State of California

Air Resources Board

BOARD ITEM SUMMARY

ITEM # 20-7-2: Public Hearing to Consider Proposed Procedures for the Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines

STAFF RECOMMENDATION:

Staff recommends that the California Air Resources Board (CARB or Board) approve the Proposed Procedures for Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines, adopting the amendments to Title 13. Division 3, Chapter 4, Article 2, Sections 2222 and 2224, Add-On and Modified Parts and the incorporated procedures.

DISCUSSION:

Add-on and modified parts, commonly referred to as aftermarket parts, are potentially emission-related parts and modifications commonly marketed by manufacturers for emissions compliant light-duty and heavy-duty engines and vehicles to provide users with improved performance, acceleration, towing ability, etc. In order to be advertised, sold, offered for sale, or installed in California, such parts must be "exempted" by CARB from the anti-tampering prohibitions in California Vehicle Code (VC) Section 27156, based on a finding that their use will not reduce the effectiveness of a required motor vehicle pollution control device, or result in emissions from the modified or altered vehicle that exceed standards for that model-year. The "Procedures for Exemption of Add-On and Modified Parts," last amended June 1, 1990, is currently used by CARB staff in the daily processing, review, and approval of submitted exemption applications for aftermarket parts; however, there have been many changes in the design of new vehicles and engines since 1990. Accordingly, staff is proposing new "Procedures for the Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines" to improve the exemption process by better addressing the use of aftermarket parts in modern engine designs and emission control systems. Electronic control module (ECM) upgrades, in-line electronic modules to the ECM, and supercharger and turbocharger kits are all examples of popular add-on and modified parts that have increased in popularity since the procedures were last amended. These parts and others can be complex in design and installation, so specific data and information is needed to efficiently evaluate the overall effects these devices can have on emissions and the performance of the emissions control system.

The objectives of the new proposed procedures are to clarify, streamline, and update the current exemption process for add-on and modified parts, thereby further assisting aftermarket parts manufacturers in successfully completing the process of obtaining an exemption from the prohibitions of VC Section 27156.

The new proposed procedures will provide the aftermarket parts manufacturers with clear requirements for the type of information needed when submitting an application for an exemption from VC Section 27156. The new proposed procedures, like the current procedures, require aftermarket parts manufacturers to demonstrate that the add-on or modified part(s) do not reduce the effectiveness of any required emission control device and do not increase emissions.

CARB staff's proposal was developed through a public process. CARB staff held two public workshops in southern California. Further, over the past 24 months, CARB staff participated in multiple work group meetings with stakeholders.

SUMMARY AND IMPACTS:

The primary objectives of the proposed procedures are to clarify, streamline, and update the current exemption process for add-on and modified parts, thereby assisting aftermarket parts manufacturers in successfully completing the process of obtaining an exemption from the prohibitions of VC Section 27156. In addition, the better organized and more complete applications that would result from use of the new procedures are expected to reduce CARB staff time necessary to review and approve applications, with the goal of providing a pathway for manufacturers to bring products to market faster without impacting program benefits.

The proposed procedures would provide clear requirements for application submission, evaluation and testing criteria, and test vehicle or engine selection and testing. The procedures would also make clear the process and criteria CARB staff will use in reviewing applications. The application process would be streamlined through the use of requirements that are specific to categories of aftermarket parts modifications, ranging from simple changes of existing exemptions to review and approval of new and complex modifications that more fundamentally change how a vehicle or engine performs. The focused nature of the new proposed procedures may increase the total number of applications per manufacturer as the requirements narrow the vehicle and engine coverage per application. However, the more efficient processes for preparation and review of the applications are expected to provide for a significantly faster exemption process overall, providing a pathway for manufacturers to bring products to market more quickly.