

ATTACHMENT 1

STAFF'S SUGGESTED CHANGES TO PROPOSED REGULATION FOR IN-USE ON-ROAD DIESEL VEHICLES PRESENTED TO THE BOARD AT THE DECEMBER 2008 BOARD HEARING

Shown on the following pages are proposed modifications to the original proposed regulation set forth in Appendix A to the Staff Report: Initial Statement of Reasons, which was released October 24, 2008. Text proposed for adoption during the 4 -day comment period is shown without underline as permitted in title 1, California Code of Regulations, section 8. The proposed modifications that were made available by the first "15 day" notice on August 19, 2009 are shown in single underline to indicate additions and ~~single strikeout~~ to indicate deletions. The additional proposed modifications made available by this second "15 day" notice are shown in double underline to indicate additions and ~~double strikeout~~ to indicate deletions.

Various portions of the regulations that are not modified by the staff's suggested modifications are omitted from the text shown and indicated by:

" * * * * "

Section 2025. Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants, and Greenhouse Gases from In-Use Heavy-Duty Diesel-Fueled Vehicles

“ * * * * ”

(d) Definitions

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(45)(51) “*Motor Home*” means a single vehicular unit designed for human habitation for recreational or emergency occupancy and built on, or permanently attached to, a self-propelled motor vehicle chassis, chassis cab, or van, which becomes an integral part of the completed vehicle or a vehicle that exclusively tows a trailer that was originally designed for human habitation for non-commercial recreational or emergency occupancy.

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(e) General Performance Requirements

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(7) Except as provided below in (B), one of the following is required for all fleet owners who elect to utilize the BACT percent limits option of section 2025(g), the fleet averaging option of section 2025(h), the optional requirements for small fleets of section 2025(i), the agricultural provisions of section 2025(4)(m), the retired vehicle provisions of section 2025(k), or the exemptions or credits of sections 2025(9)(p)(1), (2), (8)(9), and (9)(10):

(A)

1. a valid California motor carrier of property number,
2. a valid identification number assigned by the United States Secretary of the Department of Transportation, ~~or~~
3. a valid operating authority number issued by the Public Utilities Commission, or
4. other applicable valid operating authority number approved by the Executive Officer.

(B) this requirement does not apply to ~~anyone who owns~~ personal, non-commercial, ~~or~~ unregistered motor vehicles, or vehicles otherwise not required to obtain operating authority numbers as described in section (e)(7)(A) above.

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~~(e)~~(p) Exemptions, Compliance Extensions, and Credits

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(8) *Credit for Hybrid Vehicles*

- (A) Prior to January 1, 2018, upon presentation of proper documentation, the Executive Officer shall grant an owner credit, as set forth in (B) below, towards compliance with the fleet average for using hybrid vehicles defined in section 2025(d)~~(36)~~(42) if the owner can demonstrate that the manufacturer has improved the fuel economy of the hybrid vehicle by at least 20 percent compared to a diesel vehicle of the same model year that performs a similar function and has a similar configuration to that of the hybrid vehicle.
- (B) Upon approval by the Executive Officer, the fleet shall receive for each compliance year prior to 2018~~2017~~, a credit that double counts the number of hybrid vehicles in the fleet that may be used to calculate the PM and NOx indices and target rates for the percent limits requirements of section 2025(g) and for the fleet averaging option of section 2025(h). The emissions factor from Appendix A will be based on the engine model year or standard to which the engine was certified.

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