

State of California  
AIR RESOURCES BOARD

**EXECUTIVE ORDER R-09-016**

*Relating to Amendments to the Plug-In Hybrid Electric Vehicle Test Procedures and Adoption of the Aftermarket Parts Certification Requirements*

WHEREAS, on January 23, 2009, the Air Resources Board (ARB or Board) conducted a public hearing to consider amendments to the Plug-In Hybrid Electric Vehicle Test Procedures and adoption of the Aftermarket Parts Certification Requirements, as set forth in the Initial Statement of Reasons released to the public on December 5, 2008;

WHEREAS, following the public hearing on January 23, 2009, the Board adopted Resolution 09-6, in which the Board approved the amendments to title 13 California Code of Regulations sections 1961, 1962, 1962.1, 1976, and 1978, as set forth in Attachment A thereto; and amendments to the California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, as set forth in Attachment B thereto; the California Exhaust Emission Standards and Test Procedures for 2005 through 2008 Model Zero-Emission Vehicles, and 2001 through 2008 Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes, as set forth in Attachment C thereto; the California Exhaust Emission Standards and Test Procedures for 2009 and Subsequent Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes, as set forth in Attachment D thereto; the California Evaporative Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles, as set forth in Attachment E thereto; and the California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles, as set forth in Attachment F thereto thereto;

WHEREAS, Resolution 09-6 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachments A through F to Resolution 09-6, 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 he determines that this is warranted after review of the comments;

WHEREAS, the Board directed the Executive Officer and ARB staff to return to the Board after consulting with the affected conversion system manufacturers and others related to systems for conversions to off-vehicle charge capable hybrid electric vehicles in several months time to continue the Board's consideration of the proposed adoption

of section 2032, title 13, California Code of Regulations and its incorporated procedure – the California Certification and Installation Procedures for Off-Vehicle Charge Capable Conversion Systems for 2000 and Subsequent Model Year Hybrid Electric Vehicles.

WHEREAS, on May 28, 2009, as directed by the Board, staff consulted with conversion system manufacturers and others, and proposed the adoption of section 2032 and its incorporated procedure, the “California Certification and Installation Procedures for Off-Vehicle Charge Capable Conversion Systems for 2000 and Subsequent Model Year Hybrid Electric Vehicles,” as set forth in appendix A, part 2 and appendix G of the Staff Report: Initial Statement of Reasons and attached, thereto, in Attachment A, with the modifications set forth in Attachment B, thereto;

WHEREAS, on August 28, 2009, 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;

WHEREAS, a number of written comment letters were received during the 15-day comment period and those comments have been considered by the Executive Officer;

WHEREAS, on November 2, 2009, additional modifications prepared in response to the comments received during the first 15-day comment period were made available for public comment for a period of at least 15 days, with the changes to the previously proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, a number of written comment letters were received during the Second 15-day comment period and those comments have been considered by the Executive Officer;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolutions 09-6 and 09-39 are incorporated by reference herein.

IT IS FURTHER ORDERED that amendments to title 13, California Code of Regulations, sections 1961, 1962, 1962.1, 1976, and 1978, and amendments to the California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, the California Exhaust Emission Standards and Test Procedures for 2005 through 2008 Model Zero-Emission Vehicles, and 2001 through 2008 Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes, the California Exhaust Emission Standards and Test Procedures for 2009 and Subsequent Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes, the California Evaporative Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles, and

the California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles, and the adoption of new section 2032, title 13, California Code of Regulations and its incorporated procedure – the California Certification and Installation Procedures for Off-Vehicle Charge Capable Conversion Systems for 2000 and Subsequent Model Year Hybrid Electric Vehicles, are adopted as set forth in Attachment 1 hereto.

Executed this 2<sup>nd</sup> day of December, 2009, at Sacramento, California.

/s/

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James N. Goldstene  
Executive Officer

Attachment