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December 9, 2009

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

Dear Sir or Madam:

The Association of International Automobile Manufacturers (AIAM)<sup>1</sup> respectfully submits to the California Air Resources Board (CARB) the following comments<sup>2</sup> regarding the 15-day notice (Notice) issued by CARB on November 24, 2009 regarding its Public Hearing to Consider Proposed Amendments to New Passenger Motor Vehicle Greenhouse Gas Emission Standards held on September 24, 2009.

AIAM has three major concerns regarding the Notice.

1. Subsection 1961.1 (a)(1)(A)1.a. states that

For the 2009 and 2010 model years, a manufacturer that selects compliance option 2 must notify the Executive Officer of that selection, in writing, within 30 days of the effective date of the amendments to this section (a)(1)(A)1 or must comply with Option 1.

[And]

Subsection (a)(1)(A)1.b. states that

For the 2011 and later model years, a manufacturer that selects compliance Option 2 must notify the Executive Officer of that selection, in writing, prior to the start of the applicable model year or must comply with Option 1.

Since the 2011 model year officially begins on January 2, 2010, and it is unlikely that these amendments will be effective before that date, AIAM recommends that the 2011 model year be moved to subsection a. along with 2009 and 2010, and that subsection b. be revised to apply to 2012 and later model years.

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<sup>1</sup> AIAM represents 13 international motor vehicle manufacturers that account for over 50 percent of all light duty motor vehicles sold in California. AIAM member companies include Aston Martin, Ferrari, Honda, Hyundai, Kia, Maserati, Mitsubishi, Nissan, Peugeot, Subaru, Suzuki, and Toyota. AIAM also represents original equipment suppliers and other automotive-related trade associations. See [www.aiam.org](http://www.aiam.org) for details.

<sup>2</sup> In its earlier comments on this rulemaking AIAM commented on several aspects of the proposed amendments that are not addressed by CARB in this 15-day Notice. These issues are of great concern to AIAM and its members and we hope to see these matters addressed by CARB during the rulemaking on the pending further amendments for the 2012-2016 model years or otherwise in the near future.

2. Subsection 1961.1 (a)(1)(A)1.d. states that

A manufacturer that selects compliance Option 2 must provide to the Executive Officer separate values for the number of vehicles produced and delivered for sale in the District of Columbia and for each individual state within the average.

In AIAM's earlier comments on this rulemaking, we noted that the State of Pennsylvania opted into the California LEV II program but expressly stated its intent not to enforce the fleetwide greenhouse gas emissions standards in Pennsylvania. While it is unnecessary to amend this section to specifically list each Section 177 state, auto manufacturers do need direction from CARB on which states CARB expects to be included in the annual reports. AIAM recommends that CARB address this matter in a subsequent Manufacturer Advisory Circular (MAC), which can be updated from year-to-year, as needed, to reflect which states should be covered by the annual report.

3. In Subsection 1961.1 (a)(1)(B)1.a., the proposed new language for Option B reads:

Option B: For a manufacturer that elects to demonstrate compliance with the greenhouse gas requirements using CAFE data, "GHG vehicle test group" shall mean "subconfiguration" in this subsection 1961(a)(1)(B)1.a.

While AIAM agrees with this change generally, one clarification is needed. While CAFE data is usually available at the subconfiguration level (especially for higher sales volume subconfigurations), CAFE data is not always available for lower sales volume subconfigurations. Therefore, the regulation should provide for these cases by adding the following language to the end of this provision:

"... except where CAFE subconfiguration data do not exist manufacturers may substitute available CAFE configuration data."

Please feel free to contact John Cabaniss of my staff at (703) 247-2107 if you have any questions on these comments.

Sincerely,



Michael J. Stanton  
President & CEO

