

Enclosure 2

AMENDMENTS TO THE CALIFORNIA REGULATIONS FOR NEW 1997 AND LATER
OFF-HIGHWAY RECREATIONAL VEHICLES AND ENGINES

NOTE: This document is printed in a style to indicate changes from the existing provisions. Only the parts of the sections that have changed from the text contained in Mail-Out MSC 98-30 have been included.

The originally proposed additions to the regulatory language are shown in underline. The originally proposed deletions are shown in ~~strikeout~~. The suggested modifications to the original proposal are shown in **bold double-underline** to indicate additions and ~~bold-strikeout~~ to indicate deletions.

Modifications to the Originally Proposed Amendments

Amend the following sections of Title 13, California Code of Regulations, Division 3, Chapter 9, Article 3, "Off-Highway Recreational Vehicles and Engines," to read as follows:

Section 2411(a)(1)..... "All-Terrain Vehicle (ATV)" means any motorized off-highway vehicle 50 inches (1270 mm) or less in overall width, **with an unladen dry weight of 600 pounds (275 kg) or less**, designed to travel on four low pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control, and intended for use by a single operator and no passengers. The vehicle is designed to carry not more than 350 pounds (160 kg) payload, excluding the operator, and is powered by an internal combustion engine. Width **and unladen weight** shall be exclusive of accessories and optional equipment. A ~~go-kart, golf cart or specialty vehicle~~ is not, for purposes of this regulation, to be classified as an all-terrain vehicle. ~~An all-terrain vehicle that is not used exclusively in competition/racing events in a closed course is not a competition/racing vehicle for purposes of these regulations.~~

Note: The above modifications are consistent with language approved by the Board at the October 22, 1998 hearing regarding the emission standards and test procedures for new 2001 and later off-road large spark-ignition engines.

Section 2411(a)(~~22~~)(20).. "Vehicle Identification Number (VIN)" means an alphanumeric code which has been permanently assigned by the manufacturer to a vehicle. The VIN is unique to each vehicle and may contain information deemed necessary by governing agencies. **If a manufacturer cannot obtain a federal VIN from the National Highway Traffic Safety Administration for their vehicles, an**

alternative VIN approved by the Executive Officer of the Air Resources Board may be used. Unless otherwise noted, the VIN **and alternate VIN** will follow formats specified in the Code of Federal Regulations 49, Chapter V, Parts 565, 566, and 571, **section 571.115 - Vehicle Identification Number - Content Requirements**, which are incorporated herein by reference.

Section 2415(a),
 "Table 1"

<u>OHV Area Managing Entity¹</u>	<u>OHV Area Name</u>	<u>Riding Season</u>
<i>Bureau of Land Management (BLM)</i>		
<u>California Desert District Office</u>		
	<u>Lark Canyon (McCain Valley)</u>	<u>prohibited Dec 1 - Jan 31</u>
	<u>Arroyo Salado</u>	<u>prohibited</u>
<i>United States Forest Service (USFS)</i>		
<u>Cleveland National Forest</u>		
	<u>Corral Canyon</u>	<u>prohibited Dec 1 - Jan 31</u>

Section 2415(c)..... **Within five years from the effective date of adoption or date of implementation, whichever comes later, the Air Resources Board, in consultation with the Secretary for Environmental Protection, shall review the provisions of this section to determine whether it should be retained, revised or repealed.**

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, and 43107, Health and Safety Code, and sections 38020 and 38390, Vehicle Code.

Reference: Sections 43013, 43018, and 43107, Health and Safety Code, and **Governor's Executive Order W144-97.**

Amend the following sections of the incorporated document "California Exhaust Emissions Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles and Engines" to read as follows:

Section 86.402-78..... "All-Terrain Vehicle (**ATV**)" means any motorized off-highway vehicle 50 inches (1270 mm) or less in overall width, **with an unladen dry weight of 606 600 pounds (275 kg) or less**, designed to travel on four low pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control, and intended for use by a single operator and no passengers. The vehicle is designed to carry not more than 350 pounds (160 kg) payload, excluding the operator, and is powered by an internal combustion engine. Width **and unladen weight** shall be exclusive of accessories and optional equipment. A ~~go-kart, golf cart or specialty vehicle~~ is not, for purposes of this regulation, to be classified as an all-terrain vehicle. ~~An all-terrain vehicle that is not used exclusively in competition/racing events in a closed course is not a competition/racing vehicle for purposes of these regulations.~~

"Vehicle Identification Number (VIN)" means an alphanumeric code which has been permanently assigned by the manufacturer to a vehicle. The VIN is unique to each vehicle and may contain information deemed necessary by governing agencies. **If a manufacturer cannot obtain a federal VIN from the National Highway Traffic Safety Administration for their vehicles, an alternative VIN approved by the Executive Officer of the Air Resources Board may be used.** Unless otherwise noted, the VIN **and alternate VIN** will follow formats specified in the Code of Federal Regulations 49, Chapter V, Parts 565, 566, and 571, ~~section 571.115 - Vehicle Identification Number - Content Requirements~~, which are incorporated herein by reference.

Section 86.414-78(b)(2).. **For the purposes of certification, off-highway recreational vehicle manufacturers that do not have or cannot obtain a federal VIN from the National Highway Traffic Safety Administration for particular engines or vehicles must use an alternative VIN approved by the Executive Officer of the Air**

Resources Board. The ~~(VIN)~~ **and alternate VIN** shall be consistent with the Code of Federal Regulations 49, Chapter V, Parts 565, 566, and 571, ~~section 571.115 - Vehicle Identification Number - Content Requirements,~~ which are incorporated herein by reference, except as noted below.

Section 86.416-80(b)(2).. Identification of the curb weight and gross vehicle weight rating of the vehicle **(golf carts only)**.

Section 86.416-80(b)(5).. All information necessary for proper and safe operation and maintenance of the vehicle, including recharging information **(golf carts only)**, and other relevant information as determined by the Executive Officer **(golf carts only)**.