

ATTACHMENT A

PROPOSED MODIFICATIONS TO THE PROPOSED REGULATION ORDER FOR CALIFORNIA CERTIFICATION PROCEDURES FOR LIGHT-DUTY ENGINE PACKAGES FOR USE IN NEW LIGHT-DUTY SPECIALLY-PRODUCED MOTOR VEHICLES FOR 2019 AND SUBSEQUENT MODEL YEARS

The following text contains staff's proposed modifications to the originally proposed regulatory text for sections 2209.1, 2209.2, and 2209.9, title 13, California Code of Regulations. The modifications to the originally proposed regulatory language is shown in underline to indicate additions and ~~strike through~~ to indicate deletions. Various portions of the regulations that are not modified by staff's suggested modifications are omitted from the text shown and indicated by "****".

§ 2209.1. Definitions.

- (a) For the purposes of this article, the definitions in section 1900(b), chapter 1, title 13 of the California Code of Regulations (CCR) shall apply, except as otherwise specified in this article. The following definitions shall also apply to this article:

(1) ~~“ASTM” means a standard published by the American Section of the International Association for Testing Materials.~~

* * * * [No changes except to renumber]

(1716) “Specially produced motor vehicle” or “SPMV” means a newly produced current model year passenger car or light-duty truck, with a gross vehicle weight rating (GVWR) at or below 8,500 pounds, that meets all of the following requirements:

- (A) Resembles the body of a motor vehicle, on an overall 1:1 scale (+/- 10 percent) of original body lines, excluding roof configuration, ride height, trim attached to the body, fenders, running boards, grille, hood or hood lines, windows, and axle location, that had been commercially manufactured, during consecutive model years, for sale not less than 25 years after the latest model year age, with a production run of at least ~~500~~50 units of a unique body style, before the ~~manufacture~~ production of the current model year motor vehicle;

* * * * [No changes except to renumber]

Note: Authority cited: Sections 39600, 39601, 43000, 43013, 43100, 43101, 43102, 43104, and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43100, 43101, 43102, 43104, 43105, 43106, 43205, Health and Safety Code, and section 580 , Vehicle Code.

§ 2209.2. Emission Standards, Test Procedures, Package Requirements, and Reporting Requirements for New Certified Engine Packages for Specially-Produced Motor Vehicles.

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- (i) On-Board Diagnostic System. Except as allowed in (i)(1) - (34) below, the certified engine package must comply with section 1968.2, title 13, CCR for on-board diagnostic (OBD) requirements applicable to the model year of the engine. For the specific sections identified below, in lieu of complying with all applicable OBD requirements per section 1968.2, title 13, CCR, the following alternate criteria can be used:

- (1) 1968.2(e)(4.22)(A) and (D)—Evaporative system purge monitoring: 2019 through 2022 model year vehicles are exempt from the monitoring requirements of section 1968.2(e)(4.22)(A) and (D), title 13, CCR.

- (42) 1968.2(e)(4.22)(B) and (C)—Evaporative system leak monitoring:

- (A) The complete evaporative system contains an evaporative system leak monitor capable of detecting a leak or leaks that cumulatively are greater than or equal to a leak caused by a missing fuel cap or a worse case malfunction of a capless fuel storage system (e.g., capless sealing valve stuck open).

- (B) In lieu of including an evaporativesystem leak monitor, the manufacturer may install a capless fuel storage system on the vehicle.

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Note: Authority cited: Sections 39600, 39601, 43000, 43013, 43100, 43101, 43102, 43104, and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43100, 43101, 43102, 43104, 43105, 43106, 43205, Health and Safety Code, and section 580, Vehicle Code.

§ 2209.4 Requirements for SPMV Manufacturers.

- (a) A SPMV manufacturer must be currently ~~registered with and~~ approved by the National Highway Traffic and Safety Administration and registered with the

United States Environmental Protection Agency to produce for the current model year of the SPMV certification application.

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Note: Authority cited: Sections 39600, 39601, 43000, 43013, 43100, 43101, 43102, 43104, and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43100, 43101, 43102, Health and Safety Code, and section 580, Vehicle Code.

§ 2209.9. Recall Procedures for Certified Engine Packages for Use in Specially-Produced Motor Vehicles.

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(b) *Recall Procedures.*

An engine manufacturer shall be notified whenever the Executive Officer has determined, based on emissions warranty information reports, enforcement testing results, or any other information, that more than four percent of the certified engine packages covered under each Executive Order, or more than four percent of California-certified engine packages produced by the engine manufacturer and having the same components as the certified engine package, although properly maintained and used, contain a failure in an emission-related component which, if uncorrected, may result in the vehicles' or engines' failure to meet applicable standards. In such a situation, the certified engine package and/or specific components used in the certified engine package or ECS will be subject to corrective action, including recall, to correct such failures, as specified in the "Procedures for Reporting Failure of Emission-Related Components," sections 2141 through 2149, Article 2.4, Chapter 2, Division 3, title 13, CCR.

(c) OBD Enforcement Procedures

For vehicles using a capless fuel storage system, the engine manufacturer shall be subject to the OBD enforcement requirements specified in section 1968.5, title 13, CCR except as provided in subsections (c)(1) and (2).

- (1) The enforcement provisions of section 1968.5 (b)(6)(C)(ii)a. do not apply for the gasoline evaporative system monitor readiness status.
- (2) The mandatory recall provisions of section 1968.5 (c)(3)(A)(iv) do not apply for a missing gas cap.

Note: Authority cited: Sections 39600, 39601, 43000, 43013, 43100, 43101, 43102, 43104, and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43100, 43101, 43102, 43104, 43105, 43106, 43205, Health and Safety Code, and section 580, Vehicle Code.