



April 22, 2019

Re: Polaris Industries Inc. - Comments on ARB's March 5, 2019 Rulemaking Document Posting Proposed Amendments to the Red Sticker Program for Off-Highway Recreational Vehicles
Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php> - OHRV 2019

To the California Air Resources Board:

Polaris has been a consistent participant in the red sticker rulemaking proceeding, individually and through our membership in the Motorcycle Industry Council (MIC). We support the MIC's comments and appreciate the interactive nature of the process with ARB staff. We have individually provided written input to ARB staff during the rulemaking, beginning with the preliminary 1 on 1 manufacturer meetings in August 2017, and subsequently in January 2018; April 2018; June 2018; and August 2018. Our public comments on the ARB documents posted on March 5, 2019 are as follows.

Exhaust Emission Limit Reductions for ATV, ORSV, ORUV

The ARB's current proposal to reduce the exhaust emission limits for all-terrain vehicles, off-road sport vehicles and off-road utility vehicles as part of the red sticker rulemaking, without concomitantly addressing the potential need for other longer term OHRV regulation changes identified below, is in our view a missed opportunity. ARB staff had previously communicated its finding through the workshop process that further exhaust emission reductions from OHRV's were not warranted by the emissions inventory considerations. We understood the Staff's explanation that the urgency of the red sticker issues precluded taking on added complexity at the time. However, Polaris is now concerned that the proposed approach, i.e. capitalizing on exhaust emission limit changes from full-size ATV, ORSV and ORUV vehicles not covered by the new Alternative Standards, may inequitably reduce ARB's incentive to address these longer term OHRV regulation issues going forward.

We therefore ask that ARB make the justification for the proposed exhaust emission limit changes clearer in this red sticker rulemaking record so the rationale for the specific limit reductions can be better understood. We do not see the data in "Red Sticker Appendix C: Update to Inventory of Off-Highway Motorcycles & RV2018 Model" explaining the extent to which ARB staff relied on the proposed ORSV and ORUV exhaust emission reductions. Also, the "Appendix B: Red Sticker Economic Assessment Methodology" does not lay out the technology and cost assessments associated with the proposed exhaust emission limit reductions.

At a minimum, the ARB should recognize that the proposed exhaust emission limit reductions significantly consume the compliance margins and exhaust emission fleet averaging capacities reserved by the affected manufacturers. This reflects a hidden cost. Polaris has not had time to make a full evaluation, but there may also be cases where additional technology development will be required to meet the lower exhaust emission limits with sufficient margin. For example - certain vehicles that until



now have been able to comply with open loop emission controls, may in the future require closed loop controls.

Other Aspects of the OHRV Regulation

Polaris has additional comments on sections of the OHRV regulation that would effectively be affirmed without change by the Red Sticker proposal. These are the longer term items referred to above. Polaris has previously provided ARB staff with input on each of these topics, which we trust the Agency will find a way to address. Specifically, we request that ARB commit to the following:

- Review and amend the OHRV definitions in 13 CCR §2411, including the definition of “all-terrain vehicle”
- Review and amend how the OHRV regulations in Chapter 9, Article 3 overlap with the LSI engine regulations in Chapter 9, Article 5.
- Clean-up the TP-933 procedures.

We would welcome a rulemaking evaluation coordinated with other stakeholders and EPA to the extent feasible, of the requirements for certain OHRV categories and related LSI engine sub-categories, and of the definition / applicability provisions affecting how these vehicle types will continue to be covered in the evolving OHRV market.

We appreciate the Board’s attention to our comments, both in this red sticker rulemaking and in the Agency’s future plans.

A handwritten signature in blue ink that reads "Lawrence E. Keller".

Lawrence E. Keller
Director, Product Compliance
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