

State of California
AIR RESOURCES BOARD

Resolution 82-37

June 16, 1982

Agenda Item No. 82-12-1

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board (the "Board") to adopt standards, rules, and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Section 43100 of the Health and Safety Code authorizes the Board to certify new motor vehicles;

WHEREAS, Section 43102 of the Health and Safety Code, as amended in 1981 (Stats. 1981, ch. 1185), directs the Board to adopt certification and enforcement regulations, no later than for the 1983 model year, which will allow a manufacturer to certify in California federally certified light-duty motor vehicles which are unavailable in this state provided that their emissions are offset by the manufacturer's California-certified vehicles whose emissions are below the applicable California standard;

WHEREAS, the California Environmental Quality Act (CEQA) and Board regulations require that no project having significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with Section 11340), Part 1, Division 3, Title 2 of the Government Code; and

WHEREAS, the Board finds:

That there is insufficient lead time for manufacturers to achieve before introduction of 1983 model vehicles actual reductions in emissions from California-certified vehicles to offset emissions from federally certified vehicles imported into California;

That the importation into California of new vehicles certified to federal standards which are less stringent than California standards will result in an increase in vehicular emissions within the state unless there is a reduction of emissions from vehicles certified to California standards;

That no feasible alternatives to the proposals approved or adopted exist because Section 43102 requires the Board to adopt regulations to allow certification of nonavailable federally certified vehicles in California as soon as practicable, but not later than for the 1983 model year; and

That incorporating measures which limit federally certified vehicles certified in California to those necessary to satisfy the unavailability problem and applying the regulations to the 1983 model year only will mitigate the adverse environmental impacts as much as possible while satisfying the requirements of Section 43102.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves:

Section 1960.5, Title 13, California Administrative Code, as set forth in Attachment A;

"Guidelines for Certification of 1983 Model Year Federally Certified Light-Duty Motor Vehicles for Sale in California", as set forth in Attachment B; and

Amendments to Section 2061, Title 13, California Administrative Code, as set forth in Attachment C.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to adopt Attachments A, B, and C after making them available to the public for a period of 15 days.

BE IT FURTHER RESOLVED that the Board hereby amends Section 1965, Title 13, California Administrative Code, as set forth in Attachment D.

BE IT FURTHER RESOLVED that the Board hereby amends "California Motor Vehicle Tune-up Label Specifications" adopted March 11, 1978, as set forth in Attachment E.

BE IT FURTHER RESOLVED that the Board finds that the regulations as approved and amended herein, individually and in the aggregate, are at least as protective of public health and welfare as comparable federal regulations and are consistent with Section 202(a) and (b) of the federal Clean Air Act.

BE IT FURTHER RESOLVED, that the regulations approved and amended hereby be forwarded to the Environmental Protection Agency with a request for confirmation that they are covered by an existing waiver of federal preemption pursuant to Section 209(b)(1) of the Clean Air Act.

BE IT FURTHER RESOLVED that the Board hereby directs the staff to develop regulations for 1984 and subsequent model years which satisfy the requirements of Section 43102 and which also are consistent with CEQA and with the legislative intent of Section 43102 that there be no deterioration in air quality.

I certify that the above is a true and correct copy of Resolution 82-37, as adopted by the Air Resources Board.


Harold Holmes, Board Secretary

Proposed Amendments to Title 13, California Administrative Code

Scheduled for Consideration: June 16, 1982

Adopt Section 1960.5, Title 13, California Administrative Code, as follows:

1960.5. Certification of 1983 Model Year Federally Certified Light-Duty Motor Vehicles for Sale in California.

(a) The exhaust emissions from new 1983 model year federally certified passenger cars and light-duty trucks, subject to registration and sold and registered in this state pursuant to Section 43102(b) of the California Health and Safety Code, shall not exceed the applicable federal emissions standards as determined under applicable federal test procedures.

(b) With respect to any new vehicle required to comply with the standards set forth in paragraph (a), the manufacturer's written maintenance instructions for in-use vehicles shall not require scheduled maintenance more frequently than or beyond the scope of maintenance permitted under the test procedures referenced in paragraph (a). Any failure to perform scheduled maintenance shall not excuse an emissions violation unless the failure is related to or causes the violation.

(c) The standards and procedures for certifying in California 1983 model year federally certified light-duty motor vehicles are set forth in "Guidelines for Certification of 1983 Model Year Federally Certified Light-Duty Motor Vehicles for Sale in California", adopted _____.

NOTE: Authority cited: Sections 39601, 43100 and 43102, Health and Safety Code. Reference: Section 43102, Health and Safety Code.

GUIDELINES FOR CERTIFICATION OF 1983 MODEL YEAR
FEDERALLY CERTIFIED LIGHT-DUTY MOTOR VEHICLES FOR
SALE IN CALIFORNIA

I. APPLICABILITY

These guidelines adopted pursuant to Section 43102(b) of the California Health and Safety Code are applicable to 1983 model year federally certified light-duty motor vehicles proposed for sale in California. These guidelines are not applicable to medium-duty trucks, motorcycles, heavy-duty engines, heavy-duty vehicles, emergency vehicles, or vehicles with engines having a displacement less than 50 cubic inches.

II. DEFINITIONS

For the purposes of these guidelines:

1. Light-duty motor vehicle means a vehicle having a manufacturer's maximum gross vehicle weight rating of under 6,001 pounds (California Health and Safety Code Section 39035).
2. "California vehicle" means a motor vehicle originally certified in California by an Executive Order.
3. "Equivalent inertia weight (EIW)" is defined under subparagraph 86.129-79(a), Title 40, Code of Federal Regulations.
4. "Federal vehicle" means a motor vehicle originally certified federally by a Certificate of Conformity.
5. "Model" means a unique combination of car line, basic engine, and transmission class, or as defined by a manufacturer with the approval of the Executive Officer.
6. "Car Line" means a name denoting a group of vehicles within a make or car division which has a degree of commonality in

construction (e.g., body, chassis). Car line does not consider any level of decor or opulence and is not generally distinguished by characteristics as roof line, number of doors, seats, or windows, except for station wagons or light-duty trucks. Station wagons and light-duty trucks are considered to be different car lines than passenger cars.

7. "Basic Engine" means a unique combination of manufacturer, engine displacement, number of cylinders, fuel system (as distinguished by use of carburetor or fuel injection), and catalyst usage.
8. "Transmission Class" means a group of transmissions having the following common features: basic transmission type (manual, automatic, or semi-automatic) and number of forward speeds (e.g., manual four-speed, three-speed automatic, two-speed semi-automatic).

III. CERTIFICATION OF FEDERAL VEHICLES

To receive certification for federal vehicle sales in California, a manufacturer shall:

- A. Provide to the Executive Officer evidence of federal certification, and a statement that the model(s) for which certification is requested are not available in California.
- B. Provide a five year/50,000 mile warranty on emissions-related parts in accordance with Section 2035 et seq., Title 13, California Administrative Code. Federal vehicles which are offset by California vehicles certified to a 100,000 mile optional standard shall provide a ten year/100,000 mile warranty.

- C. Provide: 1) certification emission levels of federal models intended for sale in California, 2) quarterly production reports, by model and engine family, of vehicles intended for sale or sold in California, and 3) other information which the Executive Officer deems necessary to calculate emissions offset credits, emission deficits, or air quality impacts.
- D. Label each vehicle on the assembly-line with the statement "conforms to federal regulations and is certified for sale in California," to distinguish federal vehicles certified for sale in California from other federal vehicles and from California vehicles.

IV. ASSEMBLY-LINE AND ENFORCEMENT TESTING

- A. All federal vehicles certified and intended for sale in California shall comply with all provisions of the applicable California Assembly-Line Test Procedures, except that:
 - 1. The Executive Officer, at his or her discretion, may accept quality audit emissions data from other sources in lieu of a 2 percent quality audit of federal vehicle production intended for sale in California.
 - 2. Manufacturers which have projected sales of less than 1,000 federal vehicles in California shall be exempt from the 2 percent quality audit requirement. However, such manufacturers shall submit to the Executive Officer any other similar data which may be available.
 - 3. The Executive Officer, at his or her discretion, may waive the requirement for 100 percent steady state emissions testing of federal vehicles intended for sale in California in cases where lack of test facilities or other factors would place undue burden on vehicle manufacturers.

- B. All federal vehicles certified for sale in California shall be subject to the compliance testing requirements of Title 13, California Administrative Code.

V. OFFSETTING PROCEDURE

- A. Emissions offsetting shall be limited as follows:
1. By manufacturer. A manufacturer shall not trade, sell, transfer, or in any other manner exchange emissions credits with another manufacturer, except that a manufacturer which supplies engines to a vehicle manufacturer may also supply offsetting emission credits if the vehicle manufacturer's total production for California is less than 200 units.
 2. By vehicle category. Vehicle categories are: (a) passenger cars and (b) light-duty trucks (less than 6001 pounds gross vehicle weight rating). Emission credits from vehicles in one category shall not offset vehicles in the other category.
 3. By fuel type. Offsetting shall be conducted only among vehicles with like fuels (e.g., gasoline to gasoline, diesel to diesel, etc.).
 4. By durability option. Federal vehicles which are offset by California vehicles certified to the optional 100,000 mile emissions standards must demonstrate 100,000 mile durability, or the equivalent, subject to the approval of the Executive Officer.
 5. By model. No federally certified vehicle shall be certified or sold in California if a comparable California vehicle of the same manufacturer is offered for the 1983 model year.

5. By pollutant. Oxides of nitrogen (NOx) is the only pollutant which may be offset for passenger cars. Hydrocarbons, carbon monoxide, and NOx may be offset for light-duty trucks. Evaporative hydrocarbons and particulates are not eligible for offsets. Total hydrocarbon data shall be compared directly to non-methane hydrocarbon data for purposes of calculating offsets.
- B. Each manufacturer shall submit to the Executive Officer at ~~the beginning of the model year~~ by October 1 of each year, or as soon thereafter as is practicable: (1) an estimate of the emissions credits which it will accrue based upon California certified emissions levels and projected sales of California vehicles; and (2) an estimate of the emissions credits which it will use based upon federal certification emissions levels and estimated sales of federal vehicles in California. These estimates may be changed at any time within the model year, subject to the approval of the Executive Officer.
- C. Within the bounds of Part A, emissions credits that can be accrued by a California certified vehicle shall be the difference between the applicable California standard and the certification emissions level:

$$\text{Estimated Credits} = \sum_{i=1}^n \text{Calsales}_i (\text{Calstd} - \text{Calcert}_i)$$

Where: n = Number of California engine families certified to a set of California standards (passenger cars, 0-3999 pounds EIW trucks, 4000-5999 pounds EIW trucks) for a given manufacturer.

Calsales = Manufacturer's projected sales by engine family.

Calstd = Applicable California standard.

Calcert = California engine family certification level, listed on the Executive Order for the applicable engine family.

D. Within the bounds of Part A, the emissions required to offset a federal vehicle shall be the difference between the federal certification level and the sales-weighted mean certification level of all California engine families as of February 1, 1982, for passenger cars or the appropriate light-duty truck group as applicable.

$$\text{Estimated Withdrawals} = \sum_{j=1}^n \text{Fedsales}_j (\text{Fedcert}_j - \text{Calmean})$$

Where: n = Number of unavailable passenger car and light-duty trucks by model types.

Fedsales = Estimated sales of unavailable federal model types in California.

Fedcert = Federal certification level of the engine family containing the unavailable model. Federal certification level shall be taken as the highest level, for each pollutant, of any emission data vehicle in an engine family.

Calmean = Sales weighted mean certification emission level of all engine families within the appropriate standards category.

- E. The estimates referred to in Parts B, C, and D shall be corrected at year-end using vehicle production and assembly line emissions data, if available.
- F. For the purposes of withdrawals, the 0 to 3999 lbs. and 4000 to 5999 lbs. EIW groups may be combined for light-duty trucks.
- G. Manufacturers shall individually be limited to withdrawing the following percentages of accrued credits for offsetting federal vehicles:

Passenger Car NOx	- 8%
Light-Duty Truck HC	- 74%
Light-Duty Truck CO	- 17%
Light-Duty Truck NOx	- 39%

- H. An emission deficit caused by misjudging sales of California vehicles shall be offset in the 1984 model year.
- I. Sales of federal vehicles in excess of a manufacturer's final estimate shall cause the manufacturer to be subject to a maximum civil penalty of \$5,000 per vehicle pursuant to Section 43154 of the Health and Safety Code, regardless of whether or not a deficit was incurred.
- J. Vehicles with engine family emission levels which are equal to or less than the appropriate "Calmean" value are not eligible for offsetting.

Amend Section 2061, Title 13, California Administrative Code, to read as follows:

2061. Assembly-Line Test Procedures - 1983 and Subsequent Model Years.

New 1983 and subsequent model year passenger cars, light-duty trucks and medium-duty vehicles subject to certification and manufactured for sale in California shall be tested in accordance with the "California Assembly-line Test Procedures for 1983 and Subsequent Model Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles," adopted November 24, 1981, including federally certified light-duty motor vehicles, except as provided in "Guidelines for Certification of 1983 Model Year Federally Certified Light-Duty Motor Vehicles for Sale in California", adopted _____.

NOTE: Authority cited: Sections 39515, 39601 and 43210, Health and Safety Code. Reference: Sections 43102, 43105, 43210, 43211 and 43212, Health and Safety Code.

Amend Section 1965, Title 13, California Administrative Code, to read as follows:

1965. Tune-up Labels - 1979 and Subsequent Model Motor Vehicles.

In addition to all other requirements, tune-up labels required by California certification procedures shall conform to the "California Motor Vehicle Tune-up Label Specifications," adopted March 1, 1978 and amended June 16, 1982.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code.
Reference: Sections 39002, 39003, 43000, 43100, 43101, 43102, 43104, 43107 and 43200, Health and Safety Code.

State of California
AIR RESOURCES BOARD

California Motor Vehicle Tune-Up
Label Specifications

1. Purpose. The Air Resources Board recognizes that certain emissions-critical or emissions-related parts must be properly adjusted in order for vehicles and engines to meet the applicable emission standards. The purpose of these specifications is to require motor vehicle or motor vehicle engine manufacturers to affix a label on each production vehicle in order to provide the vehicle owner with information necessary for the proper adjustment of these parts.
2. Applicability. These specifications shall apply to each new 1979 and subsequent model-year passenger car, light-duty truck, medium-duty vehicle, heavy-duty gasoline-fueled engine, and heavy-duty diesel-fueled engine, and to each new 1982 and subsequent model year motorcycle sold or offered for sale in California. Any vehicles or classes of vehicles exempt from exhaust emission standards pursuant to Article 2, Chapter 3, Title 13 of the California Administrative Code shall also be exempt from the requirements of these specifications. The responsibility for compliance with these specifications shall rest with the motorcycle, light-duty vehicle, medium-duty vehicle, or heavy-duty engine manufacturer who certified such vehicles or engines.
3. Label Content and Location
 - (a) A plastic or metal label shall be welded, riveted or otherwise permanently attached to an area within the engine compartment (if

any) or to the engine in such a way that it will be readily visible to the average person after installation of the engine in a vehicle. In selecting an acceptable location, the manufacturer shall consider the possibility of accidental damage (e.g., possibility of tools or sharp instruments coming in contact with the label). The label shall be affixed in such a manner that it cannot be removed without destroying or defacing the label, and shall not be affixed to any part which is likely to be replaced during the vehicle's useful life. For motorcycles, passenger cars, light-duty trucks, and medium-duty vehicles, the label shall not be affixed to any equipment which is easily detached from the vehicle.

- (b) The label shall contain the following information lettered in the English language in block letters and numerals which shall be of a color that contrasts with the background of the label:
- i. The label heading: "Emission Control Information."
 - ii. Full corporate name and trademark of the manufacturer.
 - iii. Engine family identification, model designation (for heavy-duty diesels), and engine displacement (in cubic inches, cubic centimeters or liters).
 - iv. Exhaust Emission Control System: Initials may be used such as EM - engine modification, AI - air injection, FI - fuel injection.
 - v. Engine tune-up specifications and adjustments as recommended by the manufacturer, including but not limited to valve lash, ignition dwell, ignition timing, idle air fuel mixture setting procedure and valve (e.g., idle CO, idle speed drop), high idle

speed, and, for diesels, initial injection timing, advertised horsepower, and fuel rate (in $\text{mm}^3/\text{stroke}$) at advertised horsepower (all as applicable). These specifications shall indicate the proper transmission position during tune-up and what accessories, if any (e.g. air conditioner), should be in operation, and what systems, if any (e.g. vacuum advance, air pump), should be disconnected during the tune-up. For gasoline-fueled vehicles, the instructions for tune-up adjustments shall be sufficiently clear on the label so as to preclude the need for a mechanic or vehicle owner to refer to another document in order to correctly perform the adjustments.

- vi. A vacuum hose routing diagram showing all emissions-related and emissions-critical parts that are actuated by vacuum and the correct routing of vacuum hoses. This diagram shall contain no more than two different vacuum hose routing patterns; however, if there are two routings on a single diagram each routing must be easily understandable. The hose diagram may be separated from the "Emission Control Information" label provided that the vacuum hose diagram is placed in a visible and accessible position.
- vii. For motorcycles only, any specific fuel or engine lubricant requirements (e.g., lead content, research octane number, engine lubricant type).
- viii For heavy-duty engines, the date of engine manufacture (month and year).

ix. An unconditional statement of compliance with the appropriate model year California regulations; for example, "This vehicle (or engine, as applicable) conforms to California regulations applicable to _____ model year new _____ (specify motorcycles, passenger cars, light-duty trucks, medium-duty vehicles, heavy-duty gasoline engines, or heavy-duty diesel engines, as applicable)." For federally certified vehicles certified for sale in California the statement must include the phrase "conforms to federal regulations and is certified for sale in California". For incomplete light-duty truck and incomplete medium-duty vehicles the label shall contain the following statement in lieu of the above:

"This vehicle conforms to California regulations applicable to _____ model-year new vehicles when completed at a maximum curb weight of _____ pounds and a maximum frontal area of _____ square feet."

Such a statement shall not be used on labels placed on vehicles or engines which, in fact, do not comply with all applicable California regulations, including assembly-line test requirements, if any.

4. The provisions of these specifications shall not prevent a manufacturer from also reciting on the label that such vehicle or engine conforms to any applicable federal emission standards for new motor vehicles or new motor vehicle engines or any other information that such manufacturer deems necessary for, or useful to, the proper operation and satisfactory maintenance of the vehicle or engine.

5. As used in these specifications, readily visible to the average person shall mean that the label shall be readable from a distance of eighteen inches (46 centimeters) without any obstructions from vehicle or engine parts (including all manufacturer available optional equipment) except for flexible parts (e.g., vacuum hoses, ignition wires). Alternatively, information required by these specifications to be printed on the label shall be no smaller than 8 point type size provided that no vehicle or engine parts, (including all manufacturer available optional equipment), except for flexible parts, obstruct the label.
6. The label and any adhesives used shall be designed to withstand for the vehicle's total expected life, typical vehicle environmental conditions in the area where the label is attached. Typical vehicle environmental conditions shall include, but are not limited to, exposure to engine lubricants and coolants (e.g. gasoline, motor oil, brake fluids, water, ethylene glycol), underhood temperatures, steam cleaning, and paints or paint solvents. The manufacturer shall submit, with its certification application, a statement attesting that its label comply with this requirement.
7. The manufacturer shall obtain approval from the Executive Officer for all label formats and locations prior to use. Approval of the specific tune-up settings is not required; however, the format for all such settings and tolerances, if any, is subject to review. If the Executive Officer finds that the information on the label is vague or subject to misinterpretation, or that the location does not comply with these specifications, he or she may require that the label or its location be modified accordingly.

8. Samples of all actual production labels used within an engine family shall be submitted to the Executive Officer within thirty days after the start of production.
9. (a) The Executive Officer may, upon request, waive or modify any part of the requirements of these specifications for the 1979 model year if a vehicle or engine manufacturer does not have adequate lead time to comply with the aforementioned requirements.
(b) The Executive Officer may approve alternate label locations or may, upon request, waive or modify the label content requirements provided that the intent of these specifications are met.
10. If the Executive Officer finds any motor vehicle or motor vehicle engine manufacturer using labels which are different from those approved or which do not substantially comply with the readability or durability requirements set forth in these specifications, the Executive Officer may invoke Section 2109, Article 2, Subchapter 2, Chapter 3, Title 13, California Administrative Code.

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider the Adoption of Section 1960.5 and Amendment of Sections 1965 and 2061, Title 13, California Administrative Code, and the Adoption and Amendment of Documents Incorporated in those Sections, Regarding Certification of Federally Certified Light-Duty Motor Vehicles for Sale in California

Agenda Item No: 82-12-1

Public Hearing Date: June 16, 1982

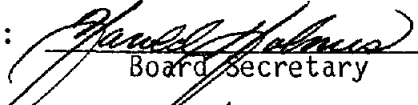
Response Date: June 16, 1982

Issuing Authority: Air Resources Board

Comment: The staff and others identified a potential increase in oxides of nitrogen emissions of 0.7 tons per day for passenger cars and 0.8 tons per day for light-duty trucks and a potential increase of 5.8 tons per day of carbon monoxide and 0.8 tons per day of hydrocarbon for light-duty trucks.

Response: The proposed action incorporates all feasible mitigation measures. It applies for one year only and allows importation into California of no more federal vehicles than are needed to solve the unavailability problem. No technologically feasible alternatives are available, and no further mitigation measures are feasible due to the constraints of Health and Safety Code Section 43102(b).

Certified:


Board Secretary

Date:


6/16/82

Office of the Secretary

JUL 27 1982

Resources Agency of California

AIR RESOURCES BOARD

1102 Q STREET

P.O. BOX 2815

SACRAMENTO, CA 95812



Re: Public Hearing to Consider the Adoption of Section 1960.5 and Amendment of Sections 1965 and 2061, Title 13, California Administrative Code, and the Adoption and Amendment of Documents Incorporated in those Sections, Regarding Certification of Federally Certified Light-Duty Motor Vehicles for Sale in California

I certify that the record in the above-referenced proceeding was closed June 16, 1982, and that the enclosed is a complete true and correct copy of the rulemaking file in that proceeding.


Harold Holmes, Board Secretary

Enclosures

State of California
AIR RESOURCES BOARD

Executive Order G-147

WHEREAS, on June 16, 1982, the Air Resources Board (the "Board") conducted a public hearing to consider adoption and amendment of regulations regarding certification of federally certified light-duty motor vehicles for sale in California;

WHEREAS, at the close of the hearing, the Board adopted Resolution 82-37, appended hereto as Attachment 1, in which the Board approved Section 1960.5, Title 13, California Administrative Code, "Guidelines for Certification of 1983 Model Year Federally Certified Light-Duty Motor Vehicles for Sale in California", and amendments to Section 2061, Title 13, California Administrative Code, as set forth in Attachments A, B, and C thereto, and in which the Board directed the Executive Officer to adopt Attachments A, B, and C after making them available to the public for a period of 15 days; and

WHEREAS, following the June 16, 1982 public hearing, Attachments A, B, and C were made available to the public for a period of 15 days, with the changes to the originally proposed text clearly indicated.

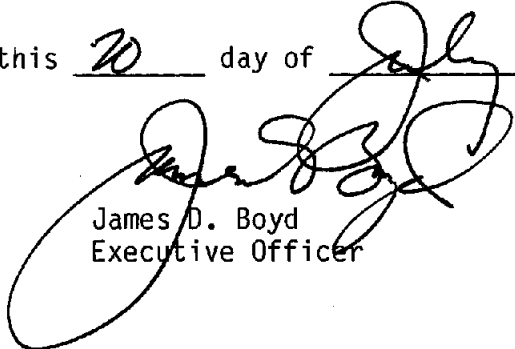
NOW, THEREFORE, IT IS HEREBY ORDERED that the recitals and findings contained in Resolution 82-37 are incorporated herein.

IT IS FURTHER ORDERED that Section 1960.5, Title 13, California Administrative Code is adopted, as set forth in Attachment A to Resolution 82-37.

IT IS FURTHER ORDERED that "Guidelines for Certification of 1983 Model Year Federally Certified Light-Duty Motor Vehicles for Sale in California" are adopted, as set forth in Attachment B to Resolution 82-37.

IT IS FURTHER ORDERED that Section 2061, Title 13, California Administrative Code is amended, as set forth in Attachment C to Resolution 82-37.

Executed at Sacramento, California, this 20 day of July, 1982.


James D. Boyd
Executive Officer