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July 20, 2020

Dear Chair Nichols,

The Specialty Equipment Market Association (SEMA) is pleased to comment on the item to be heard by the Board regarding New Procedures for the processing of Aftermarket Performance Product Executive Order (AMP EO) applications.

SEMA represents the \$46B industry that designs, manufacturers, markets and sells specialty aftermarket parts for the automotive enthusiast industry. This industry is predominately comprised of small business owners providing thousands of jobs and generating tax revenue in the state of California. A core portion of this industry develop performance products that interact with the emissions systems on over the road vehicles. Examples of these products include cold air intake systems, supercharger kits, tuning devices, exhaust components and intercoolers. For these products to be legal for sale in California, manufacturers must demonstrate emissions compliance and obtain an EO from the Air Resources Board.

For five decades, SEMA has maintained a close relationship with CARB staff to ensure that our members have a clear and reasonable path to achieving compliance. About six years ago, SEMA formed an Emissions Compliance team, further strengthening this relationship and ensuring that an active communication path with CARB staff would continue to grow.

The current Aftermarket Application Procedures were last updated in 1990, long before the current LEV3 standards were even conceived. During the last 30 years, CARB staff has adapted to the introduction of new emissions technologies and tightening emissions standards, working within the guidance of the current Procedures. This has at times caused frustration and has been further complicated by the growth of the AMP Division with varying interpretations of procedure and worst-case test vehicle selection by different staff members. Additionally, applications are often submitted that are wide in scope, resulting in extended review time by staff. This has an adverse impact on ALL applicants, causing long wait times for completion of the application process. The procedures are due for an update to address these issues.

SEMA supports the goal of the New Procedures and is appreciative of the hard work contributed by Staff to get to this point. SEMA has worked closely with CARB staff on the development and review of the proposed language and is largely satisfied that the Procedures will be beneficial to the stakeholders. However, there are two remaining areas of concern that SEMA would like to bring to the attention of the Board:

Limitation of Application Scope- The Procedures are designed with new application requirements that will reduce the scope of a single application and that describe minimum information requirements for acceptance. This is done to reduce the review time by staff, and theoretically allow for the quicker completion of an application process. At the time that the 1990

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procedures were written, there were essentially only two emissions categories to consider, Tier0 and Tier1. This made it relatively easy to consider AMP applications and review time was not dramatic. In today's LEV3 environment, there are at least a dozen categories, along with multiple categories within the intervening LEV1 and LEV2. In the current (1990) Procedures, there are no limitations to how many vehicle makes, models, weight classes, or emissions standards categories can be included on a single application. The New Procedures are written in such a way as to limit the scope of coverage to a single vehicle make, engine configuration, weight class and emissions standard category. SEMA agrees with most of these limitations but feels that the emissions standard requirement may be too restrictive and will result in a dramatic increase in the number of applications required to cover a single product. SEMA has proposed that the emissions standard limitation be revised to include LEV3 sub-categories together, but Staff has expressed a concern that if the current language is not retained, an abuse of the scope could reoccur and has suggested that an applicant may submit multiple applications in parallel under an umbrella cover letter. This is a workable solution; however, this may not result in a reduction of time required as a staff member will now have multiple applications to review instead of just one. This is also a concern due to the knowledge that eventually fees will be assessed on AMP applications. If the parallel application approach remains the chosen solution, SEMA requests that such treatment of multiple applications be documented. It should also be noted that SEMA intends to propose similar "umbrella" treatment in relation to fees.

Worst Case Test Vehicle Selection- Many applications require product testing prior to the issuing of an EO. This is facilitated by Staff issuing a Test Letter to the applicant that designates a worst-case test vehicle that will represent the vehicle coverage request. It is imperative to our industry that a collaborative CARB/industry procedure be established allowing for advance selection of common worst-case selections for groups of vehicles often included in AMP applications. This will require meetings between CARB Staff and industry on a regular basis, at least annually. This process should result in written confirmation of agreed upon worst-case selections. Staff has agreed to the importance of such collaboration. SEMA requests that this collaborative worst-case test vehicle selection be required by the New Procedures.

The current version of the New Procedures can be amended to address these concerns which would gain the full support of SEMA for the final product. SEMA respectfully requests assurance that these specific concerns are acknowledged and documented. SEMA has revision recommendations prepared and available for discussion.

Thank you for your attention to these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Treydte', is positioned above the printed name and title.

Peter Treydte
Director of Emissions Compliance, SEMA