



July 20, 2020

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

Re: Draft Procedures for Exemption of Add-On and Modified Part(s) for On-Road Vehicles/Engines

Dear Sir/Madam:

The National Mobility Equipment Dealers Association (“NMEDA”) welcomes this opportunity to comment on the California Air Resources Board (“CARB”) draft procedures for exemption of add-on and modified parts for on-road vehicles and engines (the “Draft Procedures”).

I. Background

NMEDA is a non-profit trade association dedicated to expanding opportunities for people with disabilities or mobility challenges to safely drive or be transported in vehicles modified with specialty automotive mobility equipment. NMEDA’s membership includes mobility equipment dealers, manufacturers, driver rehabilitation specialists, and other assistive technology and automotive mobility industry professionals. The Association has developed, and currently administers, the only nationally-recognized accreditation for the automotive mobility industry – QAP, NMEDA’s Quality Assurance Program – which promotes and enforces the highest standards for quality, safety, reliability, and professionalism within the automotive mobility industry.

II. Comments Regarding the Draft Procedures

a. Definitions

For the Draft Procedures to be clear and complete, NMEDA recommends adding the following terms to the “Definitions” section: “Engine Control Unit,” “Exhaust Gas Recirculation,” “Non-Methane Hydrocarbons,” and “Non-Methane Organic Gases.”

b. Category Selection

More than one category may need to be selected when completing an application for submission. NMEDA recommends that CARB amend the first sentence of Section (IV)(A) to state the following: “A manufacturer of an add-on or modified part(s) must choose at least one of the following categories.” Emphasis added.

c. Labeling Requirements

i. Information labels for modified fuel tanks are traditionally placed directly on the fuel tanks. NMEDA recommends that CARB reconsider its directive that information labels only be provided “in an under-hood location.”

ii. NMEDA also recommends clarification and/or additional details regarding “documentation to support compliance with the label durability requirements.” Such documentation is not currently a common practice in the automotive mobility industry.

d. Issuing an Executive Order

NMEDA recommends that CARB emphasize the following portion of Section VIII of the Draft Procedures: “The manufacturer may not: Use the Executive Order as an endorsement or approval by the California Air Resources Board, market the add-on or modified part(s) using any identification other than that shown on the Executive Order, market the add-on or modified part(s) for an application other than those listed on the Executive Order, offer for sale, or advertise any component of an applicable kit as an individual device, and/or advertise as ‘reduces emissions’.” This language deserves prominence. Manufacturers should not be permitted to use an Executive Order for advertising or marketing purposes.

III. Wheelchair Accessible Vehicles (WAVs)

The automotive mobility industry is a unique, specialty industry, representing an extraordinarily small percentage of vehicle sales in California (approximately .0009%, based on the most recent and available data). NMEDA estimates that the total number of WAVs (*i.e.*, motor vehicles built on a minivan chassis and requiring Fuel Tank System Executive Orders) sold into California is approximately 1,800 annually. With more than two million motor vehicles sold into California annually, the automotive mobility industry’s contribution to the state’s emissions is truly de minimis.

It should also be noted that Californians who use WAVs do so not for performance reasons but out of necessity; WAVs are *necessary* for users to maintain their employment, health, dignity, independence, and social integration. Similarly, NMEDA members manufacture WAVs and associated parts not for performance reasons but because accessible transportation options are vitally important to the lives and livelihoods of older adults and individuals with disabilities.

Additionally, considering the ongoing coronavirus pandemic, it is now more important than ever to swiftly address the transportation, economic, and healthcare (both standard and disability-related) needs of Seniors and people with disabilities. Research shows that older adults and individuals with certain underlying medical conditions (both acute health conditions and secondary aspects of a disability such as suppressed immune systems or respiratory concerns) are at increased risk for COVID-19 illness. This is a dangerous reality for individuals with limited mobility using non-personal (*e.g.*, public or paratransit) transportation services that do not reliably allow for social distancing and that cannot guarantee sufficient cleaning and disinfection of frequently touched

surfaces. In addition to increased risk of coronavirus exposure, the aforementioned populations are also experiencing increased psychological distress; barriers to COVID-related medical care (*e.g.*, drive-up testing is not possible for users of public transit or paratransit); the looming threat of rationed medical equipment; and additional difficulties obtaining household items, groceries, prescription medications, and other necessary supplies. In short, the traditional transportation-related obstacles experienced by individuals with mobility challenges have been – and will continue to be – worsened by COVID-19. With effective pandemic responses still being developed and implemented, the facilitation of automotive independence is more urgent than ever. We encourage CARB to seriously consider this opportunity to facilitate automotive independence in order to better enable older and/or disabled Californians to meet their day-to-day needs and responsibilities while also contributing to economic growth, both now and in the future.

NMEDA therefore requests that CARB reconsider its approach to WAVs and exempt the automotive mobility (wheelchair accessible vehicle) industry from the Draft Procedures. WAV sales in California are low enough not to merit emissions scrutiny, and the resources CARB is dedicating to WAV oversight are not commensurate with the incredibly limited environmental impact of this small volume specialty industry. The time and cost associated with the Executive Order process delays and ultimately hinders the delivery of WAVs to a deserving – and, for the foreseeable future, particularly vulnerable – population of end-users.

NMEDA welcomes questions and further dialogue. Thank you for your attention to this comment.

Sincerely,

Amy Schoppman
National Mobility Equipment Dealers Association
Amy.Schoppman@nmeda.org