

APPENDIX A

PROPOSED REGULATION ORDER

Small Off-Road Engines

Title 13 California Code of Regulations

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** Amendments to Existing Regulations **

1. Amend section 2403, title 13, California Code of Regulations, to read as follows:

(Note: [Section 2403]. The proposed amendments are shown in underline to indicate additions and strikeout to indicate deletions from the existing regulatory text.)

§ 2403. Exhaust Emission Standards and Test Procedures—Small Off-Road Engines

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(b)(2)(B) The following voluntary exhaust emission standards, which apply to all certification and compliance testing. Blue Sky Series engines shall not be included in the averaging, banking, and trading program. Zero-emission small off-road engines may certify to the Blue Sky Series emission standards. Manufacturers of zero-emission small off-road equipment are not required to perform emissions testing, but must file an application of certification and comply with the administrative requirements outlined as applicable, in the “California Exhaust Emission Standards and Test Procedures for 2005-~~2012~~ and Later Small Off-Road Engines,” adopted July 26, 2004, and as last amended ~~February 24, 2010~~ <insert date of amendment>; or, the “California Exhaust Emission Standards and Test Procedures for 2013 and Later Small Off-Road Engines,” adopted <insert date of adoption>, to certify their equipment for sale in California.

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(d) The test procedures for determining compliance with the standards for exhaust emissions from new small off-road engines are set forth as applicable, in the “California Exhaust Emission Standards and Test Procedures for 1995-2004 Small Off-Road Engines,” adopted March 20, 1992, and last amended July 26, 2004; ~~or the~~ “California Exhaust Emission Standards and Test Procedures for 2005-~~2012~~ and Later Small Off-Road Engines,” adopted July 26, 2004, and last amended ~~February 24, 2010~~ <insert date of amendment>; or, the “California Exhaust Emission Standards and Test Procedures for 2013 and Later Small Off-Road Engines,” adopted <insert date of adoption>, which ~~is~~ are incorporated herein by reference.

NOTE: Authority cited: sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code.

Reference: sections 43013, 43017, 43018, 43101, 43102, 43104, 43150-43154, 43205.5 and 43210-43212, Health and Safety Code.

2. Amend section 2407, title 13, California Code of Regulations, to read as follows:

(Note: [Section 2407]. The proposed amendments are shown in underline to indicate additions and strikeout to indicate deletions from the existing regulatory text.)

§ 2407. New Engine Compliance and Production Line Testing—New Small Off-Road Engine Selection, Evaluation, and Enforcement Action.

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(a)(7) Engines randomly chosen from the selected engine family or subgroup. Each chosen engine must be tested as applicable, according to the “California Exhaust Emission Standards and Test Procedures for 1995-2004 Small Off-Road Engines” (“Emission Standards and Test Procedures”), adopted March 20, 1992, and last amended July 26, 2004; ~~or the~~ “California Exhaust Emission Standards and Test Procedures for 2005-2012 and Later Small Off-Road Engines,” adopted July 26, 2004, and last amended <insert date of amendment>; or, the “California Exhaust Emission Standards and Test Procedures for 2013 and Later Small Off-Road Engines,” adopted <insert date of adoption> ~~as applicable~~, to determine its emissions. Unique specialty hardware and personnel normally necessary to prepare the engine for performance of the test as set forth in the Procedures must be supplied by the engine manufacturer within seven days after the request for such specialty hardware or personnel. Failure to supply this unique specialty hardware or personnel may not be used by the engine manufacturer as a cause for invalidation of the subsequent tests.

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NOTE: Authority cited: sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code.

Reference: sections 43013, 43017, 43018, 43101, 43102, 43104, 43150-43154, 43205.5 and 43210-43212, Health and Safety Code.