

January 20, 2009

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To whom it may concern,

I am writing on behalf of Ewert Energy Systems, Inc. based in Carol Stream, IL. While we are not located in California, we take great interest in CARB regulations, as many other states either look to CARB for guidance or to adopt CARB regulations. We are glad that CARB is taking up the issue of regulating emissions from plug-in hybrid vehicles and imposing regulations to make sure these vehicles are able to meet strict emissions standards and live up to real world conditions. However, we would like to express our concern about the specific implementation of these regulations.

The purpose of most aftermarket PHEV conversion companies is not to convert significant quantities of vehicles to plug-in hybrids, but rather to put vehicles on the road which are demonstrating the possibilities of the technology. By doing so, they put public pressure on OEM auto manufacturers to produce better plug-in hybrids than any aftermarket company could produce. I'm sure that CARB needs no reminder of how difficult it has been to get auto manufacturers to adhere to regulations such as longer emissions warranties or improved fuel economy. Public pressure on auto companies is and will continue to play a large role in getting more energy efficient cars on the road.

While we believe these regulations are good for large auto manufacturers, we are very concerned that they will eliminate the aftermarket PHEV conversion market, and by doing so significantly reduce pressure on OEM auto manufacturers to get efficient PHEVs on the road quickly.

Our concerns for aftermarket conversions are:

1. Warranty requirements. We believe that requiring the warranty to reset for the entire emissions system of a vehicle at the date of the PHEV conversion will serve as a major deterrent to converting a vehicle, both to OEM and aftermarket conversions. We understand that CARB has fought hard to impose long warranties so that consumers will not have to bear the costs of maintaining their vehicle's emissions. We applaud CARB for this, and we believe it is a good thing to do. However, we don't believe these warranty requirements should apply to low volume aftermarket conversions in order to encourage low volume producers. It does not seem reasonable to require the aftermarket converter to take complete responsibility of the warranty for simply upgrading one aspect of the vehicle. Additionally, we believe that requiring OEMs to reset the warranty start date for vehicles less than 6 years old will also deter OEM auto manufacturers from releasing conversions for their own vehicles.

2. OBD-II compliance. We understand the importance of OBD monitors and encourage this requirement as it applies to OEM auto manufactures. However, since many of the monitoring systems are proprietary information of the OEM's, it is impossible for aftermarket converters to prove if they are in compliance with these regulations. Since aftermarket conversions are a method by which automakers are being pressured to develop more efficient vehicles, the OEM auto manufacturers have an interest in controlling or eliminating the aftermarket conversion industry. As such, they will not be willing to release information necessary to prove this. We would ask CARB to make an exception to this regulation for small scale converters and instead suggest other alternatives, such as requiring aftermarket converters to demonstrate, to the best of their knowledge, that they are not impairing the vehicles ability to monitor emissions. Other methods such as requiring additional mandatory emissions tests that wouldn't otherwise be required could also be considered.

Thank you for your consideration,
Chris Ewert