

APPENDIX XI

15-Day Modifications to the Original Proposal

Title 13 California Code of Regulations

SUMMARY AND RATIONALE FOR AMENDMENTS TO THE SMALL OFF-ROAD ENGINE REGULATIONS AND TEST PROCEDURES

NOTE: This appendix summarizes and rationalizes staff's proposed modifications to the regulatory amendments adopted by the Air Resources Board on December 16, 2011, in accordance with Resolution 11-41. Staff's original summary and rationale language, as specified in Appendix S to the Initial Statement of Reasons, is shown by plain type. Staff's incorporation of proposed modifications to the original language, as described in Attachment G of Resolution 11-41 and via conforming modifications thereof, and as directed by the Board on December 16, 2011, are shown in double underlined text to indicate additions and ~~double-strikeout~~ text to indicate deletions. Only these double underlined and ~~double-strikeout~~ modifications are subject to comment during this comment period. The notation "* * * * *" is provided for reference to indicate portions of the existing summary and rationale language for which amendments are not proposed with this Notice of Modified Text.

Summary and Rationale for Proposed Regulations

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Subpart H

The purpose of Subpart H is to specify test fuels, lubricating oils and coolants, and analytical gases for testing. Subpart H also specifies that service accumulation fuels must be either a test fuel or a commercially available in-use fuel. This helps ensure that testing is representative of in-use engine operation. Staff is proposing amendments to keep certain provisions already specified in California's existing SORE test procedures in lieu of those specified in federal Part 1065.

§1065.701 The purpose of this section is to describe general requirements for test fuels. The proposed amendments to subsection 1065.701 (a) (2) are necessary in order to specify that the test fuel specifications will be consistent with the on-road motor vehicle E10 or other ARB-certified test fuels. The proposed amendments to subsection 1065.701 (a) (3) ~~is~~ are necessary in order to allow use of the on-road motor vehicle E10 or other ARB-certified test fuels as an option for 2013 through ~~2018~~2019 model year engines. In addition, the proposed amendments to subsection 1065.701 (f) are necessary in order to specify that a service accumulation fuel can be either a test fuel or a commercially available in-use fuel.

§1065.703-740 The proposed amendments to these subsections are necessary in order to keep California's test fuel requirements aligned with the applicable on-road vehicle test fuel requirements.

In general, the proposed amendments to this Subpart are necessary to establish alignment with similar provisions in the federal regulations for small nonroad engines, as is applicable. Without such an alignment, manufacturers could be forced to satisfy additional requirements and/or certify separate engine families in California at considerable extra cost without a corresponding increase in emission benefits.

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