

ATTACHMENT I

MODIFICATIONS TO THE PROPOSED REGULATION ORDER

Amendments to Sections 1956.1, 1956.8, 1961, 1965, and 1978, Title 13, California Code of Regulations, and Incorporated Documents

The following text contains the proposed modifications to the originally proposed amendments to section 1961, title 13 of the California Code of Regulations (CCR), to the incorporated "California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," and to the "California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles," which is incorporated by reference in section 1978, title 13, CCR. The text of the originally proposed amendments is shown in underline to indicate additions and ~~strikeout~~ to indicate deletions, and the modifications are shown in double underline to indicate additions and ~~double strikeout~~ to show deletions. Only limited portions of the original proposal are being modified, and for some portions where no modifications are proposed the text has been omitted and the omission indicated by " * * * *"

The modified text shown below is identical to text in the Staff's Suggested Modifications document presented at the December 12, 2002 Board hearing, except for the following two post-hearing modifications: (1) corrections of the number of significant figures in two of the 50°F standards, in section 1961(a)(4), title 13, CCR and section E.1.4 of the "California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Truck and Medium-Duty Vehicles," and (2) incorporating by reference 40 CFR §1825-01, as amended October 6, 2000, in the "California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles." This incorporation was unintentionally omitted when the document was adopted in the "LEV II/ CAP 2000" rulemaking.

There are no modifications to the originally proposed amendments to sections 1956.1, 1956.8, 1965, and 1978, title 13, CCR or to the following documents:

"California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines"

"California Motor Vehicle Emission Control and Smog Index Label Specifications"

"California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel Engines"

"California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines"

“California Smog Index Label Specifications for 2004 and Subsequent Model Passenger Cars and Light-Duty Trucks”

1. Amend section 1961, title 13, California Code of Regulations as follows:

§ 1961. Exhaust Emission Standards and Test Procedures - 2004 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles.

* * * *

(a) *Exhaust Emission Standards.*

Subsection (a)(1) through (3). [No change.]

(a)(4) *50° F Exhaust Emissions Standards*

* * * *

Vehicle Weight Class	Vehicle Emission Category (g/mi)					
	LEV		ULEV		SULEV	
	NMOG	HCHO	NMOG	HCHO	NMOG	HCHO
PCs; LDTs 0-8500 lbs. GVW	0.150	0.030	0.080	0.016	0.020	0.008
MDVs 8501-10,000 lbs. GVW	0.390	0.064	0.286	0.032	0.200	0.016
MDVs 10,001-14,000 lbs. GVW	0.460	0.080	0.334	0.042	0.234	0.020

Subsection (a)(5) through (7). [No change.]

(8) *Requirements for Vehicles Certified to the Optional 150,000 Mile Standards.*

(A) *Requirement to Generate Additional Fleet Average NMOG Credit.* (A) Requirement to Generate Additional Fleet Average NMOG Credit. A vehicle that is certified to the 150,000 mile standards in section 1961(a) shall generate additional NMOG fleet average credit as set forth in 1961(b)(1) or additional vehicle equivalent credits as set forth in 1961(b)(2) provided that the manufacturer extends the warranty on high cost parts to 8 years or 100,000 miles, whichever occurs first, and agrees to extend the limit on high mileage in-use testing to ~~105,000~~ 112,500 miles.

(B) *Requirement to Generate a Partial ZEV Allowance.* A vehicle that is certified to the 150,000 mile SULEV standards shall also generate a partial ZEV allocation according to the criteria set forth in section C.3 of the "California Exhaust Emission Standards and Test Procedures for 2003 and Subsequent Model Zero-Emission Vehicles, and 2001 and Subsequent Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes," incorporated by reference in section 1962(h)."

Subsections (9) through (11). [No change.]

(12) *NMOG Credit for Direct Ozone Reduction Technology.* A manufacturer that certifies vehicles equipped with direct ozone reduction technologies shall be eligible to receive NMOG credits that can be applied to the NMOG exhaust emissions of the vehicle when determining compliance with the standard. In order to receive credit, the manufacturer must submit the following information for each vehicle model, including, but not limited to:

(A) a demonstration of the airflow rate through the direct ozone reduction device and the ozone-reducing efficiency of the device over the range of speeds encountered in the ~~SFTP test cycle~~ Unified Cycle Driving Schedule.

(B) an evaluation of the durability of the device for the full useful life of the vehicle; and

(C) a description of the on-board diagnostic strategy for monitoring the performance of the device in-use.

Using the above information, the Executive Officer shall determine the value of the NMOG credit based on the calculated change in the one-hour peak ozone level using an approved airshed model.

Subsections (13) and (14). [No change.]

(15) *Emission Standard for a Fuel-Fired Heater.* Whenever a manufacturer elects to utilize an on-board fuel-fired heater on any passenger car, light-duty truck or medium-duty vehicle, the fuel-fired heater must meet LEV II ULEV standards for passenger cars and light-duty trucks less than 8,500 pounds GVW as set forth in section 1961(a)(1). On-board fuel-fired heaters may not be operable at ambient temperatures above 40°F.

* * * *

Note: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43104 and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 39667, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43107, 43204, and 43205.5, Health and Safety Code.

2. Amend the “California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles” as follows:

PART I: GENERAL PROVISIONS FOR CERTIFICATION AND IN-USE VERIFICATION OF EMISSIONS

E. California Exhaust Emission Standards

1.4 50° F Exhaust Emissions Standards

1.4.1 Standards for Vehicles Certified to the LEV I Standards.

Vehicle Weight Class	Vehicle Emission Category (g/mi)							
	TLEV		LEV		ULEV		SULEV	
	NMOG	HCHO	NMOG	HCHO	NMOG	HCHO	NMOG	HCHO
PCs; LDTs 0-3750 lbs. LVW	0.250	0.030	0.150	0.030	0.080	0.016	n/a	n/a
LDTs 3751-5750 lbs. LVW	0.320	0.036	0.200	0.036	0.100	0.018	n/a	n/a
MDVs 3751-5750 lbs. TW	n/a	n/a	0.320	0.036	0.200	0.018	0.100	0.008
MDVs 5751-8500 lbs. TW	n/a	n/a	0.390	0.044	0.234	0.022	0.118	0.012
MDVs 8501-10,000 lbs. TW	n/a	n/a	0.460	0.056	0.276	0.028	0.138	0.014
MDVs 10,001-14,000 lbs. TW	n/a	n/a	0.600	0.072	0.360	0.036	0.180	0.018

1.4.2 Standards for Vehicles Certified to the LEV II Standards

Vehicle Weight Class	Vehicle Emission Category (g/mi)					
	LEV		ULEV		SULEV	
	NMOG	HCHO	NMOG	HCHO	NMOG	HCHO
PCs; LDTs 0-8500 lbs. GVW	0.150	0.030	0.080	0.016	0.020	0.008
MDVs 8501-10,000 lbs. GVW	0.390	0.064	0.286	0.032	0.200	0.016
MDVs 10,001-14,000 lbs. GVW	0.460	0.080	0.334	0.042	0.234	0.020

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1.7 Requirements for Vehicles Certified to the Optional 150,000 Mile Standards.

(a) **Requirement to Generate Additional NMOG Fleet Average Credit.** A vehicle that is certified to the 150,000 mile standards in section E.1.1.2 shall generate additional NMOG fleet average credit as set forth in section E.3.1 or additional vehicle equivalent credits as set forth in E.3.2, provided that the manufacturer extends the warranty on high-priced parts to 8 years or 100,000 miles, whichever occurs first, and agrees to extend the limit on high mileage in-use testing to ~~105,000~~ 112,500 miles.

(b) **Requirement to Generate a Partial ZEV Allowance.** A manufacturer that certifies to the 150,000 mile SULEV standards shall also generate a partial ZEV allocation according to the criteria set forth in section C.3 of the "California Exhaust Emission Standards and Test Procedures for 2003 and Subsequent Model Zero-Emission Vehicles, and 2001 and Subsequent Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes," as incorporated by reference in section 1962, title 13, CCR.

* * * *

1.13 Emission Standard for Fuel-Fired Heaters. Whenever a manufacturer elects to utilize an on-board fuel-fired heater on any passenger car, light-duty truck or medium-duty vehicle, the heater must meet the LEV II ULEV standards for passenger cars and light-duty trucks less than 8,500 pounds GVW set forth in Section E.1.1.2 of these test procedures. The exhaust emissions from the fuel-fired heater shall be determined in accordance with the "California Exhaust Emission Standards and Test Procedures for 2003 and Subsequent Model Zero-Emission Vehicles, and 2001 and Subsequent Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes". On-board fuel-fired heaters may not be operable at ambient temperatures above 40°F.

* * * *

I. In-Use Compliance Requirements and Procedures

1. §86.1845 Manufacturer in-use verification testing requirements.

1.1 §86.1845-01. October 6, 2000. Amend as follows:

1.1.1 Table S01-5 California Small Volume Manufacturers and Small Volume Test Groups

California only test group annual sales ⁽¹⁾	1-1,500	1,501-4,500
High Mileage	voluntary	2

⁽¹⁾ Total annual production of groups eligible for testing under small volume sampling plan is capped at a maximum of 4,500 California-only production volume per model year, per large volume manufacturer. All other remaining large volume manufacturers small volume test groups shall meet the requirements in Table S01-06 below.

1.1.2 Table S01-6 - California Large Volume Manufacturers

California only test group - annual sales	4,500-15,000	15,001-25,000	>25,000
High Mileage	4	5	6

1.1.3 **High Mileage Testing.** Amend subparagraph (c)(2) of 40 CFR §86.1845-01 to read: All test vehicles must have a minimum odometer mileage of 50,000 miles. At least one vehicle of each test group certified to the emission standards in Section E.1.1.1 must have a minimum age and odometer mileage of 75,000 for light-duty vehicles and 90,000 miles for medium-duty vehicles. At least one vehicle of each test group certified to the 120,000-mile and 150,000-mile emission standards in Section E.1.1.2 must have a minimum age and odometer mileage of 90,000 miles and 112,500 miles, respectively. See §86.1838-01(c)(2) for small volume manufacturer mileage requirements.

1.1.4 **High Altitude Testing.** Amend subparagraph (c)(5)(i) of 40 CFR §86.1845-01 to read: Each test vehicle shall be tested in accordance with the Federal Test Procedure and the US06 portion of the Supplemental Federal Test Procedure (if applicable) as described in subpart B of this part, when such test vehicle is tested for compliance with the applicable exhaust emission standards under this subpart. High altitude testing shall not apply.

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3. Add the following section to the “**California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles**” as follows:

I. **General Certification Requirements for Refueling Emissions**

* * * *

G. Durability Demonstration procedures for refueling emissions.

[No change from 40 CFR §1825-01 (October 6, 2000).]

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