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Arnold Schwarzenegger
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Mail-Out #MSO 2008-03

March 3, 2008

TO: All Manufacturers of Exhaust Systems & Other Aftermarket Parts
All Manufacturers of Emission Control Components for Highway
Motorcycles
All Manufacturers of Highway Motorcycles
All Other Interested Parties

SUBJECT: PUBLIC WORKSHOP TO PRESENT PROPOSED REGULATORY
PROCEDURES FOR THE EVALUATION OF NEW AFTERMARKET
EMISSION CONTROL COMPONENTS FOR HIGHWAY MOTORCYCLES

The California Air Resources Board (ARB) staff invites you to participate in a public workshop to present proposed procedures to evaluate highway motorcycle (HMC) aftermarket parts incorporating critical emission control components. The workshop will be held at the date, time, and location below:

Date: April 9, 2008
Time: 9:00 a.m. to 12:00 p.m.
Location: Annex IV Auditorium
9530 Telstar Avenue
El Monte, CA 91731

Currently, manufacturers of aftermarket parts that may affect emissions must conduct emissions testing using the "Procedures for Exemption of Add-on and Modified Parts" to show that vehicle emissions remain below the applicable emission standards. Upon successful completion of the testing, the manufacturer will receive an Executive Order allowing the sale of the aftermarket part in California.

Traditionally, few HMC aftermarket parts were required to comply with the aftermarket part procedures because they were not expected to affect the emissions characteristics of the HMC, such as exhaust systems. Emission compliance associated with HMC was achieved through engine, fuel and air intake control and not from aftertreatment. Of course, aftermarket parts such as controllers or carburetors are required to comply with the aftermarket parts procedures before being legal for sale in California because they modify the emission characteristics of the HMC. With the emission standards becoming more stringent in recent years, manufacturers of HMC have begun to use additional control technologies, such as catalyst systems, to comply with the emission standards. As a result, aftermarket exhaust systems for use on HMC utilizing a catalyst system

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

may no longer be legal for sale in California because they would require the removal of a critical emission control component.

Staff is aware of the common practice of customizing exhaust systems and other parts on HMC. Consequently, staff is concerned about the potential for California HMC owners to remove critical emission control components (catalysts incorporated into the exhaust system and oxygen sensors) to achieve their own customized appearance. Absence of legal aftermarket parts may encourage owners to use aftermarket parts that have not gone through ARB evaluation and are likely to increase emissions. In addition, manufacturers of HMC aftermarket parts are concerned about the impact the HMC emission control regulations will have on their business. As a result, manufacturers of HMC aftermarket parts have contacted ARB to request a procedure to show their aftermarket parts maintain emissions compliance over the HMC's useful life.

The proposed procedures will be primarily based on existing HMC certification protocol implemented by ARB. This will provide assurance that, although critical emission components such as catalytic converters and oxygen sensors will be replaced when the HMC is relatively new, the aftermarket parts will be as reliable and durable as those certified by the HMC manufacturers. Workshop participants are encouraged to discuss and comment on the proposed procedures, specifically on the following topics:

- a) Applicability – limit to Class I, II and/or III HMCs
- b) Durability requirements – mileage accumulation to useful life
- c) Vehicle selection and emission testing
- d) Installation requirements
- e) Emission warranty
- f) Labeling
- g) Reporting requirements – may include audit reporting, defects reporting
- h) In-use liabilities
- i) Disposal of OEM catalyst system

The draft procedures will be available for viewing on the following ARB webpage no later than a week before the workshop date:

<http://www.arb.ca.gov/msprog/aftermkt/motorcycle/motorcycle1.htm>

Furthermore, the procedures and all future notifications/documents related to this proposed regulatory program can be emailed to any interested party by signing up to the specific list "motorcycle1" from the following ARB webpage:

<http://www.arb.ca.gov/listserv/listserv.php>

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If necessary, interested parties may contact staff to set up additional individual meetings. If you wish to schedule such a meeting, please contact Mr. Dean Hermano, Staff Air Pollution Specialist, at (626) 459-4487, or dhermano@arb.ca.gov.

Interested parties unable to participate in this workshop, or those wishing to supply additional information, are encouraged to submit written comments. Such written comments should be sent to Ms. Annette Hebert, Chief, Mobile Source Operations Division, Air Resources Board, 9480 Telstar Avenue, Suite 4, El Monte, CA 91731.

If any party wishes the information submitted with respect to the workshop to be treated as confidential by staff, it should be clearly marked as "confidential" and be on pages which are easily detachable from other non-confidential information. California guidelines (sections 91000-91022, Title 17, California Code of Regulations, and Health and Safety Code section 39660(e)) will be followed in the handling of confidential information. Affected parties should justify confidential treatment of any information not specifically mentioned in these guidelines.

To request special accommodations for persons with disabilities, please go to <http://www.arb.ca.gov/html/ada/ada.htm> or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please go to <http://www.arb.ca.gov/as/eeo/languageaccess.htm> or contact the Bilingual Coordinator at (916) 324-5029.

Questions regarding this meeting, or issues that you wish to be discussed, should be directed to Ms. Rose Castro, Manager, Aftermarket Parts Section, at (626) 575-6848, or Mr. Dean Hermano at (626) 459-4487, or dhermano@arb.ca.gov.

Sincerely,



Annette Hebert, Chief
Mobile Source Operations Division