

State of California
AIR RESOURCES BOARD

Executive Order G-99-059

WHEREAS, on November 5, 1998, the Air Resources Board (the “Board” or “ARB”) conducted a hearing to consider a comprehensive set of “LEV II” amendments to the California Low-Emission Vehicle (LEV) regulations; the amendments include the application of passenger car exhaust emission standards to most sport utility vehicles, pick-up trucks and mini-vans, lower tailpipe standards for all vehicles, more stringent requirements for phasing in cleaner vehicles, substantial strengthening of most evaporative emission standards, additional mechanisms for the generation of zero-emission vehicle credits, numerous technical modifications, and “CAP 2000” amendments to the certification and in-use compliance requirements for motor vehicles;

WHEREAS, following the public hearing on November 5, 1998, the Board adopted Resolution 98-53, in which the Board approved the regulatory amendments to title 13, California Code of Regulations (CCR), set forth in Attachment A thereto, and the amendments to (and adoption of) the documents incorporated by those regulations as set forth in Attachments B through M thereto, with the modifications set forth in Attachment N thereto other than those pertaining to Transitional Low-Emission Vehicle (TLEV) standards, and with the additional modification of eliminating the TLEV categories in the LEV II standards and, starting in the 2004 model year, in the LEV I standards;

WHEREAS, Resolution 98-53 directed the Executive Officer to incorporate into the approved amendments the modifications described above with such other conforming modifications as may be appropriate, to make the modified regulatory language available to the public for a supplemental 15-day comment period, and thereafter either to adopt the approved amendments with such additional modifications as may be appropriate in light of supplemental comments received, or to present the amendments to the Board for further consideration if warranted;

WHEREAS, the Board-approved modifications to the originally proposed regulatory text and incorporated documents, along with additional conforming modifications, were made available by a Notice of Availability of Modified Text for a supplemental 15-day comment period in accordance with the provisions of section 44, title 1, CCR, with the modifications clearly indicated;

WHEREAS, several written comments were received during the supplemental 15-day comment period; in light of the comments, additional modifications to the proposed amendments to title 13, CCR, and to three of the documents incorporated by reference, were made available by a Second Notice of Availability of Modified Text for a second supplemental 15-day comment period in accordance with the provisions of section 44, title 1, CCR, with the additional modifications clearly indicated; and

WHEREAS, the Attachments to this Executive Order consist of the following materials, reflecting the amended and new regulations and incorporated documents approved by the Board in Resolution 98-53, with the conforming modifications made available in connection with the first and second notices of public availability of modified text, and with the additional nonsubstantial modifications listed in Attachment 1 to the Final Statement of Reasons for this rulemaking:

- Attachment A: Final Regulation Order, containing amendments to sections 1900, 1960.1, 1965, 1968.1, 1976, 1978, 2037, 2038, 2062, 2101, 2106, 2107, 2110, 2112, 2114, 2119, 2130, 2137-2140, and 2143-2148, title 13, CCR, and the adoption of sections 1961 and 1962, title 13, CCR.
- Attachment B: Amendments to the “California Exhaust Emission Standards and Test Procedures for 1988 Through 2000 Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles,” incorporated by reference in section 1960.1(k), title 13, CCR.
- Attachment C: The new “California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles,” incorporated by reference in section 1961(d), title 13, CCR.
- Attachment D: The new “California Exhaust Emission Standards and Test Procedures for 2003 and Subsequent Model Zero-Emission Vehicles, and 2001 and Subsequent Model Hybrid-Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes,” incorporated by reference in section 1962(e), title 13, CCR.
- Attachment E: Amendments to the “California Evaporative Emission Standards and Test Procedures for 1978 Through 2000 Model Motor Vehicles,” incorporated by reference in section 1976(c), title 13, CCR.
- Attachment F: The new “California Evaporative Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles,” incorporated by reference in section 1976(c), title 13, CCR.
- Attachment G: Amendments to the “California Refueling Emission Standards and Test Procedures for 1998 Through 2000 Model Motor Vehicles,” incorporated by reference in section 1978(b), title 13, CCR.
- Attachment H: The new “California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles,” incorporated by reference in section 1978(b), title 13, CCR.

- Attachment I: Amendments to the “California Assembly-Line Test Procedures for 1998 Through 2000 Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles,” incorporated by reference in section 2062, title 13, CCR.
- Attachment J: The new “California Assembly-Line Test Procedures for 2001 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles,” incorporated by reference in section 2062, title 13, CCR.
- Attachment K: Amendments to the “California New Vehicle Compliance Test Procedures,” incorporated by reference in section 2101(b), title 13, CCR.
- Attachment L: Amendments to the “California Motor Vehicle Emission Control and Smog Index Label Specifications,” incorporated by reference in section 1965, title 13, CCR.
- Attachment M: Amendments to the “California Non-Methane Organic Gas Test Procedures,” incorporated by reference in section 1960.1(g)(1) note (3) and (h)(2), note (3), title 13, CCR, and in “California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles.”

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 98-53 are incorporated herein.

IT IS FURTHER ORDERED, in accordance with Resolution 98-53 and Health and Safety Code sections 39515 and 39516, that the amendments to sections 1900, 1960.1, 1965, 1968.1, 1976, 1978, 2037, 2038, 2062, 2101, 2106, 2107, 2110, 2112, 2114, 2119, 2130, 2137-2140, and 2143-2148, title 13, CCR, and the adoption of sections 1961 and 1962, title 13, CCR, are hereby adopted as set forth in Attachment A hereto, and the new and amended documents incorporated by reference in the regulations are adopted as set forth in Attachments B through M hereto.

Executed this _____ day of August, 1999, at Sacramento, California.

Michael P. Kenny
Executive Officer

Attachments