

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-07-012

Public Hearing to Consider Technical Status and Proposed Revisions to Malfunction and Diagnostic System Requirements and Associated Enforcement Provisions for Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles and Engines (OBDII) and Emission Warranty Regulations

WHEREAS, on September 28, 2006, the Air Resources Board (the Board or ARB) conducted a public hearing to review the technical status and implementation of California's OBD II requirements and emission warranty regulations, as set forth in the Initial Statement of Reasons released to the public on August 11, 2006;

WHEREAS, following the public hearing on September 28, 2006, the Board adopted Resolution 06-26 in which the Board approved adoption of amendments to title 13, California Code of Regulations (CCR) sections 1968.2, 1968.5, 2035, 2037, 2038, and the incorporated documents, as set forth in Attachment A, B, and C thereto, with the modifications set forth in Attachment D thereto;

WHEREAS, Resolution 06-26 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachments A, B, C, and D to Resolution 06-26, with such other conforming modifications as may be appropriate, to make the modified regulatory language and any additional supporting documents and information available to the public for a period of at least 15 days, to consider such written comments as may be submitted during this period, and to make such modifications as may be appropriate in light of the comments received, or to present the regulatory amendments to the Board for further consideration if she determines that this is warranted;

WHEREAS, on May 22, 2007, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing, were made available for public comment for a period of 15-days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, written comments were received during the 15-day comment period and those comments have been considered by the Executive Officer;

WHEREAS, on July 23, 2007, additional modifications were prepared in response to the comments received during the first 15-day comment period, and were made available for public comment for a period of at least 15 days, with the changes to the previously

proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44; and

WHEREAS, no written comments were received during the second 15-day comment.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 06-26 are incorporated by reference herein.

IT IS FURTHER ORDERED that amendments to title 13, CCR, sections 1968.2, 1968.5, 2035, 2037, 2038, and the incorporated documents are adopted as set forth in Attachment 1 hereto.

Executed this 9th day of August , 2007, at Sacramento, California.

/s/

Tom Cackette
Acting Executive Officer

Attachment