CALIFORNIA AIR RESOURCES BOARD

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Proposed Heavy-Duty Inspection and Maintenance (HD I/M) Regulation Agenda Item: 21-13-3 Board Hearing: December 9, 2021

SUPPLEMENTAL COMMENTS OF THE TRUCK AND ENGINE MANUFACTURERS ASSOCIATION

December 9, 2021

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Supplemental Comments on Appendix B Proposed California Standards for Heavy-Duty Remote On-Board Diagnostic Devices

The Truck and Engine Manufacturers Association ("EMA") offers the following additional comments on Appendix B of the California Air Resources Board's ("CARB") Proposed Heavy-Duty Inspection and Maintenance Regulation ("the Proposal").

- <u>Subsection E.2.1.4.3.</u>: "The ROBD device shall confirm OBD compliance (i.e., at least one of the vehicle's onboard ECUs supports CARB's, U.S. EPA's (title 40, CFR, section 86.010-18), or equivalent OBD requirements) after successful completion of the address claim process and receiving DM5 support response(s) from one or more onboard ECUs." Subsection E.2.1.4.3 requires receipt of OBD compliance for SAE J1939 devices following the address claim process. However, as written, proposed subsections 2.5 and 2.6 would both require up to three retries. Is it truly Staff's intent that an SAE J1939 device would need to try up to six times?
- <u>Subsection E.2.5.</u>: "In the case of failed initialization (i.e., vehicle not responding to the ROBD device within the required duration), the ROBD device shall repeat the initialization sequence, up to three times."

Subsection E does not address or define VIN failure outcomes. If communication is established by receiving the value for OBD compliance, the next logical step after (or before) checking for supported data would likely be gathering the VIN for the data header, followed by the odometer reading.

- <u>Subsection E.4.1.1, Table 1:</u> Vehicle Miles (chassis odometer readings) are not required until model year 2024, and thus not guaranteed until then. What should be provided when the odometer value is not provided by the vehicle? For HD engines, the engine hour meter would be more reliable data for the header.
- <u>Subsection E.5.4.2.</u>: "*The encrypted collected OBD data shall be retained for at least seven days following a successful submission to the electronic reporting system.*" The requirement to provide unspecified encryption of the data, when it seems that there is no personal identifiable information (PII) contained in the data to be sent (which, as previously noted, would evoke requirements on protecting PII). It is not clear what level of encryption is really expected. The description of collected data as encrypted in subsection E.5.4.2, is not supported by the data integrity clauses in subsection E.4. EMA recommends that the word "encrypted" be deleted in subsection E.5.4.2. However, if

CARB requires data to be encrypted when stored for transmission, it should be defined in subsection E.4. Without discernible PII in the data, encryption is an overspecification.

We appreciate the opportunity to submit these additional comments, and we urge CARB to incorporate that and EMA's previous comments before issuing a Final Regulation Order. As previously noted, we welcome the opportunity to discuss all comments with CARB Staff.

Respectfully Submitted, TRUCK AND ENGINE MANUFACTURERS ASSOCIATION