization information, and the application of the regulation to heavy-duty vehicle manufacturers. The Board approved staff recommendations as presented but directed staff to follow and report back on: (1) the extent of heavy-duty vehicle manufacturers'

liability resulting from the use of diagnostic tools and information provided to the aftermarket and (2) whether the staff's proposed solution to the ongoing issue of access to immobilizer initialization as it relates to light- and medium- duty vehicles could be further refined or improved. In addition, the Board directed that the rulemaking record be kept open to receive additional stakeholder comments until it has considered staff's proposal for heavy duty on-board diagnostic requirements.

Manufacturers' Liability. Staff determined that liability issues could arise where diagnostic tools are improperly designed or misused by the end user. To address this concern, the staff informed the board of its intent to propose an amendment to the tools availability requirements that would permit vehicle and engine manufacturers to require reasonable indemnity or hold harmless agreements as a condition for the sale of diagnostic tools or related information. Further, the staff indicated its plan to delay the reprogramming and bi-directional tool availability requirements for heavy-duty manufacturers until the 2010 model year. The delay would provide heavy-duty manufacturers with additional lead-time to incorporate necessary safeguards into their diagnostic routines to further minimize any potential for vehicle/engine damage or tampering.

Immobilizer Anti-Theft System Information. After conferring again with all stakeholders, staff determined that the solution it identified at the January 2004 hearing best balanced the concerns and needs of the aftermarket and vehicle manufacturers. Accordingly, no further rule revisions were recommended.

The staff communicated that the changes described above and other changes to the service information regulation would be handled by the 15-day notice process, including minor revisions to other heavy-duty issues and a request from Honda Motor Company for additional lead time to comply with the general immobilizer requirements.

ORAL TESTIMONY:

Steve Douglas, Alliance of Automobile Manufacturers  
Kerby Suhre, EEPod LLC  
Aaron Lowe, Automotive Aftermarket Industry Association  
John Cabral, Blue Streak Electronics  
David Darge, Powertrain Electronics, LLC  
Russ Schinzing, Cardone  
Frank Krich, DaimlerChrysler  
John Trajnowski, Ford Motor Company

Pete Meier, American Honda Motor Company, Inc.  
David Ferris, General Motors  
Lisa Stegink, Engine Manufacturers Association  
Steve Hoke, NorthState Truck Equipment Inc.  
Mark Saxonberg, Toyota Motor Corporation

FORMAL BOARD ACTION:

None. This agenda item was an informational update only.

RESPONSIBLE DIVISION: Mobile Source Operations Division

STAFF REPORT: None