

State of California
AIR RESOURCES BOARD

Executive Order G-00-060

WHEREAS, on January 27, 2000, and February 24, 2000, the Air Resources Board (ARB or Board) conducted a public hearing to consider the adoption of regulations for a public transit bus fleet rule and emission standards for new urban buses, as set forth in the Initial Statement of Reasons and Staff Report released to the public on December 10, 1999;

WHEREAS, following the public hearing on February 24, 2000, the Board adopted Resolution 00-2, in which the Board approved new sections 1956.1, 1956.2, 1956.3, and 1956.4, title 13, California Code of Regulations, and amendments to section 1956.8, title 13, California Code of Regulations, and the incorporated document entitled "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Engines and Vehicles," with modifications set forth in Attachment A thereto;

WHEREAS, the Board in Resolution 00-2 directed the Executive Officer to adopt new sections 1956.1 through 1956.4, and the amendments to section 1956.8, including amendments to the incorporated "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Engines and Vehicles," and the modifications as described in Attachment A thereto, after making the modified regulatory language available for public comment for a period of 15 days; provided that the Executive Officer was directed to consider such written comments as were submitted during this period, make such modifications as were appropriate in light of the comments received, and to present the regulations to the Board for further consideration if he determined that this was warranted;

WHEREAS, the approved regulations, with modifications to the originally proposed text clearly indicated, have been made available for public comment for a period of 15 days in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, the modifications to the originally proposed text included conforming amendments to title 13, California Code of Regulations, section 1965, and the document incorporated by reference entitled "California Motor Vehicle Emission Control and Smog Index Label Specifications," and conforming amendments to title 40, Code of Federal Regulations, sections 86.098-15 and 86.004-15, all of which were inadvertently omitted from the regulations as originally proposed in the Staff Report released on December 10, 1999;

WHEREAS, the modifications to the originally proposed text moved the particulate matter (PM) retrofit device certification procedures from section 1956.2, title 13, California Code of Regulations to a proposed new document entitled "California Certification Procedures for PM Retrofit Devices for On-Road Heavy-Duty Diesel Engines" incorporated by reference into title 13, California Code of Regulations, section 1956.2;

WHEREAS, the document entitled "California Certification Procedures for PM Retrofit Devices for On-Road Heavy-Duty Diesel Engines" describes procedures for use by retrofit device manufacturers in certifying retrofit devices to reduce particulate matter emissions from diesel-fueled heavy-duty engines and is currently limited to urban bus engines, because California regulatory requirements to perform PM retrofits, contained in section 1956.2, only apply to urban bus engines, and do not apply to any other classes of on-road heavy-duty diesel engines at this time;

WHEREAS, the written comments received during the supplemental 15-day public comment period have been considered by the Executive Officer and did not require substantive modification of the proposed regulations or reconsideration by the Board.

NOW, THEREFORE, IT IS ORDERED, that the recitals and findings contained in Resolution 00-2 are incorporated by reference herein.

IT IS FURTHER ORDERED, in accordance with Resolution 00-2, that the addition of sections 1956.1, 1956.2, 1956.3, 1956.4, and the amendments to section 1956.8 and section 1965 in title 13, California Code of Regulations, and the documents incorporated by reference entitled "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Engines and Vehicles," "California Motor Vehicle Emission Control and Smog Index Label Specifications," and "California Certification Procedures for PM Retrofit Devices for On-Road Heavy-Duty Diesel Engines" are hereby adopted as set forth in Attachment 1 to this Order.

Executed this 22nd day of November 2000, at Sacramento, California.

Michael P. Kenny
Executive Officer

Attachment