

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-09-013

Relating to Adoption of a Regulation to Reduce Greenhouse Gas Emissions from Heavy-Duty Vehicles

WHEREAS, on December 11, 2008, the Air Resources Board (ARB or Board) conducted a public hearing to consider adoption of a regulation to reduce greenhouse gas (GHG) emissions from heavy-duty vehicles, as set forth in the Initial Statement of Reasons released to the public on October 24, 2008;

WHEREAS, following the public hearing on December 11, 2008, the Board adopted Resolution 08-44 in which the Board approved the new regulations to California Code of Regulations, title 17, sections 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, and 95311, as set forth in Attachment A thereto, with the modifications set forth in Attachment B thereto;

WHEREAS, Resolution 08-44 directed the Executive Officer to take final action to adopt the new regulations set forth in Attachment A to Resolution 08-44, including the suggested modifications in Attachment B, and such other conforming modifications as may be appropriate, to make the modified regulatory language and any additional supporting documents and information available to the public for a period of at least 15 days, to consider such written comments as may be submitted during this period, and to make such modifications as may be appropriate in light of the comments received, or to present the regulatory amendments to the Board for further consideration if he determines that this is warranted;

WHEREAS, on September 17, 2009, the modified regulations, reflecting the amendments approved by the Board and other changes made after considering direction from the Board and public comments received, were made available for public comment for a period of 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, written comments were received during the 15-day comment period and all comments have been considered by the Executive Officer; and

WHEREAS, Attachment 1 hereto contains the Board approved regulation text, sections 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, and 95311, title 17, California Code of Regulations, and incorporates the modifications made available for the 15-day supplemental comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 08-44 are incorporated by reference herein.

IT IS FURTHER ORDERED in accordance with Resolution 08-44, that California Code of Regulations, title 17, sections 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, and 95311, are adopted as set forth in Attachment 1 hereto.

Executed this 23rd day of October 2009, at Sacramento, California.

/s/

James N. Goldstene
Executive Officer

Attachments