

State of California
AIR RESOURCES BOARD

**Extension of Comment Period for
Notice of Public Availability of Modified Text and
Availability of Additional Documents**

CALIFORNIA CERTIFICATION PROCEDURES FOR LIGHT-DUTY ENGINE
PACKAGES FOR USE IN LIGHT-DUTY SPECIALLY CONSTRUCTED VEHICLES
FOR 2012 AND SUBSEQUENT MODEL YEARS

Public Hearing Date: November 17, 2011

Public Availability Date: August 8, 2012

Deadline for Public Comment: August 23, 2012

Extended Deadline for Public Comment: August 31, 2012

In the notice of public availability of modified text dated August 8, 2012, Air Resources Board (ARB or Board) staff inadvertently omitted proposed modifications to the regulatory language, as detailed in Attachment 2 to the August 8, 2012 notice of public availability of modified text.

Staff intended to delete the last sentence of title 13, California Code of Regulations section 2214(h)(3), that referred to cost limits for repairs of warrantable defects that are administered and enforced by the Bureau of Administrative Repair (BAR). Because the applicable cost limits are administered and enforced by BAR, the proposed deletion will ensure that the warranty provisions applicable to certified engine packages are consistent with state law.

The attached document highlights the corrections to title 13, California Code of Regulations section 2214(h)(3) by displaying additions in double underline and deletions in ~~double-strikeout~~.

PLEASE BE ADVISED that due to the discrepancy in the original notice, and the desire to provide additional time for comment, the deadline date for submission of written comments is extended from August 23, 2012 to the following date:

Deadline for Submittal of Comments: August 31, 2012.

Availability of Attachments and Additional Documents

By this notice, the modified regulation text and additional documents and information are being made available for public comment prior to the final action by the Board's Executive Officer. All of the documents referenced above are available online at the following ARB website: <http://www.arb.ca.gov/regact/2011/spcn11/spcn11.htm>

These documents are also available at the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, 1st Floor, Sacramento, California 95814. If you would like a hardcopy of this Notice or its Attachments sent to you through postal mail, please call Mr. Michael Baker at (916) 323-2791 and give your name, company name, if any, and mailing address.

Written Comments and Subsequent Action

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt sections 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, and 2218, title 13, CCR, and the incorporated "California Certification Procedures for Light-Duty Engine Packages for Use in Light-Duty Specially Constructed Vehicles for 2012 and Subsequent Model Years" as modified, after making the modified regulatory language available to the public for a supplemental written comment period of at least 15 days. The Board further 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 comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted.

Written comments on the modifications approved by the Board must be submitted by postal mail or electronic mail, as follows:

Postal mail: Clerk of the Board, Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

In order to be considered by the Executive Officer, comments must be directed to the ARB in one of the two forms described above and received by ARB by 5:00 p.m., on the deadline date for public comment listed at the beginning of this notice. Only comments relating to the modifications to the text of the regulation made available by the notice shall be considered by the Executive Officer.

Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.), become part of the public record and can be released to the public upon request.

If you need this document in an alternate format or another language, please contact the Clerk of the Board at (916) 322-5594 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si necesita este documento en un formato alternativo u otro idioma, por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 no menos de cinco (5) días laborales a partir de la fecha del lanzamiento de este aviso. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

Attachment

Attachment

EXTENDED 15-DAY MODIFICATIONS

Shown on the following pages are further proposed modifications to the originally proposed regulatory text, set forth in Appendix A of the Staff Report: Initial Statement of Reasons, which was released September 28, 2011. All originally proposed regulatory language is shown in plain text. The modifications to the original regulatory text, as shown in Attachment 2 of the 15-day notice, posted on August 9, 2012, are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions.

The extended 15-day modified language proposed by staff in this notice is shown in double underline to indicate additions and ~~double strikeout~~ to indicate deletions.

Staff is only proposing modifications to a limited portion of the original proposal; portions of the original proposal for which no modifications are proposed have been omitted and the omission indicated by:

Title 13. Motor Vehicles

Division 3. Air Resources Board

Chapter 1. Motor Vehicle Pollution Control Devices

Article 1.5. Light-Duty Engine Packages for Use in Light-Duty Specially Constructed Vehicles

§ 2214. Defects Warranty Requirements for Certified Engine Packages for Use in Specially Constructed Vehicles.

(h) Motor Vehicle Inspection And Maintenance Program.

(3) In the alternative, the owner of a certified engine package in a light-duty specially constructed vehicle which fails the Smog Check inspection may choose to have the certified engine package repaired at other than a warranty station. If a warrantable defect is found, the vehicle owner may deliver the vehicle to a warranty station and have the defect corrected free of charge. The certified engine package manufacturer shall not be liable for any expenses incurred at a service establishment not authorized to perform warranty repairs, except in the case of an emergency as defined in subsection (d)(4). ~~If the vehicle owner chooses to have a warrantable defect repaired at other than a warranty station, cost for repairs of warrantable defects shall not apply toward the repair cost limit the upper cost limit pursuant to Health and Safety Code section 44017 shall not apply to the repair.~~

Note: Authority cited: Sections 39600, 39601, 43000, 43100, 43101, 43102, 43104, and 43105, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43100, 43101, 43102, 43104, 43105, 43106, 43205, Health and Safety Code, and 580 Vehicle Code.