

State of California
AIR RESOURCES BOARD

Resolution 82-53

December 1, 1982

Agenda Item No.: 82-24-1

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 43107 of the Health and Safety Code authorizes the Board to adopt emission standards and test procedures in order to control or eliminate air pollution caused by motorcycles;

WHEREAS, after public hearing and other administrative proceedings in accordance with the provisions of the Administrative Procedure Act, in 1975 the Board adopted a hydrocarbon (HC) exhaust emissions standard of 1.0 gram per kilometer (g/km) for 1982 and subsequent model year California certified Class III motorcycles (280 cubic centimeters and larger), and in 1980, in response to petitions from motorcycle manufacturers, the Board adopted an interim standard and delayed the application of the 1.0 g/km HC exhaust emissions standard until 1984 and subsequent model years for Class III motorcycles;

WHEREAS, the following motorcycle manufacturers have submitted petitions requesting the Board to relax the 1984 and subsequent model years 1.0 g/km HC exhaust emissions standard for Class III motorcycles by raising it to various specified levels, which were generally calculated by individual manufacturers to avoid the application of catalyst technology: OMC Lincoln (Cushman), Suzuki, Yamaha, Honda, Kawasaki, Harley-Davidson, and BMW;

WHEREAS, from February to August 1982, Board staff conducted a series of individual workshops with the manufacturers in order to assess the motorcycle industry's progress toward meeting the 1.0 g/km HC exhaust emissions standard;

WHEREAS, the California Environmental Quality Act and Board regulations provide that the Board must consider the environmental impacts of its actions and that a proposed project with adverse environmental impacts may not be adopted as originally proposed if feasible alternatives or mitigation measures are available;

WHEREAS, at a duly-noticed public hearing held October 28, 1982, the Board considered the motorcycle manufacturers' petitions and received and considered testimony and public comment from Board staff and interested persons; and

WHEREAS, the administrative record for this matter was held open following the October hearing for the submission of additional written comments, and the Board has reviewed and considered the comments submitted;

WHEREAS, on December 1, 1982, the Board held a further public hearing to reach a decision based on all the submittals on this matter; and

WHEREAS, the Board finds that:

The existing 1.0 g/km HC exhaust emissions standard for Class III motorcycles for 1984 and subsequent model years is necessary and technologically feasible;

For Class III motorcycles an exhaust emissions standard of 1.0 g/km HC for the 1984 and subsequent model years is attainable by the industry and implementing this standard will not significantly disrupt the availability of Class III motorcycles in the California market in 1984;

Having identified and considered the air quality impacts of the manufacturers' petitions proposals, no adverse impacts will occur from denying the manufacturers' requests and retaining the current 1.0 g/km HC exhaust emissions standard;

For small volume motorcycle manufacturers only, providing up to three additional years for compliance with the 1.0 g/km HC exhaust emissions standard for Class III motorcycles is appropriate considering the relative cost impacts of the standard on these manufacturers compared to others, and the continuing development but currently limited commercial availability of appropriate catalyst HC control technology for these manufacturers;

Although there is some evidence to suggest that higher percentages of motorcycle owners than passenger car owners work on and modify their vehicles, sufficient means exist to address actual incidents of tampering which may affect motorcycle emissions;

Based on durability data submitted by motorcycle manufacturers which currently sell the majority of motorcycles in California, durable catalyst systems exist or with some design or engineering modifications can be made available and appropriate for installation on Class III motorcycles; and

The proposal by certain manufacturers to equip some of their Class III 1984 motorcycles with control technology adequate to meet the 1.0 g/km HC exhaust standard confirms the Board's conclusion that appropriate technology is feasible, available, and safe to meet the standard, although the manufacturers' proposals were designed primarily to address consumer acceptance issues.

NOW, THEREFORE, BE IT RESOLVED that, except for the relief proposed for small volume motorcycle manufacturers as described below, the Board hereby denies the relief requested by the petitions from OMC Lincoln (Cushman), Suzuki, Yamaha, Honda, Kawasaki, Harley-Davidson, and BMW, requesting relaxation of the Board's HC exhaust emissions standards for Class III motorcycles starting with the 1984 model year.

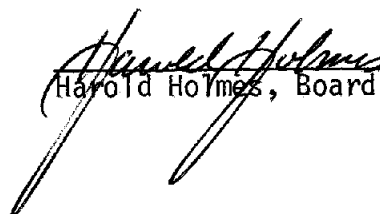
BE IT FURTHER RESOLVED that the Board hereby delegates to the Executive Officer authority to consider and adopt as an amendment to Title 13, California Administrative Code, Section 1958 an appropriate extension of the date for compliance with the 1.0 g/km Class III motorcycle HC exhaust emissions standard for up to three years for existing small volume motorcycle manufacturers, defined as those manufacturers which currently sell or are currently in the process of obtaining certification to sell fewer than 5,000 motorcycles per year in California, including all classes of motorcycles. The Executive Officer shall place appropriate conditions on any proposed extension, including but not limited to conditions which shall require any manufacturer which qualifies for an extension (1) to continue to develop appropriate HC emissions controls for timely application, and (2) to submit to the staff annual written progress reports on HC emissions control development.

BE IT FURTHER RESOLVED that the Board hereby retains in effect the current 1.0 g/km HC exhaust emissions standard for 1984 and subsequent model years Class III motorcycles as set forth in Section 1958, Article 2, Subchapter 1, Chapter 3 of Title 13, California Administrative Code, subject to amendment by the Executive Officer to provide limited, partial relief to small volume motorcycle manufacturers, as defined.

BE IT FURTHER RESOLVED that in consultation with aftermarket parts industry representatives and small businesses the staff is directed to develop measures which are appropriate, feasible, and consistent with applicable statutory requirements to reduce costs and streamline certification procedures for generic modification parts containing or affecting motorcycle emission control devices or systems.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to transmit to each affected motorcycle manufacturer this resolution as a response to and written denial of the respective manufacturer's petition, except for the relief proposed for small volume manufacturers.

I hereby certify that this is
a true and correct copy of
Resolution 82-53, as adopted
by the Air Resources Board


Harold Holmes, Board Secretary