

PROPOSED REGULATION ORDER

Amend sections 2222 and 2224, Article 2, Chapter 4, Division 3, Title 13, California Code of Regulations, to read as follows:

Chapter 4. Criteria for the Evaluation of Motor Vehicle Pollution Control Devices and Fuel Additives Article 2. Aftermarket Parts

(Note: The proposed amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions from the existing regulatory text. “[No change]” indicates that regulatory language not being amended is not shown.)

§ 2222. Add-On Parts and Modified Parts.

(a)-(d) and (f)-(k) [No Change]

(e) The executive officer may exempt add-on and modified parts based on an evaluation conducted in accordance with the ~~“Procedures for Exemption of Add-on and Modified Parts,”~~ “Procedures for Exemption of Add-On And Modified Part(s) for On-Road Vehicles/Engines,” adopted by the state board on November 4, 1977, as amended June 1, 1990, ~~[insert adopted date]~~, incorporated by reference herein. Applications submitted before ~~[effective date]~~ shall conform to “Procedures for Exemption of Add-on and Modified Parts,” adopted by the state board on November 4, 1977, as amended June 1, 1990, incorporated by reference; applications submitted after ~~[effective date]~~ shall conform to “Procedures for Exemption of Add-On And Modified Part(s) for On-Road Vehicles/Engines,” adopted by the state board on ~~[insert adopted date]~~, incorporated by reference herein.

NOTE: Authority cited: Sections 39600, 39601, 43000, 43000.5, 43011 and 43107, Health and Safety Code; and Sections 27156, 38391 and 38395, Vehicle Code. Reference: Sections 39002, 39003, 39500, 43000, 43000.5, 43009.5, 43011, 43107, 43204, 43205, 43205.5 and 43644, Health and Safety Code; and Sections 27156, 38391 and 38395, Vehicle Code.

§ 2224. Add-On Parts and Modified Parts.

(a) [No Change]

(b) Add-on parts and modified parts. The executive officer may order, for cause, the manufacturer of any add-on part or modified part subject to the provisions of this article to submit a reasonable number of parts typical of the manufacturer's production for testing and evaluation. In-use performance will also be evaluated. This will include Inspection and Maintenance requirements and compliance with onboard diagnostic system regulations. If, after a review of the results of any tests or evaluations conducted by the state board's staff and of any information submitted by the manufacturer, the executive officer finds that an add-on part or a modified part does not conform to the ~~“Procedures for Exemption of Add-on and Modified Parts,”~~ applicable procedure the executive officer may invoke section 2225. Applications submitted before ~~[effective date]~~ shall conform to “Procedures for Exemption of Add-on and Modified Parts,” adopted by the state board on November 4, 1977, as amended June 1, 1990, incorporated by reference; applications submitted after ~~[effective date]~~ shall conform to “Procedures for

Exemption of Add-On And Modified Part(s) for On-Road Vehicles/Engines,” adopted by the state board on [insert adopted date], incorporated by reference herein.

NOTE: Authority cited: Sections 39600, 39601 and 43011, Health and Safety Code; and Section 27156, Vehicle Code. Reference: Sections 39002, 39003, 39500, 43000 and 43204, Health and Safety Code.