



March 2, 2022

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

Subject: On-Board Diagnostic (OBD) System Requirements 15-Day Notice Comments

Dear Clerk of the Board,

The Alliance for Automotive Innovation (Auto Innovators)¹ appreciates the opportunity to provide comments on the California Air Resources Board (CARB) 15-Day Notice changes to the On-Board Diagnostic (OBD) regulatory proposals (hereafter, "15-Day Notice").² Auto Innovators represents automakers and automotive suppliers that produce over 95 percent of the new vehicles sold in California. We appreciate CARB Staff's work and recommend the following changes on the 15-Day Notice changes:

1. **§1968.2(i)(2.14) and §1971.1(j)(2.16), Cover Letter**: CARB proposes to add a requirement to include "issues found during production vehicle evaluation [PVE] testing under section (j) from a previous model year" in the cover letter required by these sections. This requires manufacturers to include issues identified during PVE testing in the cover letter. Auto Innovators does not support this change as written as it is overly broad and could result in multiple updates to the cover letter and delay the issue of an Executive Order. However, manufacturers currently do and will continue to report any issues identified in PVE testing, and we do not oppose adding unresolved issues identified in PVE testing that are known at the time the cover letter is submitted. (There seems little reason to report resolved issues.) Instead of the proposed change, we support the change shown below:

¹ Formed in 2020, the Alliance for Automotive Innovation members include vehicle manufacturers (BMW, Ferrari, Ford, GM, Honda, Hyundai, Isuzu, Jaguar Land-Rover, Kia, Maserati, Mazda, Mercedes-Benz, Mitsubishi Motors, Nissan, Porsche, Stellantis, Subaru, Suzuki, Toyota, Volkswagen, and Volvo), original equipment suppliers, technology companies, and other automotive-related companies and trade associations. The Alliance for Automotive Innovation is headquartered in Washington, DC, with offices in Detroit, MI and Sacramento, CA. For more information, visit our website <http://www.autosinnovate.org>.

² ARB, Notice of Public Availability of Modified Text and Availability of Additional Documents and/or Information Proposed Revisions to the On-Board Diagnostic System Requirements and Associated Enforcement Provisions for Passenger Cars, Light-Duty Trucks, Medium-Duty Vehicles and Engines, and Heavy-Duty Engines, Released February 15, 2022

(i)(2.14) A cover letter identifying all concerns and deficiencies applicable to the equivalent previous model year test group, the changes and/or resolution of each concern or deficiency for the current model year test group, and all other known issues that apply to the current model year test group (e.g., concerns or deficiencies of another test group that also apply to this test group, issues found during demonstration testing under section (h), unresolved issues identified found during production vehicle evaluation testing under section (j) from the ~~a~~ previous model year that are known at the time of the current OBD certification application submission).

2. **§1968.2(i)(3.2.3)(C) and §1971.1 (l)(3.4.3)(C), VINs and Alternative Vehicle Identifiers:**

The allowance to use an alternative vehicle identifier in lieu of the VIN allows manufacturers to completely anonymize data to maintain customer privacy, since the customer's VIN (which is personally identifiable information, PII) is not associated with any data shared by the manufacturer. The intent of this entire provision (§1968.2(i)(3.2.3)) was to provide a rich data set. However, paragraph (C) requires manufacturers to maintain VINs and associate the VIN with the data shared. This negates any benefit of the alternative vehicle identifier. We agree that if a problem is identified, manufacturers could obtain and provide data relatively quickly from vehicles where appropriate customer permission has been obtained. We recommend the following change to this paragraph:

(C) The manufacturer shall provide ~~the additional~~ VIN ~~for a specific alternate vehicle identifier data~~ upon request from the Executive Officer.

3. **§1968.2(k)(3) “Produced and Delivered for Sale”:** Section (k)(3) specifies that fines are applied to vehicles “produced for sale in California.” For clarity, we recommend using the standard terminology used for many years in other CARB regulations (e.g., §1962.2, ZEV regulations), “Produced and delivered for sale in California.” We understand this differs from the heavy duty §1971.1 regulations, but those regulations apply to a wide variety of engine and chassis (which contains the OBD system), which may be several steps from the completed vehicle delivery and sale. The overwhelming majority of vehicles covered by §1968.2 are complete vehicles, and this terminology is fully known and understood.

4. **(j)(1.4.2)(E) typo:** This section currently reads:

(j)(1.4.2)(E) Any emission-related fault code (permanent, confirmed, and pending) in accordance with SAE J1979 or SAE J1979-2, whichever is applicable, (including correctly indicating the number of stored fault codes and MIL command status (e.g., Mode/Service \$01, PID \$01, Data A for SAE J1979, Service \$22, PID **\$01** for SAE J1979-2)) and section (g)(4.4) for each diagnostic and emission critical electronic powertrain control unit;

However, in this case, PID \$01 is incorrect, as it refers to the old/current SAE J1979. The correct PID for the referred SAE J1979-2 standard would be PID \$F501. The correct wording of (j)(1.4.2)(E) would therefore be:

*(j)(1.4.2)(E) Any emission-related fault code (permanent, confirmed, and pending) in accordance with SAE J1979 or SAE J1979-2, whichever is applicable, (including correctly indicating the number of stored fault codes and MIL command status (e.g., Mode/Service \$01, PID \$01, Data A for SAE J1979, Service \$22, PID **\$F501** for SAE J1979-2)) and section (g)(4.4) for each diagnostic and emission critical electronic powertrain control unit;*

Again, we appreciate the hard work and cooperation by the OBD staff, and the opportunity to comment on the OBD regulations. If you have any questions or need additional information, please feel free to contact me.

Sincerely



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