

APPENDIX A

PROPOSED REGULATION ORDER

- I. Amend the following section of Title 13, California Code of Regulations, to read as set forth in the following pages:

Section 1956.8	Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Year Heavy-Duty Engines and Vehicles
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- II. Adopt the following article and section within Chapter 2 of Division 3 of Title 13, California Code of Regulations, to read as set forth in the following pages:

Article 1.5	Enforcement of Vehicle Emission Standards and Surveillance Testing for 2005 and Subsequent Model Year Heavy-Duty Engines and Vehicles
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Section 2065	Applicability of Chapter 2 to 2005 and Subsequent Model Year Heavy-Duty Engines and Vehicles
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- Notes:
- a) The regulatory language does not include any amendments that have not been finalized (i.e., Transit Bus Rule amendments and the proposed medium-duty low emission vehicle (LEV) and heavy-duty otto-cycle (gasoline) engine amendments). Where these changes would appear is indicated by "[No change in this rulemaking.]"
 - b) The proposed regulatory amendments are shown in underline to indicate additions to the text and ~~strikeout~~ to indicate deletions.

Amend Title 13, California Code of Regulations, section 1956.8, to read:

1956.8. Exhaust Emission Standards and Test Procedures - 1985 and Subsequent Model Heavy-Duty Engines and Vehicles.

- (a)(1) [No Change]
- (2), (3) [No Change]
- (4) [No change in this rulemaking.]
- (b) The test procedures for determining compliance with standards applicable to 1985 and subsequent heavy-duty diesel engines and vehicles and the requirements for participation in the averaging, banking and trading programs, are set forth in the "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles" adopted April 8, 1985, as last amended ~~April 15, 1999~~ [insert date of finalized amendment], which is incorporated herein by reference.
- (c) [No change in this rulemaking.]
- (d) [No change in this rulemaking.]
- (e) [No change in this rulemaking.]
- (f) [No Change]
- (g) [No change in this rulemaking.]
- (h) The exhaust emissions from new 1992 and subsequent model-year engines used in incomplete medium-duty low-emission vehicles, ultra-low-emission vehicles, and super-ultra-low-emission vehicles, and for diesel engines used in medium-duty low-emission vehicles, ultra-low-emission vehicles and super-ultra-low-emission vehicles shall not exceed:

**Exhaust Emission Standards for Engines Used in Incomplete
Otto-Cycle Medium-Duty Low-Emission Vehicles, Ultra-Low-Emission Vehicles,
 and Super Ultra-Low-Emission Vehicles, and for Diesel Engines Used in
 Medium-Duty Low-Emission Vehicles, Ultra-Low-Emission Vehicles, and
 Super Ultra-Low-Emission Vehicles^{A,F}
 (grams per brake horsepower-hour)**

Model Year	Vehicle Emissions Category ^B	Carbon Monoxide	Non-Methane Hydrocarbons and Oxides of Nitrogen ^C	Formaldehyde	Particulates ^D
1992 ^E - 2001	LEV	14.4	3.5 ^K	0.050	0.10 ^K
2002-2003 ^E	LEV	14.4	3.0 ^K	0.050	0.10 ^K
1992-2003 ^{E,HG}	ULEV	14.4	2.5 ^K	0.050	0.10 ^K
2004 and subsequent	ULEV - Opt A.	14.4	2.5 ^{G,I,J,K}	0.050	0.10 ^{J,K}
2004 and subsequent	ULEV - Opt. B	14.4	2.4 ^{G,I,J,K}	0.050	0.10 ^{J,K}
1992 and subsequent	SULEV	7.2	2.0 ^K	0.025	0.05 ^K

^A This set of standards is optional. Manufacturers of engines used in incomplete medium-duty vehicles or diesel engines used in medium-duty vehicles from 8501-14,000 pounds gross vehicle weight rating may choose to comply with these standards as an alternative to the primary emission standards and test procedures specified in section 1960.1, Title 13, California Code of Regulations. Manufacturers that choose to comply with these optional heavy-duty standards and test procedures shall specify, in the application for certification, an in-use compliance test procedure, as provided in section 2139(c), Title 13, California Code of Regulations.

^B "LEV" means low-emission vehicle.

"ULEV" means ultra-low-emission vehicle.

"SULEV" means super ultra-low-emission vehicle.

^C This standard is the sum of the individual non-methane hydrocarbon emissions and oxides of nitrogen emissions. For methanol-fueled engines, non-methane hydrocarbons shall mean organic material hydrocarbon equivalent ("OMHCE").

^D This standard shall only apply to diesel engines and vehicles.

- E Manufacturers may certify engines used in incomplete medium-duty vehicles or diesel engines used in medium-duty vehicles to these standards to meet the requirements of section ~~1965.8(g)~~ 1956.8(g), Title 13, California Code of Regulations.
- F In-use compliance testing shall be limited to vehicles or engines with fewer than 90,000 miles.
- G ~~[The U.S. EPA is considering the adoption of amendments to the federal emission standards for engines used in incomplete medium-duty vehicles or diesel engines used in medium-duty vehicles as they existed June 24, 1996. If the U.S. EPA promulgates amendments to the emission standards for this category, the ARB will hold a noticed public hearing within one year of such promulgation to consider the adoption of similar or identical standards in California.]~~ [Reserved]
- H For engines certified to the 3.5 grams per brake horsepower-hour (g/bhp-hr) LEV standards, the in-use compliance standard shall be 3.7 g/bhp-hr for the first two model years of introduction. For engines certified to the 2002 and 2003 model year LEV standards, the in-use compliance standard shall be 3.2 g/bhp-hr. For engines certified to the 1992 through 2003 model year ULEV standards, the in-use compliance standard shall be 2.7 g/bhp-hr for the first two model years of introduction. For engines certified to the 1992 and subsequent SULEV standards, the in-use compliance standard shall be 2.2 g/bhp-hr for the first two model years of introduction.
- I Manufacturers have the option of certifying to either option A or B. Manufacturers electing to certify to Option A must demonstrate that the NMHC emissions do not exceed 0.5 g/bhp-hr.
- J Emissions averaging may be used to meet these standards for diesel engines, using the requirements for participation in averaging, banking and trading programs, as set forth in the "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles", ~~adopted April 8, 1985, as last amended April 15, 1999~~, incorporated by reference in paragraph (b), above.
- K Engines of 1998 and subsequent model years may be eligible to generate averaging, banking and trading credits based on these standards according to the requirements of the averaging, banking and trading programs described in "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles", ~~adopted April 8, 1985, as last amended April 15, 1999~~, incorporated by reference in paragraph (b), above.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, ~~43103~~, 43104 and 43806, Health and Safety Code; and Section 28114, Vehicle Code. Reference: Sections 39002, 39003, 43000, 43013, 43018, 43100, 43101, 43101.5, 43102, ~~43103~~, 43104, 43106, 43204 and 43806, Health and Safety Code.

Adopt article 1.5 and section 2065, within chapter 2, division 3, title 13, California Code of Regulations, to read:

Article 1.5. Enforcement of Vehicle Emission Standards and Surveillance Testing for 2005 and Subsequent Model Year Heavy-Duty Engines and Vehicles

2065. Applicability of Chapter 2 to 2005 and Subsequent Model Year Heavy-Duty Engines and Vehicles

The requirements of chapter 2, division 3, title 13, California Code of Regulations apply to 2005 and subsequent model year heavy-duty engines and vehicles except as specifically modified by the provisions of the "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles" adopted April 8, 1985, as last amended [insert date of finalized amendment], which are incorporated herein by reference.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43101, 43104, 43105, 43210, and 43806, Health and Safety Code. Reference: Sections 39002, 39003, 39500, 43000, 43012, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43106, 43202, 43203, 43204, 43210-43213, and 43806, Health and Safety Code; and Section 28114, Vehicle Code.