

FINAL REGULATION ORDER

Proposed Additional Modifications to the Public Transit Bus Fleet Rule and Emission Standards for New Urban Buses

NOTE: The following amendments to section 1956.1, 1956.2, 1956.4, and the document entitled "California Motor Vehicle Emission Control and Smog Index Label Specifications" incorporated by reference in section 1965, title 13, California Code of Regulations (CCR), are shown in **bold underline** to indicate additions, and **~~bold~~ ~~strikeout~~** to indicate deletions. Only those portions of the urban bus regulation containing modifications are contained in this document. Text of the urban bus regulation not included in this document remains as approved by the OAL on January 23, 2001, and are indicated by the symbol "*** **" for reference

§1956.1 Exhaust Emission Standards and Test Procedures – 1985 and Subsequent Model Heavy Duty Urban Bus Engines and Vehicles

- (a) The exhaust emissions from new 1985 and subsequent model heavy-duty diesel cycle urban bus engines and vehicles fueled by methanol, natural gas, liquefied petroleum gas, and petroleum shall not exceed the following, by model year:

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- (11) 2004-2006 – For diesel-fueled, or dual-fuel, and bi-fuel urban bus engines, the standards are 0.5 g/bhp-hr NO_x, 0.01 g/bhp-hr PM, 0.05 g/bhp-hr NMHC, 5.0 g/bhp-hr CO, and 0.01 g/bhp-hr formaldehyde. As an option, manufacturers may choose to meet the NO_x and PM standards with a base engine that is certified to the standards in paragraph (10) above, equipped with an aftertreatment system that reduces NO_x to 0.5 g/bhp-hr and PM to 0.01 g/bhp-hr standards. The NMHC, CO, and formaldehyde standards in this paragraph (11) shall still apply. Manufacturers shall be responsible for full certification, durability, testing, and warranty and other requirements for the base engine. For the aftertreatment system, manufacturers shall not be subject to the certification durability requirements, or in-use recall and enforcement provisions, but are subject to warranty provisions for functionality.

In addition, engine manufacturers may sell diesel-fueled, dual-fuel, or bi-fuel engines to any transit fleet exempted by the Executive Officer under paragraphs **(c)(8) and** (d)(7) of section 1956.2, Title 13, CCR, from the requirements of paragraphs (c)(5) and (d)(4) of section 1956.2, certified to the standards in either paragraphs (9) or (10) above, provided that engines certified to the standards in paragraph (10) must be certified to a 0.01 g/bhp-hr PM standard.

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43100, 43101, 43104, and 43806, Health and Safety Code; and section 28114 Vehicle Code.

Reference: Sections 39002, 39003, 39017, 39033, 39500, 39650, 39657, 39667, 39701, 40000, 43000, 43000.5, 43009, 43013, 43018, 43102, and 43806, Health and Safety Code; and section 28114, Vehicle Code.

§1956.2 Fleet Rule for Transit Agencies

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(c) Transit agencies on the alternative-fuel path shall meet the following requirements:

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(5) Transit agencies on the alternative-fuel path shall not purchase any diesel-fueled, dual-fuel, or bi-fuel buses with 2004 – 2006 model year engines certified to emissions levels in excess of those specified in paragraph (a)(11) of section 1956.1, Title 13, CCR-, **except as provided in paragraph (c)(8) of this section.**

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(8) The Executive Officer may exempt transit agencies on the alternative-fuel path from the requirements of paragraph (c)(5) of section 1956.2, Title 13, CCR, provided that:

(A) A transit agency applies to the Executive Officer for such exemption by June 30, 2001;

(B) A transit agency demonstrates to the Executive Officer that it will achieve NOx emissions benefits through 2015 greater than what would have been achieved through compliance with paragraph (c)(5); and

(C) The Executive Officer finds that transit agencies, after consulting with the Engine Manufacturers Association, have demonstrated, or are contractually committed to demonstrate, advanced NOx aftertreatment technology.

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, and 43701(b), Health and Safety Code. Reference: Sections 39002, 39003, 39017, 39500, 39650, 40000, 43000, 43000.5, 43013, 43018, 43701(b), 43801, and 43806, Health and Safety Code, and sections 233 and 28114, Vehicle Code.

§1956.4 Reporting Requirements for all Urban Bus Transit Agencies

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- (g) Transit agencies exempted from the requirements of paragraphs **(c)(5) and (d)(4)**, section 1956.2, Title 13, CCR, shall submit annual reports demonstrating that they are achieving NOx emission benefits required in paragraphs **(c)(8)(B) and (d)(7)(B)**, section 1956.2, Title 13, CCR. The first report shall be submitted by January 31, 2005. Subsequent reports shall be submitted annually by January 31 through the year 2016.

NOTE: Authority cited: Sections 39600, 39601, 39659, 39701, 43018, 41511, Health and Safety Code. Reference: Sections 39700, 39701, 41510, 41511, 43000, 43000.5, 43013, 43018, 43801, and 43806, Health and Safety Code.

Document entitled “California Motor Vehicle Emission Control and Smog Index Label Specifications” incorporated by reference in §1965

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(3) **Emission Control Labels.** A plastic or metal tune-up label, and in accordance with Section b, a machine-readable vehicle emission configuration (VEC) bar-code label made of paper, plastic, metal, or other permanent material, shall be welded, riveted or otherwise permanently attached to an area within the engine compartment (if any) or to the engine in such a way that it will be readily visible to the average person after installation of the engine in a vehicle. In accordance with Section b, a machine-readable vehicle identification number (VIN) bar-code label made of paper, plastic, metal, or other permanent material shall be affixed in a readily visible location to either the door-latch post next to the driver's seating position, the door edge that meets this door-latch post, or above the instrument panel in a location clearly visible through the lower left corner of the windshield.

In selecting an acceptable location, the manufacturer shall consider the possibility of accidental damage (e.g., possibility of tools or sharp instruments coming in contact with the label) and accessibility for a bar-code scanner, as applicable. Each label shall be affixed in such a manner that it cannot be removed without destroying or defacing the label, and shall not be affixed to any part which is likely to be replaced during the vehicle's useful life. For motorcycles, passenger cars, light-duty trucks, and medium-duty vehicles, the label(s) shall not be affixed to any equipment which is easily detached from the vehicle.

(a) The tune-up label shall contain the following information lettered in the English language in block letters and numerals which shall be of a color that contrasts with the background of the label:

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- ix. An unconditional statement of compliance with the appropriate model-year California regulations; for example, "This vehicle (or engine, as applicable) conforms to California regulations applicable to ____ model-year new ____ (for 1992 and subsequent model years, specify TLEV, LEV, ULEV, SULEV, or ZEV, as applicable) (specify motorcycles, passenger cars, light-duty trucks, medium-duty vehicles, heavy-duty Otto-cycle engines, or heavy-duty diesel engines, as applicable)." For federally certified vehicles certified for sale in California the statement must include the phrase "conforms to U.S. EPA regulations and is certified for sale in California." For Class III motorcycles for sale in California, the statement must include the phrase "is certified to ____ HC engine family exhaust emission standard in California." For incomplete light-duty truck and incomplete medium-duty vehicles the label shall contain the following statement in lieu of the above:

"This vehicle conforms to California regulations applicable to ____ model-year new ____ (for 1992 and subsequent model years specify LEV, ULEV or SULEV, as applicable) vehicles when completed at a maximum curb weight of ____ pounds and a maximum frontal area of ____ square feet."

For 1994 through 2002 model year heavy heavy-duty diesel engines, produced before October 1, 2002, to be used in urban buses that are certified to the optional reduced-emission standards, the label shall contain the following statement in lieu of the above:

"This engine conforms to California regulations applicable to ____ model year new urban bus engines and is certified to a NOx emission standard of ____ g/bhp-hr (for optional reduced-emission standards specify between 0.5 and 3.5 at 0.5 g/bhp-hr increments for 1994 and 1995 model years, and between 0.5 and 2.5 at 0.5 g/bhp-hr increments for 1996 through 2002 model years produced before October 1, 2002)."

For 2002 through 2003 model year heavy heavy-duty diesel-fueled, dual-fuel, and bi-fuel engines, produced beginning October 1, 2002, to be used in urban buses that are certified to the optional reduced-emission standards, the label shall contain the following statement in lieu of the above:

"This engine conforms to California regulations applicable to ____ model year new urban bus engines and is certified to a NOx plus NMHC optional reduced-emission standard of ____ g/bhp-hr (for optional reduced-emission standards specify between 0.3 and 1.8, inclusive, at 0.3 g/bhp-hr increments, and a particulate matter standard of 0.01 g/bhp-hr)."

This statement shall also be used on 2004 through 2006 model year heavy heavy-duty diesel-fueled, dual-fuel, and bi-fuel engines to be used in urban buses that are certified to the optional reduced-emission standards and are sold to any transit agency exempted under paragraphs **(c)(8) and** (d)(7), section 1956.2, Title 13, CCR, from the requirements of paragraphs **(c)(5) and** (d)(4), section 1956.2, Title 13, CCR.

For 2002 through 2006 model year heavy heavy-duty diesel cycle engines produced beginning October 1, 2002, other than diesel-fueled, dual-fuel, and bi-fuel engines, to be used in urban buses that are certified to the optional reduced-emission standards, the label shall contain the following statement in lieu of the above:

"This engine conforms to California regulations applicable to _____ model year new urban bus engines and is certified to a NOx plus NMHC optional reduced-emission standard of _____ g/bhp-hr (for optional reduced-emission standards specify between 0.3 and 1.8, inclusive, at 0.3 g/bhp-hr increments, and a particulate matter standard 0.03 g/bhp-hr, 0.02 g/bhp-hr, or 0.01 g/bhp-hr)."

For 1995 through 2002 model year heavy-duty engines produced before October 1, 2002, other than those for use in urban buses, that are certified to the optional reduced-emission standards, the label shall contain the following statement in lieu of the above:

"This engine conforms to California regulations applicable to _____ model-year new heavy-duty engines, other than those for use in urban buses, and is certified to a NOx emission standard of _____ g/bhp-hr (for optional reduced-emission standards specify between 0.5 and 3.5 at 0.5 g/bhp-hr increments for 1995 through 1997 model-year diesel engines, between 0.5 and 2.5 at 0.5 g/bhp-hr increments for 1998 through 2002 model-year diesel engines produced before October 1, 2002, between 0.5 and 2.5 at 0.5 g/bhp-hr increments for 1995 through 1997 model-year Otto-cycle engines, and between 0.5 and 1.5 at 0.5 g/bhp-hr increments for 1998 and later model year Otto-cycle engines)."

For 2002 and later model year heavy-duty diesel engines produced beginning October 1, 2002, other than those for use in urban buses, that are certified to the optional reduced-emission standards, the label shall contain the following statement in lieu of the above:

"This engine conforms to California regulations applicable to _____ model-year new heavy-duty engines and is certified to a NOx plus NMHC optional reduced-emission standard of _____ g/bhp-hr (for optional reduced-emission standards specify between 0.3 and 1.8, inclusive, at 0.3 g/bhp-hr increments, and a particulate matter standard of 0.03 g/bhp-hr, 0.02 g/bhp-hr, or 0.01 g/bhp-hr)."

For heavy-duty diesel engines certified under the requirements of Title 13 California Code of Regulations, § 1956.8 (a)(4), the statement of compliance requirements of this subsection (3)(a)(ix) shall be repeated for each of the two fueling modes of operation. Appended to the statement for the lower emitting fueling model of operation shall be the following sentence:

"This certification is valid only while operating on ____ (indicate the fuel or fuel combination under which this mode of operation was certified) fuel. Operation using any other fueling mode will result in significant increases in exhaust emissions and significantly reduce engine performance."

Manufacturers may elect to use a supplemental label in addition to the original label if there is not sufficient space to include all the required information. The supplemental label must conform to all specifications as the original label. In the case that a supplemental label is used, the original label shall be number "1 of 2" and the supplemental label shall be numbered "2 of 2."