



# California Motorcycle Dealers Association

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**1971 to 2024 — Fifty-Three Years of Service to California's Motorcycle & Motorsports**

January 12, 2024

Honorable Liane M. Randolph  
Chair, California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Submitted Electronically and by USPS

## Re: Amendments to On-Road Motorcycle Emission Standards and Test Procedures and Adoption of New On-Board Diagnostics and Zero-Emission Motorcycle Requirements

Dear Chair Randolph:

The California Motorcycle Dealers Association (CMDA) is a non-profit trade association for California's motorcycle, motorsport and powersport dealers. In 2024, we are celebrating our 53rd year of representing the business interests of the motorcycle dealers of California, who look to us to promote their economic well being, growth and development. The CMDA is also a charter member of the California Motorcyclist Safety Program Advisory Committee.

The long-awaited (7 years in the making) final *On-Road Motorcycle (ONMC) Rulemaking* has been scheduled for California Air Resources Board (CARB) action on January 25, 2024.

This is to respond to the Air Resources Board Staff Report that recommends to the Board to approve mandating extremely low on-road motorcycle emission standards and the establishment of a formal program that will require that 50% of motorcycles sold in California will have to be Zero Emission Motorcycles (ZEMs) by 2035.

The CMDA has followed this process since its inception, and up until the latest round of negotiations with Staff and only the OEMs starting in 2020, it was a valued stakeholder.

We will review the provisions of both the proposed ONMC engine emission standards and the ZEM proposed rule. The CMDA is making this formal response to the two elements of the rulemaking opposing both measures unless drastically amended to protect the interests of our members, the motorcycle dealers of California.

Why the opposition? It starts with the simple proposition that the miniscule emission savings by sanctioning motorcycles does not justify a likely large drop off in the sales of new motorcycles!

### On-Road Internal Combustion Engine Motorcycle Emission Reductions

With public workshops beginning in 2018, CARB Staff began laying out their vision of where motorcycle engine emission limits should go since 1998, the last time that on-road motorcycle engine emission limits were established. Provisions include:

- Development for the Exhaust Standards and Test Procedures
- Evaporative Standards and Procedures
- On-Board Diagnostics (OBD)
- Zero Emissions Motorcycles (ZEM)

This will be accomplished by harmonizing with the existing Euro 5 standards and by granting OEMs ZEM credits by achieving goals before and/or within the mandated timeframes, starting in model year 2028.

They also expect to achieve additional emissions reductions when feasible, through savings in future evaporative, OBD, durability, and ZEM, advances.

The image entitled, "Euro 5 as Basis for Future CARB Exhaust Standards" graphically demonstrates the reductions in the various "pollutants" that the new regulation is supposed to achieve.

The following amounts are the decrease from the present engine emission standard, established in 1998, to the proposed Euro 5 standard that is currently mandated in the countries of the European Union and adopted by a number of other countries around the world.

Hydrocarbons (HC) and nitrogen oxides (NOx) go from the current CARB standards of 0.8g/km



HC+NOx to the 0.01 HC and 0.06 NOx g/km Euro 5 standard — *a whopping 80% decrease!*

Carbon Monoxide (CO) will be *reduced 92%* from 12 g/km to 1 g/km.

(NMHC) Nonmethane Hydrocarbons (a new mandate), the sum of all hydrocarbon air pollutants, except methane, is set at 0.068 g/km, where none is currently regulated by CARB.

Other serious elements of the new regulation include the use of the World Motorcycle Test Cycle (WMTC) instead of the current Federal Test Procedure (FTP) which is used to test and certify engine emissions, because the WMTC is supposed to more accurately represent real world typical driving conditions.

However, due to the design of the driving cycles, the amount of emissions produced by the WMTC generally translate into higher emissions rates compared to the FTP. On-Board Diagnostics will be required on post 2027 models, with all that entails, since few, if any, motorcycles come with OBD, currently.

Beginning in 2028, the proposal will also require that manufacturers meet a new evaporative standard and test procedure.

Evaporative emissions occur when a motorcycle is standing or garaged, and CARB estimates that those emissions are similar in extra emission amounts to cleaner on-road motorcycles!

**Zero-Emission Motorcycle Mandates**

In 2020, California Governor Newsom issued an Executive Order that set a goal that 100 percent of all new passenger cars and trucks, among other categories, sold in California, would be zero-emission by 2035.

Although motorcycles were not specifically included in that mandate, the California Air Resources Board staff feels that because they believed that motorcycles contributed a disproportionate amount of reactive organic gas on a per-unit basis, they thought that it would be theoretically feasible and worthwhile to gradually increase zero-emission motorcycle (ZEM) sales, which currently are miniscule compared to internal combustion engine (ICE) equipped new motorcycle sales in California.

So, as a compromise, the Proposal allows for continuing sales of ICE motorcycles, but yet forces the annual sales of an increasing percent of ZEM models, starting in 2028, a short five years away.

Motorcycle manufacturers can also take advantage of a complicated compliance program that rewards OEMs that sell more ZEMs than the program calls for, and slower selling manufacturers can buy the extra credits to offset their below required sales targets.

**ZEM Sales Percent Requirements After 2027 —**

Model Year	ZEM Sales Mandate
2028	10%
2029	15%
2030	20%
2031	25%
2032	31%
2033	37%
2034	43%
2035 and beyond	50%

From the beginning, our position was, and continues to be, that if ZEMs are offered by manufacturers to a buying public that demands and buys them, so much the better to add an evolving technology two-wheeled mode of transportation to the mix.

However, even with only two major ZEM-only manufacturers (one of which has been selling ZEMs for 17 years, since 2006), CARB estimates ZEM sales in 2022 at a generous 559 units, compared to total on-road motorcycle sales of 43,843, or 1.3% ZEM sales.

Their own sales projections for 2035 are for total sales of 51,964 with ZEMs comprising only 1,428 units, or 2.7% of sales. That's with requiring 50% of new motorcycles be ZEMs!

Using CARB's own sales projections, this appears to be a planned disaster in the making. What are motorcycle dealers going to do with tens of thousands of unsold ZEMs in warehouses that they are going to have to lease just to store these unsaleable units. Who is going to pay for the flooring? Can our members exist on selling just 50% of their current 2024 all ICE unit sales?

Our final point questions the justification for the ZEM mandates. In the CARB table entitled "Total Baseline ROG + NOx," if CARB's inflated totals for ROG + NOx are to be believed, the savings (decrease) in



the tons per day from total (2023) and 2035 is only about 4 tons, if that.

This reduction also includes the decreases in these emissions from the drastic reductions in ONMC ICE reductions discussed elsewhere in this letter.

Compare this miniscule reduction, and the likely sales disaster that it will cause to California's retail motorcycle industry, to the real emission emitters in California —

CARB's own statewide ROG + NO<sub>x</sub> emission totals from all mobile emission sources per day in California is **749 tons**, and from all emission sources (stationary and mobile) of **1,688 tons** per day!

***Areas of concern to the CMDA and its Members:***

**On-Road Motorcycle Emission Standards**

- In the past, the California's motorcycle dealers have experienced loss of motorcycle model lines, when manufacturers determined that it was too expensive to build slower moving models, and they are sold to the other 49 states and the rest of the world that doesn't have such stringent emissions requirements.

- Although motorcycles meeting these standards may be sold in Europe, how do you know that customer acceptance in America will be universal?

- The cost to OEMs and potential loss of models to sell is not justified by saving just 4 tons of ROG, per day, by 2035 when total state emissions are over 1,600 tons per day. Even current motorcycles don't emit enough to justify the expense and likely negatives of this Proposal.

**Zero Emission Motorcycle Mandate**

- Some major motorcycle OEMs are rumored to be leaving the California marketplace because they don't want the expense of building ZEMs.

- CARB's own figures don't support 50% ZEM sales in just 12 years.

- What are California motorcycle dealers going to do if 50% of their potential motorcycle sales in 2035 ends up in storage because customers don't want to buy them? Who is going to pay for the unsold units' flooring?

- Many motorcycle purchasers live in apartments. How are they going to charge their ZEMs? String out an extension cord from their second story window? *It's impractical.*

- If CARB makes a mistake on the desirability and salability of ZEMs, the Program requirements and mandates can be revised. But for the financial exposure of dealers and the manufacturers, it may be a disaster from which our industry may never recover.

Madam Chair, the California Motorcycle Dealers Association respectfully asks you and the other Air Resources Board Members to reject the Proposal and direct Staff to revisit the two Proposal elements and to return with a more reasonable motorcycle emission standard and to make the ZEM program voluntary and advisory, which will ensure that California motorcycle dealers will continue to be able to receive a full, commercially viable, product line of units from their manufacturers, and allow the ZEM market to expand through consumer acceptance, not governmental mandate.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Paliwoda', with a large, stylized flourish at the end.

John Paliwoda, Executive Director of the California Motorcycle Dealers Association