

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-04-066

Amendments to the Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines

WHEREAS, on February 26, 2004, the Air Resources Board (the Board or ARB) conducted a public hearing to consider amendments to the Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines, as set forth in the Initial Statement of Reasons released to the public on October 24, 2003;

WHEREAS, following the public hearing on February 26, 2004, the Board adopted Resolution 03-38, in which the Board approved amendments to sections 2701, 2702, 2703, 2704, 2705, 2706, 2707 and 2709, title 13, California Code of Regulations (CCR), as set forth in Attachment A and modified by Attachment B thereto;

WHEREAS, Resolution 03-38 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachment A and Attachment B to Resolution 03-38, with such other conforming modifications as may be appropriate, to make the modified regulatory language and any additional supporting documents and information available to the public for a period of at least 15 days, to consider such written comments as may be submitted during this period, and to make such modifications as may be appropriate in light of the comments received, or to present the regulatory amendments to the Board for further consideration if she determines that this is warranted;

WHEREAS, on April 8, 2004, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing, were made available for public comment for a period of at least 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44; and

WHEREAS, two written comments were received during the 15-day comment period and those comments, as well as the comments received during the 45-day comment period, have been considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 03-38 are incorporated by reference herein.

IT IS FURTHER ORDERED that sections 2701, 2702, 2703, 2704, 2705, 2706, 2707 and 2709, title 13, CCR, are adopted as set forth in Attachment 1 hereto.

Executed this _____ day of October, 2004, at Sacramento, California.

Catherine Witherspoon
Executive Officer

Attachment