REQUEST FOR EARLY EFFECTIVE DATE

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO NEW PASSENGER MOTOR VEHICLE GREENHOUSE GAS EMISSION STANDARDS FOR MODEL YEARS 2012-2016 TO PERMIT COMPLIANCE BASED ON FEDERAL GREENHOUSE GAS EMISSION STANDARDS

Pursuant to Government Code section 11343.4(c), the Air Resources Board (ARB) requests that the amendment of sections 1961 and 1961.1, title 13, California Code of Regulations, become effective upon filing with the Secretary of State. Good cause for this request exists.

The subject amendments provide passenger vehicle manufacturers with an additional compliance option beginning with the 2012 model year. As discussed in the rulemaking, this compliance option is part of a complex series of commitments made by the federal government, affected automakers, and the State of California. Because planning is already well underway for 2012 model year vehicles and manufacturers can seek certification thereof as early as January 1, 2011, manufacturers need to know the status of the alternative compliance path for their planning purposes. An early effective date is also essential to demonstrate California's fulfillment of its commitments so that the other parties will in turn fulfill theirs.

An early effective date should cause no adverse impact because affected manufacturers and their trade associations, and other stakeholders, commented in support of these amendments as part of a broader series of commitments with the federal government toward regulating passenger vehicle greenhouse gas emissions. Conversely, without an early effective date affected manufacturers and others would be delayed the certainty needed to conclude product planning for the 2012 model year and the ARB commitment to revise its regulations through these amendments would be needlessly delayed.

Date: March 29, 2010

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David Aron Livingston
Senior Staff Counsel