

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

**PUBLIC HEARING TO CONSIDER THE ADOPTION OF PROPOSED AMENDMENTS
TO THE HEAVY-DUTY VEHICLE GREENHOUSE GAS EMISSION REDUCTION
MEASURE**

Public Hearing Date: December 17, 2010
Public Availability Date: August 4, 2011
Deadline for Public Comment: August 19, 2011

At its December 17, 2010 public hearing, the Air Resources Board (ARB or Board) considered proposed amendments to the Heavy-Duty Vehicle Greenhouse Gas Emission Reduction Measure (Tractor-Trailer GHG regulation) California Code of Regulations, title 17, sections 95300 through 95312. At the hearing, the Board adopted Resolution 10-46 that covered the amendments as initially proposed by staff and covered by the Notice of Public Hearing (45-Day Public Notice) and Staff Report, which were initially published on October 19, 2010.

In accordance with the Government Code, section 11346.8, the Board directed the Executive Officer to adopt the amendments initially proposed by staff in the California Code of Regulations, title 17, sections 95300 through 95312, and to determine if additional modifications to the originally proposed amendments are appropriate, and if the Executive Officer does so determine, to make the modified regulatory language available for public comment for a period of 15 days prior to taking final action to adopt the amendments. The Board further provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if warranted.

Resolution 10-46 further directed the Executive Officer to prepare and approve written responses to comments received, including comments raising significant environmental issues, as required by Government Code section 11346.9, Public Resource Code section 21080.5(d)(2)(D), and Cal. Code Regs., title 17, section 60007, to determine whether there are feasible alternatives or mitigation measures that could be implemented to reduce or eliminate any potential adverse environmental impacts, while at the same time addressing the serious economic recession and its impact on industry and residents of the State, to make findings as required by Public Resources Code section 21081 if the proposed amendments would result in one or more significant adverse environmental effects, and to take final action to adopt the proposed amendments to the Tractor-Trailer GHG regulation, as modified in the publicly noticed 15-day changes.

The regulatory documents for this rulemaking, including Resolution 10-46, are available online at the following ARB website:

<http://www.arb.ca.gov/regact/2010/truckbus10/truckbus10.htm>

This notice is an announcement of the opening of a 15-day comment period in which the public may provide comments on proposed modifications to the Tractor-Trailer GHG regulation.

Summary of Proposed Modifications

Attachment 1 to this notice contains the text of title 17, California Code of Regulations sections 95300 through 95312 that shows the proposed 15-day modifications to the originally proposed amendments to the Tractor-Trailer GHG regulation.

The rationale for the modifications to the originally proposed regulatory amendments to the Tractor-Trailer GHG regulation is set forth below.

I. Modifications to Regulatory Text of title 17, California Code of Regulations (CCR) sections 95300 through 95312 Being Made Available for Comment

A. Applicability [17 CCR Section 95301]

Staff amended the proposed exemption for “storage trailers” to also include “the tractors pulling storage trailers” in order to make that exemption consistent with the proposed modification to section 95305(e)(5). This amendment clarifies that a heavy-duty (HD) tractor that pulls a storage trailer is exempt from the requirements of section 95303(a). (95301(c)(5)).

Staff added “empty 53-foot and longer box-type trailers pulled by HD tractors” to the list of exempted trailer types to make the regulation consistent with proposed modifications in section 95305(l), *Tractor-Trailer Exemption for Tractors Pulling Empty Trailers*. (95301(c)(6)).

B. Definitions [17 CCR Section 95302]

The definition of “Cab side extender” has been modified to clarify that such a device refers to an air flow control device placed on the rear side of a tractor. (95302(a)(4)).

The definition of “Dispatch driver” has been deleted since the term is no longer found in this regulation.

The definition of “Register” has been added to specify the meaning of the adjective “registered” when used to describe a local-haul trailer, local-haul tractor, and local-haul base in section 95305(f), *Relocation Pass for Local-Haul Trailers and Storage Trailers*. (95302(a)(49)).

The definition of “Relocation Pass” has been modified by removing the previously proposed language applicable to out-of-state trailers relocating to a local-haul base or storage location while hauling freight. That language is no longer needed because the proposed amendments to section 95305(f), *Relocation Pass for Local-Haul Trailers and Storage Trailers* now limit the issuance of a Relocation Pass to local-haul or storage trailers. (95302(a)(49)).

The definition of “Storage location” has been added because that term is used in section 95305(f), *Relocation Pass for Local-Haul Trailers and Storage Trailers*. (95302(a)(54)).

The definitions of “U.S. EPA SmartWay Certified Tractor” and “U.S. EPA SmartWay Certified Trailer” have been modified, respectively, to mean a tractor or trailer that has been certified, “or designated”, by the U.S. EPA to meet the requirements of the SmartWay Program. The term “or designated” has been added to reflect the U.S. EPA’s recent change in nomenclature when describing SmartWay certified tractors and trailers. The U.S. EPA SmartWay Program now refers to these tractors and trailers as U.S. EPA SmartWay designated tractors and trailers. (95302(a)(61), 95302(a)(62)).

C. Requirements and Compliance Deadlines [17 CCR Section 95303]

Section 95303(a)(1)(B) has been added to allow owners or operators to modify U.S. EPA SmartWay certified tractors, provided they demonstrate that the modification is necessary for the tractor to perform its designed job function, there is no reasonable alternative to the modification that would involve or require a lesser degree of modification to the tractor, and the Executive Officer has previously approved the modification. An applicant requesting this exemption must submit information describing the modification, the need therefor, and the lack of reasonable alternatives to the modification that would involve or require a lesser degree of modifications to the tractor to the Executive Officer. Such information would include, without limitation, engineering drawings, blueprints, schematics, scientific or technical articles, contract specifications, etc. The Executive Officer would base his or her approval or disapproval on information submitted by an applicant and upon good engineering judgment.

This section has been added because it was brought to staff’s attention that certain tractor-trailer combinations subject to the Tractor-Trailer GHG regulation are required to carry explosive ordnance when contracted to do so by the U.S. military. The explosive ordnance must be carried in a reinforced box mounted on the rear of the tractor. In order to access the box for loading and unloading explosive ordnance, one of the tractor’s rear side extender fairings must be cut or removed, with the box occupying the space once occupied by the modified or removed fairing. Under the new proposed section 95303(a)(1)(B), this type of modification may be approved by the Executive officer since it is necessary for the tractor to perform its designed job function and there is no reasonable alternative. On the other hand, modifying that same fairing to provide access to a spare tire carrier would not be considered for approval by the Executive Officer since the tire can be mounted elsewhere, requiring no modification to the

tractor's fairings, and the location of the spare tire mount is not critical to the tractor's designed job function.

Section 95303(c), *Requirements for Drivers*, specifies requirements for the drivers of HD tractors subject to this regulation. Section 95303(c)(3) has been modified to require a driver of a HD tractor pulling an empty 53-foot or longer box-type trailer that is exempted pursuant to new section 95305(l) to allow authorized enforcement personnel to directly view the inside of the trailer. HD tractor drivers are currently required to provide such access when pulling an empty local-haul trailer beyond 100 miles from its local-haul base or when pulling an empty storage trailer. This modification is necessary to make the driver's requirements consistent with proposed modifications in section 95305(l), *Tractor-Trailer Exemption for Tractors Pulling Empty Trailers*, which broadens the applicability of the empty trailer exemption to all trailers subject to this regulation.

D. Exemptions [17 CCR Section 95305]

Staff is now proposing to delete previously proposed sections 95305(c)(1)(B), 95305(c)(2)(B), and 95305(e)(1)(A); and modify previously proposed sections 95305(c)(6), and 95305(e)(5) because those sections are no longer necessary with the addition of proposed section 95305(l), *Tractor-Trailer Exemption for Tractors Pulling Empty Trailers*, which broadens the applicability of the empty trailer exemption to all trailers subject to this regulation, not just to local-haul and storage trailers. (95305(c)(1)(B), 95305(c)(2)(B), 95305(c)(6), and 95305(e)(1)(A) and 95305(e)(5)).

Sections 95305(c)(6) and (e)(5) have been modified to clarify the requirements that HD tractors are exempted from when they pull local-haul and storage trailers, respectively. Section 95305(c)(6) now exempts a 2011 or subsequent model year sleeper cab HD tractor from meeting the requirement to be SmartWay certified when it is pulling a local-haul trailer. The tractor would still be required to meet the low-rolling resistance tire requirements, as does the local-haul trailer. Section 95305(e)(5) now exempts a HD tractor from all aerodynamic technology and low-rolling resistance tire requirements when it is pulling a storage trailer.

Sections 95305(f)(1), (f)(2), (f)(8), 95305(g)(3)(H), 95305(h)(1) and 95305(h)(2) have been modified to extend the maximum applicable time period of a Relocation Pass for trailers, Transfer of Ownership Pass for trailers, and Non-compliant Tractor Pass, from three to five consecutive days. There are a number of variables, including inclement weather, traffic congestion, road construction, and limitations on driver work hours that can lengthen the time it takes to complete a planned trip. In addition, a nationwide trailer leasing company has provided ARB staff with comments suggesting that the three day period to relocate trailers is too short of a time period. The coordinating logistics between a motor carrier and shipper make the three day window to complete the trip impractical to utilize. As a result, staff is proposing to extend the previously proposed three day time periods to five day time periods. ARB staff believes the two additional days should provide an owner moving a trailer under a pass enough flexibility to deal with unexpected delays and circumstances.

Sections 95305(f)(1)(A) and (B) have been modified, removing the phrases, “where it will operate as an exempt local-haul trailer” and “where it will operate as an exempt storage trailer,” respectively. New section 95305(f)(2) has been modified by removing the phrase, “operate as a local-haul trailer or storage trailer for 30 consecutive days after arrival.” Requiring such trailers to operate as local-haul or storage trailers after they are relocated is unnecessarily restrictive. The owners of such trailers may wish to retrofit them after arrival and operate them as long-haul trailers, or move them empty to a new location under the provisions of Section 95305(l), *Tractor-Trailer Exemption for Tractors Pulling Empty Trailers*.

Previously proposed sections 95305(f)(2) and (3) allowed for the movement of a loaded non-compliant trailer that was not a registered local-haul or storage trailer to a local-haul base or storage location provided the trailer owner registers the trailer within 48 hours of arrival. The “within 48 hours” registration requirement and the requirement that the trailer be en route to a local-haul base or storage location have been deleted. The requirements in section 95305(f)(2) have been modified to require a non-compliant trailer that has been issued a Relocation Pass to meet specified requirements before it may be used to haul freight after the pass expires. Specifically, after the Relocation Pass for a non-compliant trailer expires, the trailer must either be registered and operated in accordance with sections 95305(c) or (e) prior to hauling freight, or comply with the equipment requirements of section 95303(b) prior to hauling freight. Eliminating the requirement to register within a 48 hour period and replacing it with the option to either register or comply with the equipment requirements prior to hauling freight, provides needed flexibility for trailer leasing companies to utilize Relocation Passes when receiving non-compliant leased trailers. Since trailer leasing companies lease or rent their trailers to third parties that ultimately control how the trailer is used, most would prefer that the lessee be considered the owner of the trailer for purposes of the regulation, and as a result, be the party responsible for registration and compliance. By eliminating the 48-hour registration requirement, trailer leasing companies can store for an unspecified amount of time non-compliant trailers being brought into California under Relocation Passes. By eliminating the requirement to be en route to a local-haul base or storage location, trailer leasing companies can receive trailers traveling under a pass at their facilities. These changes are important because they allow for the regulated movement of loaded non-compliant trailers into California that will be made compliant through registration as local-haul or storage trailers. In the absence of these modifications, many leased non-compliant trailers earmarked for local-haul or storage use would be brought into California empty, or equipped with aerodynamic technologies and low-rolling resistance tires that provide little or no benefit based on their usage.

Section 95305(f)(3) has been modified to require owners relocating a registered local-haul trailer under a Relocation Pass to register the local-haul base of destination as the trailer’s local-haul base prior to beginning travel under the Relocation Pass. This change was made to ensure the registration of the trailer’s new local-haul base would occur in a timely manner.

New section 95305(f)(4)(C) has been added, requiring the owner requesting a Relocation Pass to provide the local-haul or storage trailer's street address where travel under the Relocation Pass will begin. This information will enable ARB staff to better understand where and how issued Relocation Passes are being used.

Sections 95305(f)(4)(C) and (D), which require the reporting of a new local-haul base or new storage trailer location, respectively, have been replaced with a new section 95305(f)(4)(D), which requires the location where travel under the Relocation pass will end be reported. Both the former and later requirements provided the street address of where travel under a Relocation Pass will end, but the latter provides the flexibility to provide a location that is neither a local-haul base nor storage location, which is necessary in light of the changes to section 95305(f)(3).

Sections 95305(f)(4) and (f)(8)(A) have been modified to provide the owner more flexibility in reporting the date relocation travel is to begin. Specifically, to apply for a Relocation pass, the owner now must provide the "anticipated" date trailer will begin relocation travel, rather than the date trailer will begin travel. (95305(f)(4)(E)). If the Relocation Pass is approved, the owner must now "confirm" the date of travel prior to the Executive Officer issuing the Relocation Pass. (95305(f)(8)(A)). Confirmation may occur through electronic medium (i.e. TRUCRS, e-mail). These modifications will allow owners to obtain Relocation Pass approval well in advance of travel, and still afford them the flexibility to adjust the effective dates of the pass due to unforeseen delays and circumstances.

Section 95305(f)(5) has been modified to clarify that regardless of ownership, no trailer will be issued more than four Relocation Passes per year, in accordance with section 95305(f). This clarifies staff's original intent that only four passes will be issued per trailer per year, even if the trailer has multiple owners throughout the year.

New section 95305(f)(6) has been added to clarify that a registered local haul or storage trailer that has been issued a Relocation Pass in accordance with section 95305(f)(1) may not be issued a subsequent pass until 30 days have passed from the date the current Relocation Pass was issued. This will prevent an owner from abusing the Relocation Pass provision by repeatedly applying for consecutive passes for a single trailer, to transport freight with a non-compliant trailer.

New section 95305(f)(7) has been added to clarify that a non-compliant trailer that is issued a Relocation Pass in accordance with section 95305(f)(2) may not be issued a subsequent pass until 30 days from the date the trailer is registered as either a local-haul trailer or storage trailer. Like the modification described in the previous paragraph, this will prevent an owner from abusing the Relocation Pass provision, but unlike the previous modification, it ties the issuance of another Relocation Pass to the date the trailer is registered as a local-haul or storage trailer. This ensures these trailers operate as local-haul or storage trailers prior to the issuance of another Relocation Pass.

New section 95305(l), *Tractor-Trailer Exemption for Tractors Pulling Empty Trailers*, has been added. This new section specifies that a HD tractor and the 53-foot or longer box-type trailer it is pulling are exempt from the aerodynamic technology and low-rolling resistance tire requirements if the trailer is empty and the driver, upon request, allows authorized enforcement personnel to directly view inside the trailer to verify it is empty.

The regulation currently allows owners to relocate empty local-haul and storage trailers to a new local-haul base or storage location (95305(c)(1)(B), 95305(c)(2)(B), 95305(e)(1)(A)). Nationwide trailer leasing companies supported such exemptions as the exemptions accommodate their general business practice of delivering empty trailers to local-haul bases and storage locations. However, in order to obtain such exemptions, owners currently need to satisfy registration and de-registration requirements that can be resource intensive for both large leasing companies and ARB staff that process these requests. In order to streamline the issuance and tracking of these exemptions, the newly proposed requirements in section 95305(l) remove the registration requirements for empty local-haul and storage trailers that are relocated to new local-haul bases or storage locations, so trailer leasing companies can deliver their trailers that meet the local-haul exemption requirements (i.e., are equipped with low-rolling resistance tires) to their customers without registration. Once these trailers are delivered, the lessee would be required to register the trailer as a local-haul or storage trailer via TRUCRS, and would also be responsible for de-registration before the trailer is returned to the lessor. Allowing the movement of non-compliant empty trailers also allows leasing companies to move empty trailers between their bases as demand dictates, which is common practice. Other than leasing companies, ARB staff does not believe many trailer owners will utilize this exemption, since their businesses are based on the efficient movement of freight. Trailer manufacturers often deliver their trailers loaded with freight, but they may utilize this exemption for local trailer deliveries.

E. Short-Haul Tractor, Local-Haul Tractor, Local-Haul Trailer, and Storage Trailer Registration Requirements [17 CCR Section 95306]

Section 95306(d)(11) has been modified to require an applicant to submit the colonia (Mexico only) and the country of the tractor's local-haul base, since the local-haul base may be located in Mexico.

Section 95306(e)(8) has been modified to delete the registration types specified: "(state, IRP, Temporary, Seasonal, Monthly or Other)" as those registration types apply to tractor registration and not trailer registration.

F. Optional Trailer Fleet Compliance Schedules [17 CCR Section 95307]

Section 95307(d)(2)(N)8. has been modified to delete the registration types specified: "(state, IRP, Temporary, Seasonal, Monthly or Other)" because these registration types apply to tractor registration and not trailer registration.

In section 95307(g)(17)(B), “trailer fleet list” was replaced with “compliance plan base list” to reflect the original intent of the section which was to identify those trailers phased-in over the applicable compliance schedule.

Section 95307(g)(21) has been modified by changing the compliance date from December 31, 2012 to January 1, 2013. January 1, 2013 is the compliance date the trailers in the compliance plan base list would have been required to meet had they not been participating in a trailer fleet compliance schedule and therefore subject to the requirements of section 95303(b)(3)(B) or (C). This section has also been modified by adding “from the compliance plan base list” to clarify what trailers the trailer owner must bring into compliance by January 1, 2013.

II. Other Minor Changes

ARB staff is also proposing the following minor changes.

A. Applicability [17 CCR Section 95301]

In response to adding new section 95301(c)(6), the conjunction “and” has been deleted from section 95301(c)(4).

B. Definitions [17 CCR Section 95302]

In response to adding and deleting definitions, definitions 14 through 48 have been renumbered, and definitions 54 through 63 have been renumbered.

In addition, definitions 31 and 43 have been changed to correct grammatical errors; and definition 39 has been modified to reflect an updated reference. These changes do not alter the meaning or intent of the original regulatory language.

C. Requirements and Compliance Deadlines [17 CCR Section 95303]

In section 95303(b), *Trailer Requirements*, several capitalization and grammatical errors have been corrected. In sections 95303(b)(3)(B), (C), and (F), paragraphs specifying the compliance deadlines were restructured, moving the compliance deadline statements to the beginning of the paragraphs. These changes have been made for clarity, and do not alter the meaning or intent of the original paragraphs.

In section 95303(c)(4), a grammatical error has been corrected.

In sections 95303(d)(1)(B) and (e)(1)(B), the section title “Good Operating Condition Requirements” has been added after the citation to section number 95304.

In sections 95303(f)(1)(A) and 95303(g)(1)(A), the text has been modified to clarify that California-based brokers and motor carriers, respectively, may only dispatch a HD tractor or a 53-foot or longer box-type trailer for travel on California highways if the tractor or the trailer complies with applicable operating requirements and compliance deadlines.

D. Exemptions [17 CCR Section 95305]

In section 95305, *Exemptions*, several changes have been made to correct grammar and provide clarity.

Section 95305(a)(1) has been restructured for clarity. The phrase, “upon its owner’s submittal of the applicable information identified in” has been deleted and replaced with the following language added in new section 95305(a)(1)(A), “has been registered in accordance with the requirements of” for consistency with similar paragraphs in this section.

Section 95305(a)(1)(B) has been added for clarity. This new section restates the requirement identified in subsection 95303(a)(3), limiting a short-haul tractor to 50,000 annual miles.

Section 95305(a)(4) has been modified for clarity, and the information that a driver is required to provide to enforcement personnel upon request was relocated to section 95303(c)(2). Correspondingly, that information was deleted from sections 95305(a)(4)(A) through (H) and replaced with a reference to section 95303(c)(2).

In section 95305(a)(5), the section title has been added after the citation of section number 95308.

In section 95305(a)(6), the word “lost” was replaced with the word “terminated”.

In sections 95305(b), (c), (d), and (e), the phrase “To qualify, the following must be met” has been deleted because it was unnecessary.

In section 95305(b)(1)(A), an extra “the” was deleted.

In section 95305(b)(1)(B), an unnecessary “a” was deleted.

In section 95305(b)(2), “and” was replaced with “or” to clarify that this section applies to both 2011 and subsequent model year 53-foot or longer box-type trailers, and to clarify that such trailers must comply with the requirements of sections 95303(b)(1)(B)1 or 95303(b)(2)(B)1, but not both sections.

In section 95305(b)(3), “and” was replaced with “or” to clarify that this section applies to both 2011 and subsequent model year 53-foot or longer box-type trailers, an “and” was added, and an extra “s” was deleted for grammatical purposes.

In section 95305(b)(4), “applicable” was added to clarify what information drivers of exempt local-haul tractors must provide, and citations to section 95305 were corrected.

In section 95305(b)(6), “section” was deleted for grammatical purposes.

In section 95305(b)(7), “sections” was modified to “section” for grammatical purposes.

In section 95305(c)(1), “and” was changed to “or” to clarify that 2011 or later model year local-haul trailers must comply with either the requirements of sections 95303(b)(1)(B)1 or 95303(b)(2)(B)1, but not both sections.

In section 95305(c)(1)(A) “a” was deleted for grammatical purposes.

In section 95305(c)(2) “s” was deleted for grammatical purposes.

In section 95305(c)(2)(A) “a” was deleted for grammatical purposes.

In section 95305(c)(5) a redundant “exempt” was deleted for grammatical purposes.

In section 95303(e)(4) a redundant “exempt” was deleted for grammatical purposes.

In section 95305(f), the words “exempt local-haul trailers and exempt storage” have been removed from the title of the section since this section applies to any trailer, including exempt local-haul, exempt storage, and non-compliant trailers. Further, the word “exempt” has been replaced with “registered” in several places in this section. The word “exempt” has been removed from the title because it is not needed. The word “registered”, rather than “exempt”, better emphasizes the fact that these trailers must be registered to be eligible for a Relocation Pass.

In section 95305(f)(1)(A) “either” was deleted for grammatical purposes.

In sections 95305(g)(1) and 95305(g)(2), minor grammatical changes were made.

In section 95305(g)(3) “or transferee” was added to clarify that either a transferor or transferee may request a Transfer of Ownership Pass from the Executive Officer.

In section 95305(g)(3)(A)9 “contact person’s” was added to clarify that a transferor must provide a contact person’s name to the Executive Officer.

In sections 95305(g)(3)(D), (E), (H), and 95305(g)(4), minor grammatical changes were made.

In section 95305(g)(6) a citation has been corrected.

In section 95305(h)(3) “an” was replaced with “a”

In section 95305(h)(6) “transferor” was replaced by “owner” to clarify that the Executive Officer will notify the owner requesting a Non-compliant Tractor Pass whether the pass was approved or disapproved.

In section 95305(i)(1) “or 95303(b)(3)(B)(2)” and “or 95303(b)(3)(C)(2)” were added to clarify the aerodynamic technology requirements applicable to dry-van and refrigerated-van trailers, respectively.

In section 95305(i)(3)(B) “trailer” was moved for grammatical purposes.

In section 95305(i)(6) “compliance dates” was deleted as unnecessary.

In section 95305(j)(1) “mounted on the drive axle or axles” was added to clarify which open-shoulder drive tires qualify for the exemption in 95305(j).

In section 95305(k) “the” was added for grammatical purposes.

E. Short-Haul Tractor, Local-Haul Tractor, Local-Haul Trailer, and Storage Trailer Registration Requirements [17 CCR Section 95306]

In section 95306(f)(1), the phrases “when hauling freight with vehicles subject to section 95303(a) and (b), title 17, California Code of Regulations”, “would be subject to the equipment requirements of this regulation and”, and “if non-compliant. I also understand that if my tractor[s] [or trailer[s]] is [or are] non-compliant” have been added. In addition, the word “strictly” has been deleted. These changes were made to clarify the intent of the section.

F. Optional Trailer Fleet Compliance Schedules [17 CCR Section 95307]

In section 95307(a)(6)(A), a section reference has been corrected.

In sections 95307(a)(6)(A)1. and 95307(a)(6)(A)2. the phrases, “beginning January 1, 2011” and “beginning January 1, 2012” have been deleted because they are redundant and unnecessary.

In section 95307(b)(1) the phrase “beginning January 1, 2011” has been deleted for clarity.

In sections 95307(b)(1)(A)1-6, (b)(2)(A)1-6, and (c)(1)(A)-(D), the word “beginning” was replaced by the word “by” in the compliance schedules for clarity.

In section 95307(b)(2) the phrase “beginning January 1, 2012” has been deleted for clarity.

In section 95307(d)(3)(A) “section” was replaced by “sections” for grammatical purposes.

In sections 95307(e)(1), (e)(2), and (e)(4), references to sections 95303(b)(3)(F)1. through 3. have been replaced with references to section 95303(b)(3)(F) for clarity. Section 95303(b)(3)(F) contains the compliance deadlines that are specified in subsections 95303(b)(3)(F)1.-3.

In section 95307(e)(5), the word “fraction” has been replaced with the word “decimal” for clarity.

In section 95307(f)(2), the section titles have been added after the section number citations.

In section 95307(g)(11), the phrase “2010 or previous model year” was added for clarity.

G. Record Keeping [17 CCR section 95308]

In section 95311(b) “the” was deleted and “through” was added for grammatical purposes.

Written comments will only be accepted on the modifications described in this notice and may be submitted by postal mail or electronic mail submittal as follows:

Postal Mail: Clerk of the Board Air Resources Board
1001 “I” Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request. Additionally, this information may become available via Google, Yahoo, and any other search engines.

In order to be considered by the Executive Officer, comments must be directed to ARB in one of the two forms described above and received by ARB by 5:00 p.m. on the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

If you need this document in an alternate format (i.e., Braille, large print, etc.) or another language, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si necesita este documento en un formato alternativo (por decir, sistema Braille, o en impresión grande) u otro idioma, por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de cinco (5) días laborales a partir de la fecha del lanzamiento de este aviso. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

Attachment

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs see our Website at www.arb.ca.gov.