

REQUEST FOR EARLY EFFECTIVE DATE

Pursuant to Government Code section 11343.4(b)(3), the California Air Resources Board (CARB or Board) requests that the Office of Administrative Law (OAL) prescribe an “earlier effective date” for the proposed amendments to the On-Board Diagnostic System Requirements, Including the Introduction of Real Emissions Assessment Logging (REAL), for Heavy-Duty Engines, Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles and Engines that were approved for adoption by the Board at the November 15, 2018, public hearing and are submitted to OAL for review and approval on August 21, 2019. The following demonstrates “good cause” for OAL to allow the amendments to be effective upon filing with the Secretary of State.

DEMONSTRATION OF GOOD CAUSE

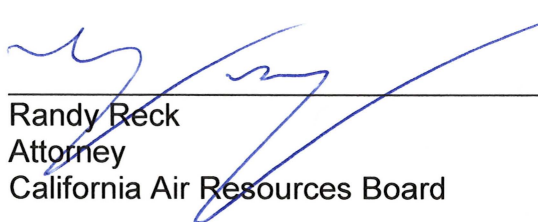
On-Board Diagnostic (OBD) systems serve an important role in helping to ensure that engines and vehicles maintain low emissions throughout their full lives. OBD systems monitor virtually all emission controls on engines and vehicles, including catalysts, particulate matter filters, exhaust gas recirculation systems, oxygen sensors, evaporative systems, fuel systems, and electronic powertrain components, and other components and systems that can affect emissions when malfunctioning. The use and operation of OBD systems ensure reductions of in-use motor vehicle and motor vehicle engine emissions through improvements in emission system durability and performance.

The proposed amendments would update monitoring requirements for gasoline and diesel engines, incorporate new requirements to assist in the introduction of REAL (e.g., adding more data parameters required to be tracked and reported by the engine/vehicle), modify manufacturer self-testing requirements to address manufacturers’ workload issues, and clarify the regulations. The proposed amendments will provide manufacturers with greater compliance flexibility, and strengthen and clarify the performance requirements they are expected to meet in designing and developing robust OBD systems. This will encourage manufacturers to design and build more durable engines and emission related components, all of which will help ensure that forecasted emission reduction benefits from adopted light-, medium-, and heavy-duty vehicle and engine emission control programs are achieved in-use.

An early effective date for the proposed amendments will benefit manufacturers, CARB, and the public, without serving a detriment on any affected party. Manufacturers will benefit from the relaxed self-testing requirements, including reducing the number of monitors to test, expanding the criteria for test engines, and reducing testing requirements for engine manufacturers that have difficulty finding engines to procure for testing due to issues like low sales volumes. (see section 1971.5(c) of title 13, California Code of Regulations). These manufacturers are currently conducting manufacturer self-testing on 2016 model year engines

and would immediately benefit from the proposed amendments. Further, manufacturers are currently designing 2020 model year OBD systems and would benefit by having stable, predictable requirements. CARB will benefit from an early effective date because certain certification documentation requirements will be incorporated into the OBD system certification application, whereas currently CARB staff must request this information separately—this will reduce agency staff workload without materially increasing manufacturer requirements. The public will benefit from more robust emission system durability and performance, and the relaxed manufacturer requirements will not have an effect on air quality or pollution produced by the affected engines or vehicles.

For these reasons, CARB hereby requests that OAL approve an early effective date for the amendments to be effective upon filing with the Secretary of State.



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8/7/2019

Date