

NONSUBSTANTIVE

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2019-0114-03N	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

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

FEB 25 2019

1:36 p

2019 JAN 14 P 1:57
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY
California Air Resources Board

AGENCY FILE NUMBER (if any)

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

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Nonsubstantial changes to PERP and Portable Engine ATCM Regulations	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)	ADOPT
	AMEND 2452 and 2461.1; and 93116.3
	REPEAL

3. TYPE OF FILING			
<input 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"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

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)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State §100 Changes Without Regulatory Effect Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal

Other (Specify) _____

7. CONTACT PERSON Bradley Bechtold	TELEPHONE NUMBER (916) 322-6533	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) bradley.bechtold@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 1/11/2019
TYPED NAME AND TITLE OF SIGNATORY Richard W. Corey, Executive Officer	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

FEB 25 2019

Office of Administrative Law

FINAL REGULATION ORDER

Amend sections 2452 and 2461.1, title 13, California Code of Regulations to read as follows.

(Note: The amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions. The symbol “* * * * *” means that intervening text not being amended is not shown.)

§ 2452. Definitions.

* * * * *

- (r) **“Identical Replacement”** means a substitution due to equipment failure of a registered portable engine or equipment unit with another portable engine or equipment unit that has the same manufacturer, type, manufacturer’s maximum rated capacity, and rated brake horsepower; and is intended to perform the same or similar function as the original portable engine or equipment unit; and meets the emission requirements of title 17 Cal_ Code Regs., section 93116.3(c)(1); and meets the emission requirements of sections 2455 through 2457 of this article.

* * * * *

NOTE: Authority cited: Sections 39600, 39601, 41752, 41753, 41754, 41755, 43013(b) and 43018, Health and Safety Code. Reference: Sections 41750, 41751, 41752, 41753, 41754 and 41755, Health and Safety Code.

* * * * *

§ 2461.1. Fee Schedule.

Fees for Statewide Registration Program
(Fees are per registered unit except where noted otherwise)

1	Initial Registration with placard	\$400.00
2	TSE, initial registration	
A	Registration of first 25 units (or portion thereof)	\$1,090.00
B	Registration of every additional 50 units (or portion thereof)	\$1,090.00
3	Identical replacement	\$110.00
4	Renewal, non-TSE	\$330
5	Penalty fee for late renewal payments, non-TSE	\$330
A	Postmarked within 2 calendar months prior to registration expiration date	\$65.00
B	Postmarked within the calendar month prior to registration expiration date	\$130.00

C	Postmarked after the registration expiration date	\$365.00
---	---	----------

* * * * *

NOTE: Authority cited: Sections 39600, 39601, 41752, 41753, 41754, 41755, 43013(b) and 43018, Health and Safety Code. Reference: Sections 41750, 41751, 41752, 41753, 41754 and 41755, Health and Safety Code.

FINAL REGULATION ORDER

Amend section 93116.3 of title 17, California Code of Regulations to read as follows.

(Note: The amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions. The symbol “* * * * *” means that intervening text not being amended is not shown.)

§ 93116.3 Requirements.

* * * * *

(d) Fleet Average Calculations

(1) General Provisions

* * * * *

(B) The following diesel PM emission rates shall be used with the above formula to determine the weighted average fleet emission rate:

* * * * *

3. for replacement engines and flexibility engines that do not have a family name indicated on the engine, the emission standard of the tier level to which the engine was built shall be used; or
4. results from emission measurements from a verified emission control strategy may be used in conjunction with engine emission information; ~~or.~~

Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39666, 41752, 41754, 43013 and 43018 Health and Safety Code. Reference: Sections 39650, 39666, 41752, 41754, Health and Safety Code.