



December 5, 2012

**SUBMITTED ELECTRONICALLY**

Clerk of the Board  
Air Resources Board  
1001 I Street  
Sacramento, California 95814

**Subject: GHG “Deemed to Comply” Regulatory Changes – 15-Day Notice Comments**

To Whom It May Concern:

I am writing on behalf of the Alliance of Automobile Manufacturers (Alliance), a trade association of 12 car and light-truck manufacturers representing over 75 percent of the new vehicle market. The Alliance appreciates the opportunity to provide additional comments on this important rulemaking. In a letter dated November 14, 2012, which we incorporate by reference here, we provided extensive comments on the “Deemed to Comply” Initial Statement of Reasons (ISOR). This letter provides several additional comments on the changes contained in the ARB Advanced Clean Car 15-Day Notice issued November 15, 2012.

1. **§1961(a)(1) and §1961.2(a)(1) Certifying LEV II vehicles to combined NMOG+NOx:** The amendments to the Low Emission Vehicle program (LEV III) adopted on March 22, 2012 provided manufacturers the option to certify 2015 through 2019 model year LEV II vehicles to combined NMOG+NOx standards. However, the 15-Day Notice requires that manufacturers certify those vehicles on a 150,000 miles durability basis. Recertifying a vehicle requires substantial resources. We understand that it is not the intent of ARB Staff to require additional testing of LEV II vehicles. Instead, Staff intends to allow manufacturers to extrapolate 120,000 mile certification data to 150,000 miles for compliance purposes. We understand that this type of extrapolation may be allowed under current regulations.

***We request ARB Staff confirm our understanding in a Manufacturers Advisory Correspondence (MAC) or using other appropriate mechanisms as soon as practical and provide additional details on its use.***

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BMW Group • Chrysler Group LLC • Ford Motor Company • General Motors Company • Jaguar Land Rover  
Mazda • Mercedes-Benz USA • Mitsubishi Motors • Porsche • Toyota • Volkswagen • Volvo

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2. **§1961.2(a)(1) Certifying PZEV vehicles to combined NMOG+NOx**: With respect to the section copied here:

NOx exhaust emission standards in subsections 1961(a)(1) and 1961(a)(4). 2015 – 2019 model-year LEV II SULEV vehicles that receive a partial ZEV allowance in accordance with the “California Exhaust Emission Standards and Test Procedures for 2009 through 2017 Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes” and 2015 – 2016 model year vehicles that are allowed to certify to LEV II SULEV standards using “carryover” of emission test data under the provisions in subsection (b)(2) may be certified to the 150,000 mile NMOG+NOx emission standards for SULEV30, SULEV170, or SULEV230, as applicable, in this subsection (a)(1) and the corresponding NMOG+NOx numerical values in subsection (a)(4), in lieu of the separate NMOG and NOx exhaust emission standards in subsection 1961(a)(1) and the corresponding NMOG numerical values in subsection 1961(a)(4). LEV II SULEV vehicles that do not either (1) receive a partial ZEV allowance or (2) certify to LEV II

For the section highlighted in yellow, 2018 and 2019MY vehicles cannot certify to the referenced emission standards. We understand that the intent of this section (as applicable to PZEVs) was to allow 2017MY vehicles certified to the PZEV standard to certify to the 150,000 mile SULEV30 NMOG+NOx exhaust standard using “carryover” of emissions test data for the 2018 and 2019MYs, since PZEVs and AT PZEVs are no longer required beginning in 2018MY.

***Again, we request ARB clarify this in a MAC or with a regulatory change during the next LEV III update. Further, we would request that ARB clarify this in the final statement of reasons, response to comments.***

3. **§1961(b)(1)(A)1, PZEV Anti-Backsliding**: ARB staff included, and the Alliance supported, this provision in the original Advanced Clean Car (ACC) regulations. The intent of this provision is to ensure manufacturers do not offer fewer SULEV30s and SULEV20s in the initial years of LEV III regulations (particularly 2018-2020) than they made in the 2015-2017MYs. However, at some point, this provision becomes unnecessary since the entire fleet must meet SULEV emission levels on average. We understand that each manufacturer will reach that point at a different time. However, ARB should feel confident that no manufacturer can possibly make fewer SULEVs in the 2025MY than it made in the 2015-2017MY.

***Since this reporting and tracking adds a regulatory burden for both manufacturers and ARB, but is clearly not necessary after 2024 MY, we recommend eliminating this provision beginning with the 2025MY. The change below would accomplish this:***

1. *PZEV Anti-Backsliding Requirement.* In the 2018 ~~and subsequent~~ through 2024 model years, a manufacturer must produce and deliver for sale in California a minimum percentage of its passenger car and light-duty truck fleet that certifies to SULEV30 and SULEV20 standards. This minimum percentage must be equal to the average percentage of PZEVs produced and deliver for sale in California for that manufacturer for the 2015 through 2017 model year. A manufacturer may calculate this average percentage using the projected sales for these model years in lieu of actual sales. The percentage of a manufacturer's passenger car and light-duty truck fleet that certifies to SULEV30 and SULEV20 standards averaged across the applicable model year and the two previous model years shall be used to determine compliance with this requirement, beginning with the 2020 model year through the 2024 model year.

We appreciate your consideration and look forward to working with you as we implement these regulations.

Sincerely,

A handwritten signature in blue ink that reads "Steven P. Douglas". The signature is written in a cursive, flowing style.

Steven Douglas  
Senior Director, Environmental Affairs