

State of California
AIR RESOURCES BOARD

Executive Order 98-001

WHEREAS, on July 24, 1997, the Air Resources Board (the "Board" or "ARB") conducted a hearing to consider regulatory amendments adopting new certification tests and standards to control emissions from aggressive driving and air-conditioner usage for passenger cars, light-duty trucks, and medium-duty vehicles under 8,501 pounds gross vehicle weight rating;

WHEREAS, following the public hearing on July 24, 1997, the Board adopted Resolution 97-34, in which the Board approved the regulatory amendments set forth in Attachments A, B, and C thereto, with the modifications identified in Attachment D thereto;

WHEREAS, Attachment A to Resolution 97-34 contained amendments to sections 1960.1 and 2101, title 13, California Code of Regulations; Attachment B to Resolution 97-34 contained amendments to the "California Exhaust Emission Standards and Test Procedures for 1988 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles" (the "Light- and Medium-Duty Vehicle Test Procedures"), incorporated by reference in section 1960.1(k) of title 13, California Code of Regulations; and Attachment C to Resolution 97-34 contained amendments to the "California New Vehicle Compliance Test Procedure," incorporated by reference in section 2101 of title 13, California Code of Regulations;

WHEREAS, Resolution 97-34 directed the Executive Officer to incorporate into the approved amendments the modifications described in Attachment D thereto, 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 in light of supplemental written comments received;

WHEREAS, after the Board's adoption of Resolution 97-34, the Executive Officer determined that an additional conforming modification to a separate test procedure, the "California Assembly-Line Test Procedures for 1998 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles" (the "Assembly-Line Test Procedures"), and to section 2062, title 13, California Code of Regulations, which incorporates the Assembly-Line Test Procedures by reference, was necessary to provide explicitly that demonstration of compliance with the Supplemental Federal Test Procedure standards is exempt from quality audit testing;

WHEREAS, the Board-approved modifications to the originally proposed texts, along with the additional conforming modification to the Assembly-Line Test Procedures and to section 2062, title 13, California Code of Regulations, were made available for a supplemental 15-day comment period, in accordance with the provisions of Title 1, California Code of Regulations, section 44, with the modifications clearly indicated;

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WHEREAS, no written comments were received during the supplemental 15-day comment period;

WHEREAS, Attachment 1 hereto contains the text of the amendments to sections 1960.1(k), 2062 and 2101, title 13, California Code of Regulations, with the modifications made available for the 15-day supplemental comment period; Attachment 2 contains the modified text of the amendments to the Light- and Medium-Duty Vehicle Test Procedures, Attachment 3 contains the modified text of the amendments to the "California New Vehicle Compliance Test Procedure"; and Attachment 4 contains the proposed amendments to the Assembly-Line Test Procedures as made available for the 15-day comment period; and

WHEREAS, the regulatory amendments adopted herein will not result in a significant adverse environmental impact.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 97-34 are incorporated herein.

IT IS FURTHER ORDERED, in accordance with Resolution 97-34 and Health and Safety Code sections 39515 and 39516, that the amendments to sections 1960.1(k), 2062 and 2101, title 13, California Code of Regulations, are hereby adopted as set forth in Attachment 1 hereto; the amendments to the Light- and Medium-Duty Vehicle Test Procedures are adopted as set forth in Attachment 2 hereto; the amendments to the California New Vehicle Compliance Test Procedure are adopted as set forth in Attachment 3 hereto; and the amendments to the Assembly-Line Test Procedures are adopted as set forth in Attachment 4 hereto.

Executed this _____ day of March, 1998, at Sacramento, California.

Michael P. Kenny
Executive Officer

Attachments