

State of California
AIR RESOURCES BOARD

Executive Order G-99-063

WHEREAS, on October 22, 1998, the Air Resources Board (the "Board) conducted a public hearing to consider the adoption of emission control standards and test procedures for new 2001 and later off-road large spark-ignition engines;

WHEREAS, following the public hearing, the Board adopted Resolution 98-51, in which the Board approved the adoption of Title 13, California Code of Regulations, sections 2430 through 2439, and the incorporated "California Exhaust Emission Standards and Test Procedures for New 2001 and Later Off-Road Large Spark-Ignition Engines", and the amendment of sections 2411 through 2414, and the incorporated "California Exhaust Emission Standards and Test Procedures for 1995 and Later Off-Highway Recreational Vehicles and Engines", as set forth in Attachments F and G thereto;

WHEREAS, Resolution 98-51 directed the Executive Officer to adopt the amendments, after making the modified regulatory language and additional supporting documents and information available for public comment for a period of 15 days, provided that the Executive Officer shall consider such written comments regarding the modification and additional documents supporting any information as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further determination if he determines that this is warranted;

WHEREAS, the approved regulations were made available for public comment for a period of 30 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; and

WHEREAS, the written comments received during this 30-day comment period have been considered by the Executive Officer and do not require modification nor reconsideration by the Board of the approved regulations.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 98-51 are incorporated by reference herein.

IT IS FURTHER ORDERED, that the regulatory adoption and amendments adopted herein be forwarded to the Environmental Protection Agency with a request for confirmation that they are within the scope of an existing waiver of federal preemption pursuant to section 209(b) of the Federal Clean Air Act, to the extent such action is required by such Act.

NOW, THEREFORE, IT IS ORDERED, in accordance with Resolution 98-51 and Health and Safety Code sections 43013 and 43018, that Title 13, California Code of Regulations, sections 2430 through 2439, and the incorporated "California Exhaust Emission Standards and Test

Procedures for New 2001 and Later Off-Road Large Spark-Ignition Engines” are adopted, and sections 2411 through 2414, and the incorporated “California Exhaust Emission Standards and Test Procedures for 1995 and Later Off-Highway Recreational Vehicles and Engines” are amended, as set forth in Attachment 1 hereto.

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

Michael P. Kenny
Executive Officer

Attachment