

ATTACHMENT A-2

Proposed 15-day Modifications to Text of the Proposed Amendments to Regulation Order

Amendments to Sections 1961.2, 1965, 2037, 2038, and 2903, Title 13, California Code of Regulations

[Note: The proposed modifications, referred to as 15-Day Changes, to the originally proposed regulations are shown below. The originally proposed regulatory language released for a period of at least 45-days on April 12, 2022, is shown in "normal type." The deletions and additions to the originally proposed language that comprise the 15-day Changes that are made public with this Notice and available for comment are shown in ~~strikethrough~~ to indicate deletions and underline to indicate additions. The 15-Day Changes are being presented in two versions. This version A-2 also complies with Government Code sections 11346.2, subdivision (a)(3), and 11346.8, subdivision (c). For ease of readability, and to review the 15-Day Changes in an Accessible format, please refer to version A-2.1.]

Staff is proposing modifications to limited portions of the original proposal; for some portions of the original proposal for which no modifications are proposed, the text has been omitted and the omission indicated by "*** **".]

There are no additional suggested modifications to the originally proposed amendments to sections 1900, 1961.3, 1976, 1978, 2112, 2139, 2140, 2147, and 2317, title 13, CCR.

Attachment A-2 - This version annotates the changes made available for comment.

The following Chapters and Sections of title 13, CCR are being amended by these proposed 15-day changes to the original regulatory proposal.

Chapter 1. Motor Vehicle Pollution Control Devices

Section 1961.2. Exhaust Emission Standards and Test Procedures - 2015 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles.

Section 1965. Emission Control, Smog Index, and Environmental Performance Labels - 1979 and Subsequent Model-Year Motor Vehicles.

Section 2037. Defects Warranty Requirements for 1990 and Subsequent Model Passenger Cars, Light-Duty Trucks, Medium-Duty Vehicles, and Motor Vehicle Engines Used in Such Vehicles.

Section 2038. Performance Warranty Requirements for 1990 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, and Motor Vehicle Engines Used in Such Vehicles.

Chapter 16. Certification Fees for Mobile Sources

Section 2903. Definitions.

1. Amend Title 13, CCR, Chapter 1, Section 1961.2 to read as follows:

§ 1961.2. Exhaust Emission Standards and Test Procedures - 2015 through 2025 Model Year Passenger Cars and Light-Duty Trucks, and 2015 through 2028 Model Year Medium-Duty Vehicles.

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(a) *Exhaust Emission Standards.*

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(2) *"LEV III" Particulate Standards.*

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(D) *Alternative Phase-in Schedule for Particulate Standards.*

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2. *Alternative Phase-in Schedules for the 1 mg/mi Particulate Standard for Passenger Cars, Light-Duty Trucks, and Medium-Duty Passenger Vehicles.* A manufacturer may use an alternative phase-in schedule to comply with the 1 mg/mi particulate standard phase-in requirements as long as the PM emission reductions that are achieved using the alternative phase-in schedule are equivalent to or greater than those that are achieved using the phase-in schedules in subsection (a)(2)(A) for model years 2024-2025 and section 1961.4 ~~subsection (c)(d)(2)(A)2.a.~~ for model years 2026-2028 by the 2028 model year from passenger cars, light-duty trucks, and medium-duty passenger vehicles. Model year emission reductions shall be calculated by multiplying the percent of PC+LDT+MDPV vehicles meeting the 1 mg/mi particulate standard in a given model year (based on a manufacturer's projected sales volume of vehicles in each category) by 4 for the 2025 model year, 3 for the 2026 model year, 2 for the 2027 model year, and 1 for the 2028 model year. The yearly results for PC+LDT+MDPV vehicles shall be summed together to determine a cumulative total for PC+LDT+MDPV vehicles. A manufacturer may add vehicles introduced ~~in~~before the 20245 model year (e.g., the percent of vehicles introduced in 2024 or earlier model year would be multiplied by 4) to the cumulative total. In the 2028 model year, the cumulative total must be equal to or greater than 500, and 100 percent of the manufacturer's passenger cars, light-duty trucks, and medium-duty passenger vehicles must be certified to the 1 mg/mi particulate standard, to be considered equivalent.

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Note: Authority cited: Sections 39500, 39600, 39601, 43013, 43018, 43101, 43104, 43105 and 43106, Health and Safety Code. Reference: Sections 39002, 39003, 39667, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43204 and 43205, Health and Safety Code.

2. Amend Title 13, CCR, Chapter 1, Section 1965 to read as follows:

§ 1965. Emission Control, Smog Index, and Environmental Performance Labels - 1979 and Subsequent Model-Year Motor Vehicles.

In addition to all other requirements, emission control labels are required by the California certification procedures contained in the "California Motor Vehicle Emission Control and Smog Index Label Specifications for 1978 through 2003 Model Year Motorcycles, Light-, Medium- And Heavy-Duty Engines And Vehicles," adopted March 1, 1978, as last amended September 5, 2003, which is incorporated herein by reference, the "California 2001 through 2014 Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2009 through 2016 Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," incorporated by reference in section 1961(d), the "California 2015 through 2025 Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," incorporated by reference in section 1961.2(d), the "California 2026 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," incorporated by reference in section 1961.4(~~fc~~)(1), the "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel-Engines and Vehicles," incorporated by reference in section 1956.8(b), the "California Interim Certification Procedures for 2004 and Subsequent Model Hybrid-Electric Vehicles, in the Urban Bus and Heavy-Duty Vehicle Classes," incorporated by reference in section 1956.8(b) and (d), and the "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines," incorporated by reference in section 1956.8(d), and the "California Greenhouse Gas Exhaust Emission Standards and Test Procedures for 2014 and Subsequent Model Heavy-Duty Vehicles," incorporated by reference in title 17, CCR, section 95663(d).

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Note: Authority cited: Sections 38501, 38505, 38510, 38560, 39600, 39601, 43013, 43018, 43101, 43104, 43105, 43200, and 43200.1, Health and Safety Code.
Reference: Sections 39002, 39003, 43000, 43013, 43018.5, 43100, 43101, 43102, 43104, 43107, 43200, and 43200.1, Health and Safety Code.

3. Amend Title 13, CCR, Chapter 1, Section 2037 to read as follows:

§ 2037. Defects Warranty Requirements for 1990 and Subsequent Model Passenger Cars, Light-Duty Trucks, Medium-Duty Vehicles, and Motor Vehicle Engines Used in Such Vehicles.

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(g) Prior to the 2001 model year, each manufacturer shall submit the documents required by sections (c)(5), (e), and (f) with the manufacturer's preliminary application for new vehicle or engine certification for approval by the Executive Officer. For 2001 and subsequent model years, each manufacturer shall submit the documents required by section (c)(5), (e), and (f) with the Part 2 Application for Certification pursuant to the "California 2001 through 2014 Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2009 through 2016 Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," incorporated by reference in title 13, CCR section 1961(d), the "California 2015 through 2025 Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," incorporated by reference in title 13, CCR section 1961.2(d), or the "California 2026 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium Duty Vehicles," incorporated by reference in title 13, CCR section 1961.4-~~(f)(c)(1)~~, as applicable. The Executive Officer may reject or require modification of any of the documents required by sections (c), (e), and (f) for, among other reasons, incompleteness and lack of clarity. Approval by the Executive Officer of the documents required by sections (c), (e), and (f) shall be a condition of certification. The Executive Officer shall approve or disapprove the documents required by sections (c), (e), and (f) within 90 days of the date such documents are received from the manufacturer. Any disapproval shall be accompanied by a statement of the reasons thereof. In the event of disapproval, the manufacturer may petition the Board to review the decision of the Executive Officer.

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Note: Authority cited: Sections 38501, 38505, 38510, 38560, 39600 and 39601, Health and Safety Code. Reference: Sections 38501, 38505, 38510, 38560, 43106, 43204, 43205, 44004, 44010, 44011, 44012, 44015, and 44017, Health and Safety Code.

4. Amend Title 13, CCR, Chapter 1, Section 2038 to read as follows:

§ 2038. Performance Warranty Requirements for 1990 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, and Motor Vehicle Engines Used in Such Vehicles.

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(c) *Written Instructions.*

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(3) For 2001 and subsequent model years, each vehicle or engine manufacturer shall submit the documents required by section (c)(1) with the Part 2 Application for Certification pursuant to the "California 2001 through 2014 Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2009 through 2016 Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," incorporated by reference in title 13, CCR section 1961(d), the "California 2015 through 2025 Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," incorporated by reference in title 13, CCR section 1961.2(d), or the "California 2026 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium Duty Vehicles," incorporated by reference in title 13, CCR section 1961.4-~~f(c)(1)~~, as applicable.

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Note: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: Sections 43106, 43204, 43205, 44004, 44010, 44011, 44012, 44014, and 44015, Health and Safety Code.

5. Amend Title 13, CCR, Chapter 16, Section 2903 to read as follows:

§ 2903. Definitions.

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“Test group” is a basic classification unit that has the meaning given in the “California 2015 through 2025 Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures Passenger Cars, Light-Duty Trucks, and Medium Duty Vehicles,” incorporated by reference in Title 13, section 1961.2; ~~subsection (d)~~ or the “California 2026 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles,” incorporated by reference in Title 13, section 1961.4, ~~subsection (f)(c)(1)~~, as applicable.

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Note: Authority cited: Sections 39600, 39601, 43019, 43019.1, and 43202.6, Health and Safety Code. Reference: Sections 43000, 43000.5, 43013, 43018, 43019, and 43019.1, Health and Safety Code.