

State of California  
AIR RESOURCES BOARD

**Notice of Public Availability of Modified Text**

PUBLIC HEARING TO CONSIDER ENGINE MANUFACTURER DIAGNOSTIC  
SYSTEM REQUIREMENTS FOR 2007 AND SUBSEQUENT MODEL YEAR  
HEAVY-DUTY ENGINES

Public Hearing Date: May 20, 2004  
Public Availability Date: July 26, 2004  
Deadline for Public Comment: August 20, 2004

**The Board's Action.** At its May 20, 2004, public hearing, the Air Resources Board (the "Board" or "ARB") approved the adoption of section 1971, title 13, California Code of Regulations ("CCR"). Upon becoming operative, section 1971 would establish engine manufacturer diagnostic ("EMD") requirements for 2007 and subsequent model year on-road heavy-duty engines and vehicles produced for sale in California with a gross vehicle weight rating greater than 14,000 pounds.

At the hearing, the staff presented, and the Board approved, modifications to the regulation originally proposed in the Staff Report released on April 2, 2004, in response to comments received since the Staff Report was published. These staff's suggested modifications, which were made available during the hearing, include:

- 1) Clarification that engine manufacturers are responsible for the EMD system (section 1971(a)).
- 2) Clarification that the proposed regulation applies only to gasoline and diesel-fueled heavy-duty engines (section 1971(b)).
- 3) Addition of definitions for "engine" and "engine manufacturer" (sections 1971(c)(3) and (c)(4)).
- 4) Modification of the definition of "on-road heavy-duty engine" to include "related aftertreatment components" (section 1971(c)(9)).
- 5) Deletion/change of all references of "powertrain" in the regulation (sections 1971(e)(4)(A) and (f)(2)).
- 6) Change of all references of "manufacturer" in regulation to "engine manufacturer."

Appended to this notice is Board Resolution 04-16 (Attachment I), which approves the proposed regulation with modifications. Additions to the text are denoted by underline and deletions by ~~strikeout~~. In the Resolution, the Board directed the Executive Officer to incorporate the approved modifications into the proposed regulatory text, along with such other conforming modifications as may be appropriate, and to make such modifications available for a supplemental comment period of at least 15 days. The approved regulation, as modified by the suggested modifications presented at the hearing, is appended to the Resolution as Attachment B.

Attachment I, with its attachments, may be obtained from the Internet at the following address: <http://www.arb.ca.gov/regact/emd2004/emd2004.htm>

Printed copies may be obtained from Mr. Mike McCarthy, Manager, Advanced Engineering Section, of the Mobile Source Control Division, at (626) 575-6615.

**Comments and Subsequent Action.** In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt sections 1971, title 13, CCR, after making them available to the public for comment for a 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 the comments received, and shall present the regulation to the Board for further consideration if warranted.

Written comments on the proposed modifications may be submitted by postal mail, electronic mail, or facsimile as follows:

Postal mail is to be sent to:

Clerk of the Board  
Air Resources Board  
1001 "I" Street, 23rd Floor  
Sacramento, California 95814

Electronic mail is to be sent to: [emd2004@listserv.arb.ca.gov](mailto:emd2004@listserv.arb.ca.gov)

Facsimile submissions are to be transmitted to: (916) 322-3928

In order to be considered by the Executive Officer, comments must be directed to the ARB in one of the three forms described above and received by the ARB by 5:00 p.m. on the last day for comment, August 20, 2004. Only comments relating to the above-described modifications to the text of the regulation shall be considered by the Executive Officer.

If you have a disability-related accommodation need, please go to <http://www.arb.ca.gov/html/ada/ada.htm> for assistance or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please go to <http://inside.arb.ca.gov/as/eo/languageaccess.htm> or contact the Bilingual Coordinator at (916) 324-5049. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

Attachments