

**State of California
Office of Administrative Law**

In re:
Air Resources Board

Regulatory Action:

Title 13 and Title 17, California Code of Regulations

Adopt sections:

Amend sections: 1900, 1956.8, 1968.2,
1968.5, 1971.1, 1971.5,
2485, 95302, 95662

Repeal sections:

NOTICE OF APPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL Matter Number: 2016-0610-01

OAL Matter Type: Regular (S)

The Air Resources Board (Board) proposed this action to amend sections 1900, 1956.8, 1968.2, 1968.5, 1971.5, and 2485 of title 13 of the California Code of Regulations, to amend sections 95302 and 95662 of title 17 of the California Code of Regulations, and to update 24 incorporated by reference documents. This action updates and clarifies onboard diagnostic (OBD II) systems requirements and related enforcement provisions for passenger cars, light-duty trucks, and medium-duty vehicles and engines to account for Low Emission Vehicle III applications. This action also streamlines procedures for certification of these vehicles and engines for sale and distribution in California, provides greater compliance flexibility for manufacturers, and establishes ongoing tracking procedures for the Board to monitor OBD II systems to assure they detect emission control malfunctions in real-world conditions.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/25/2016.

Date: July 25, 2016



Richard L. Smith
Senior Attorney

For: Debra M. Cornez
Director

Original: Richard W. Corey
Copy: Trini Balcazar

NOTICE PUBLICATION/REGULATION SUBMISSION

REGULAR

(Use in... is on

For use by Secretary of State only

STD. 400 (REV. 01-2013)

| | | | |
|---|--------------------------------------|--|------------------|
| OAL FILE NUMBERS | NOTICE FILE NUMBER Z-2015-0721-06 | REGULATORY ACTION NUMBER 2016-0610-01 S | EMERGENCY NUMBER |
| For use by Office of Administrative Law (OAL) only | | | |
| RECEIVED FOR FILING PUBLICATION DATE JUL 21 '15 AUG 07 '15 Office of Administrative Law | | 2016 JUN 10 P 1:53 OFFICE OF ADMINISTRATIVE LAW | |
| NOTICE | | REGULATIONS | |

ENDORSED - FILED in the office of the Secretary of State of the State of California

JUL 25 2016

3:38 PM

AGENCY WITH RULEMAKING AUTHORITY AIR RESOURCES BOARD

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

| | | | |
|---|--|--------------------------------------|---|
| 1. SUBJECT OF NOTICE On-Board Diagnostic System Requirements (OBDII) | TITLE(S) 13 | FIRST SECTION AFFECTED 1900 | 2. REQUESTED PUBLICATION DATE August 7, 2015 |
| 3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other | 4. AGENCY CONTACT PERSON Trini Balcazar | TELEPHONE NUMBER (916) 445-9564 | FAX NUMBER (Optional) (916) 322-3928 |
| OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn | ACTION ON PROPOSED NOTICE | NOTICE REGISTER NUMBER 2015, 32-2 | PUBLICATION DATE 8-7-2015 |

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

| | |
|--|---|
| 1a. SUBJECT OF REGULATION(S) On-Board Diagnostic System Requirements (OBDII) | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) |
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related) | |
| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) | ADOPT |
| | AMEND 1900, 1956.8, 1968.2, 1968.5, 1971.1, 1971.5, 2485, 95302, 95662 |
| TITLE(S) 13, 17 | REPEAL |
| 3. TYPE OF FILING | |
| <input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) | <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. |
| <input type="checkbox"/> Resubmission of disapproved or withdrawn non-emergency filing (Gov. Code §§11349.3, 11349.4) | <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) |
| <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) | <input type="checkbox"/> Resubmission of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) |
| | <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) |
| | <input type="checkbox"/> File & Print |
| | <input type="checkbox"/> Other (Specify) |
| | <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) |
| | <input type="checkbox"/> Print Only |
| 4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) March 21, 2016 - April 6, 2016 | |
| 5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) | |
| <input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) | <input checked="" type="checkbox"/> Effective on filing with Secretary of State |
| | <input type="checkbox"/> \$100 Changes Without Regulatory Effect |
| | <input type="checkbox"/> Effective other (Specify) |
| 6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY | |
| <input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) | <input type="checkbox"/> Fair Political Practices Commission |
| <input type="checkbox"/> Other (Specify) | <input type="checkbox"/> State Fire Marshal |

| | | | |
|--|------------------------------------|---|---|
| 7. CONTACT PERSON Trini Balcazar, Regulations Coordinator | TELEPHONE NUMBER (916) 445-9564 | FAX NUMBER (Optional) (916) 322-3928 | E-MAIL ADDRESS (Optional) Trinidad.Balcazar@arb.ca.gov |
|--|------------------------------------|---|---|

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

| | |
|--|------------------|
| SIGNATURE OF AGENCY HEAD OR DESIGNEE | DATE 6/9/2016 |
| TYPED NAME AND TITLE OF SIGNATORY Richard W. Corey, Executive Officer | |

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUL 25 2016

Office of Administrative Law