

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-10-019

Relating to the Regulatory Amendments to the Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines Regulations.

WHEREAS, on January 28, 2010, the Air Resources Board (ARB or the Board) conducted a public hearing to consider the proposed amendments to Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines Regulations, as set forth in the Initial Statement of Reasons released to the public on December 10, 2009;

WHEREAS, following the public hearing, the Board adopted Resolution 10-3, in which the Board approved the amendments to sections 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, and adoption of new section 2711, title 13, California Code of Regulations, as set forth in Attachment A thereto, with modifications set forth in Attachment B thereto;

"WHEREAS, Resolution 10-3 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachment A and Attachment B to Resolution 10-3, with such other conforming modifications as may be appropriate, after making the modified regulatory language available for public comment for a period of 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted;

WHEREAS, on September 22, 2010, 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 and to respond to comments, were made available for public comment for a period of at least 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; and

WHEREAS, the written comments received during this 15 day period have been considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 10-3 are incorporated herein.

IT IS FURTHER ORDERED that amendments to sections 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, and adoption of new section 2711, title 13, California Code of Regulations, are adopted as set forth in Attachment 1 hereto.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with nonsubstantive changes, which will be added to the rulemaking record and indicated as such.

Executed this 6th day of December 2010, at Sacramento, California.

/s/

James N. Goldstene
Executive Officer

Attachments