

REQUEST FOR EARLY EFFECTIVE DATE

Exhaust Emission Standards and Test Procedures - 1985 and Subsequent Model Heavy-Duty Urban Bus Engines and Vehicles, the Fleet Rule for Transit Agencies, and the Zero-Emission Bus Requirements

Pursuant to Government Code section 11343.4(d), the Air Resources Board (ARB) requests that the amendments to sections 1956.1, 1956.2, 1956.3, and 1956.4, title 13, California Code of Regulations (CCR), and the documents incorporated by reference therein, become effective upon filing with the Secretary of State. Good cause for this request exists.

The amendments in title 13, CCR, provide for the implementation of a 2004-2006 model year engine exhaust emission standard, applicable to manufacturers of California-certified diesel urban bus engines and buses; for the implementation of emission reduction requirements to the fleet rule, applicable to transit agencies operating urban buses; and for the modification of the zero-emission bus demonstration project, applicable to transit agencies on the diesel path. These amendments are designed to encourage transit agencies on the diesel path to turnover the oldest, dirtiest diesel engines during the 2004-2006 model year time period to achieve near-term and long-term emission benefits from both in-use and new urban buses. The amendments to the zero-emission bus demonstration project are intended to bring the costs of the demonstration project back to that projected in the original rulemaking. To assess transit agencies' effectiveness in meeting fleet rule requirements, the regulation requires transit agencies to submit a mitigation plan and request letter to the ARB by January 31, 2005 for approval.

Transit agencies are aware of the January 31, 2005 deadline and are awaiting ARB's decision on allowing the purchase of diesel HEB. An early effective date will facilitate submittal of the transit agencies' mitigation plan and ARB's approval process.

The ARB has engaged in activities to make the transit bus industry aware of the regulation's requirements and reporting deadlines, and will continue with ongoing outreach activities. Since transit agencies are already aware of the January 31, 2005, reporting requirement and are in the process of complying with it, they will not be disadvantaged by the requested early effective date.

Date: _____

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