

State of California
AIR RESOURCES BOARD

February 23, 1978

Resolution 78-10

WHEREAS, Section 39516 of the Health and Safety Code conclusively presumes any power, duty, purpose, function or jurisdiction is delegated to the Executive Officer, unless the Air Resources Board affirmatively votes to reserve the same for its own action; and

WHEREAS, the Air Resources Board has reviewed its powers, duties, purposes, functions and jurisdiction as conferred by the Health and Safety Code and other California laws;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board specifically reserves unto itself the following powers, etc., to:

1. Adopt, amend and revoke ambient air quality standards.
2. Establish and revise air basin boundaries and request revisions to federal air quality control region boundaries.
3. Adopt, amend and revoke emission standards and test procedures, assembly-line test procedures, and compliance test procedures for new motor vehicles.
4. Adopt, amend and revoke used motor vehicle standards and test procedures, and certify emission control devices for used motor vehicles.
5. Conduct public hearings pursuant to Health and Safety Code Section 41502 and take action to assume any power, duty, function or jurisdiction of an air pollution control district or basin coordinating council, as provided in Health and Safety Code Sections 40001, 41503, 41504, 41505, and 41507, but specifically excluding the power to revoke or modify a variance pursuant to Health and Safety Code Section 42362, and the authority to undertake the review actions specified in Health and Safety Code Section 41500.
6. Adopt model rules and regulations for control of emissions from nonvehicular sources.
7. Approve research proposals recommended by the Research Screening Committee in excess of \$50,000.00.

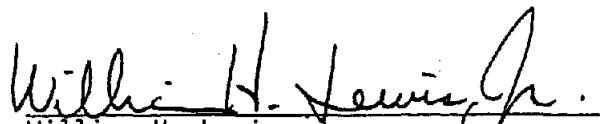
8. Approve formal reports required by the Legislature.
9. Appoint advisory groups and committees.

BE IT FURTHER RESOLVED, that the Executive Officer may undertake action pertaining to matters otherwise reserved hereby to the Board for the purpose of making corrective, clarifying or ministerial changes;

BE IT FURTHER RESOLVED, that nothing herein shall prevent the Board, at a public meeting, from expressly delegating to the Executive Officer any powers, etc., otherwise reserved hereby to the Board, or from reserving to itself any additional powers, etc.; and

BE IT FURTHER RESOLVED, that any previous Resolutions relating to the Board's reservation of powers are hereby rescinded.

I certify that the above is a true and correct copy of Resolution 78-10 as passed by the Air Resources Board.


William H. Lewis, Jr.
Executive Officer