

State of California
AIR RESOURCES BOARD

Executive Order R-19-007

Relating to Proposed Revisions 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

WHEREAS, on November 15, 2018, the California Air Resources Board (CARB or Board) conducted a public hearing to consider 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, as set forth in Appendices A through C to the Initial Statement of Reasons (Staff Report) released to the public on September 25, 2018;

WHEREAS, the environmental analysis prepared under CARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)) in the Staff Report concluded that the amendments are exempt from CEQA under California Code of Regulations, title 14, section 15308 ("Class 8" exemption: Actions Taken by Regulatory Agencies for Protection of the Environment) because the substantial evidence in the record shows that the amendments will improve the reliability of expected emission benefits to better protect the environment and the public from impacts associated with exposure to hydrocarbon (HC), oxides of nitrogen (NOx), carbon monoxide (CO), and particulate matter (PM) emissions, the regulatory process involves procedures for protection of the environment, and the amendments will not result in any significant adverse environmental impacts as described in Chapter IV of the Staff Report;

WHEREAS, following the public hearing, the Board adopted Resolution 18-53 in which the Board approved for adoption amendments to sections 1968.2, 1971.1, and 1971.5, title 13, California Code of Regulations, as set forth in Attachments A through D of that resolution;

WHEREAS, Resolution 18-53, directed the Executive Officer to make the modified regulatory language in Attachment D to that resolution and any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public review period and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications or present the regulation to the Board for further consideration if warranted;

WHEREAS, modified regulatory language and supporting documentation were circulated for two 15-day public comment periods, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from June 4, 2019 through June 19, 2019 and from July 19, 2019 through August 5, 2019;

WHEREAS, a number of written comments were received during the initial 45-day comment period and supplemental 15-day comment periods, and those comments were considered by the Executive Officer;

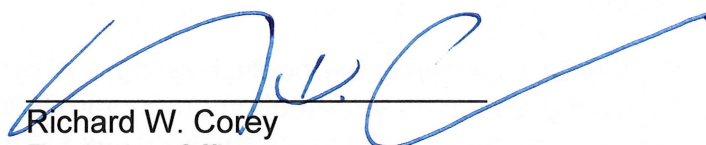
WHEREAS, based on substantial evidence in the record there is no possibility the modifications to the regulation made available for the 15 day public comment periods after the Board hearing could affect the conclusion of the environmental analysis included in the Staff Report, so no additional environmental analysis was required and no additional comments raising significant environmental issues were received;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 18-53 are incorporated herein.

IT IS FURTHER ORDERED that sections 1968.2, 1971.1, and 1971.5, title 13, California Code of Regulations, and incorporated documents, are adopted as set forth in Attachments 1 through 3 to this Order.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 14th day of August at Sacramento, California.


Richard W. Corey
Executive Officer

Attachments