State of California

AIR RESOURCES BOARD

Resolution 74-8

February 13, 1974

WHEREAS, Section 39051(c) of the Health and Safety Code authorizes the Air Resources Board to adopt rules, regulations and procedures in accordance with the provisions of the Administrative Procedure Act;

WHEREAS, no regulations have been established for Emission Control System Surveillance at New Motor Vehicle Dealerships;

WHEREAS, Section 39052(m) of the Health and Safety Code authorizes the Air Resources Board to adopt such regulations; and

WHEREAS, a public hearing and other proceedings have been held in accordance with the provisions of the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5);

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board hereby adopts, amends, or repeals regulations in Chapter 3, Title 13 of the California Administrative Code as follows:

Delete Sections 2050 and 2051.

Amend Section 2100(c) to read:

2100(c) "Engine Family" means the basic classification unit of a manufacturer's product line used for the purpose of test fleet selection and determined in accordance with paragraph 85.073-5(a) of Part 85, Title 40, Code of Federal Regulations (40 CFR 85).

Amend Section 2100(e) to read:

2100(e) "Laboratory" means the State Air Resources Board Vehicle Test and Laboratory Facility located at 9528 Telstar Avenue, El Monte, California 91731.

Amend Section 2100(g) to read:

2100(g) "Year" means "model year" for passenger cars and light-duty trucks and "engine model year" for heavy-duty vehicles.

Adopt Section 2100(h) to read:

2100(h) "Passenger car" means any motor vehicle designed primarily for transportation of persons and having a capacity of 12 persons or less.

Adopt Section 2100(i) to read:

2100(i) "Light-duty truck" means any motor vehicle, rated at 6,000 pounds gross vehicle weight or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle or is available with special features enabling off-street or off-highway operation and use.

Adopt Section 2100(j) to read:

2100(j) "Heavy-duty vehicle" means any motor vehicle either designed primarily for transportation of property or is a derivative of such vehicle and rated at more than 6,000 pounds gross vehicle weight or designed primarily for transportation of persons and having a capacity of more than 12 persons.

Adopt Section 2100(k) to read:

2100(k) "Control Limit" means an assembly line exhaust emission standard for steady state inspection tests of an engine family or sub-family and determined in accordance with the California Assembly-Line Test Procedures in effect for that particular model year.

Amend Section 2101 to read:

2101. Purpose. It is the purpose of this article to implement authority granted the Board in Part I, Division 26 of the Health and Safety Code in order to monitor motor vehicles from manufacture through distribution, to and in the hands of consumers, to determine compliance with applicable laws.

Amend Section 2104 to read:

2104. Pursuant to Section 2103, if (a) a majority of the vehicles tested exceeds by 15% one or more individual standards or (b) one vehicle where only three were tested or two vehicles where five were tested each exceeds by 15% all standards for each pollutant, the Executive Officer shall notify the manufacturer and may invoke Section 2109.

Amend Section 2106 to read:

2106. Assembly-Line Inspection Testing. If reports required by an assembly-line test procedure under Article 1 of Subchapter 2 are not in accordance with reporting requirements or if surveillance under Article 2 or Article 3 of Subchapter 2 indicates that assembly-line inspection testing is being improperly performed, the Executive Officer may ask the manufacturer (1) to meet with him or his staff to discuss the matter, and (2) take any corrective action which the manufacturer and the Executive Officer may agree upon. If the manufacturer fails to cooperate with the Executive Officer or his staff, or if the manufacturer fails to take the corrective action agreed upon, the Executive Officer may invoke Section 2109.

Adopt Section 2150(c) to read:

2150(c). The State Air Resources Board shall also conduct inspection and surveillance of new motor vehicles at dealerships. Functional tests, steady-state inspection tests and engine tune-up specifications checks shall be performed by Board technical personnel in accordance with the applicable assembly-line test procedures in Article 1 of Subchapter 2. Costs such as those enumerated in Section 2153 shall be borne by the manufacturer.