



Sustainability, Environment & Safety Engineering
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**Ford Motor Company Comments on
Notice of Public Hearing to Consider
California Certification Procedures for Light-Duty Engine Packages for
Use in Light-Duty Specially Constructed Vehicles for 2012 and Subsequent Model Years**

Ford Motor Company (Ford) welcomes the opportunity to comment on California's Proposed Specially Constructed Vehicle Regulation. Ford supports the ARB's efforts to provide clean engines to this unique "kit car" market; however, we believe that the regulation needs to be simple and cost effective in order to be successful. Ford is concerned that the proposed regulation, especially the warranty provisions, may increase the cost of this program such that it does not justify the business case to provide these "clean" engines, leaving purchasers to buy uncontrolled engines, and register their vehicles by utilizing California Health and Safety Code, Section 44017.4 (enacted by Senate Bill SB 100).

In particular, Ford is concerned about being responsible for the Performance Warranty, which requires any vehicle under warranty to be fixed so that the vehicle passes Smog Check, when Ford did not install the engine in the vehicle. Ford's production processes have many checks and balances to ensure the quality of our vehicles, so we are comfortable providing Performance Warranty on the vehicles that we produce. However, Ford has no control, except providing written instructions, on an installer of our engine. Yet, these proposed regulations expect Ford to ensure that the vehicle passes Smog Check. We believe that there should be a shared responsibility for the Performance Warranty between the engine manufacturer and the installer / ultimate purchaser. At a minimum, a manufacturer must be able to deny warranty for

improper installation. Ford requests that the regulation be revised to add improper installation as a reason to deny warranty; for example, in Sections 2214(h)(2)(A), 2214(i), 2215(d)(1).

Ford opposes the ARB's proposal for the start of the warranty period. The warranty period should begin when the engine is sold, not up to two years later. If a consumer buys a product, the warranty begins from the date of purchase, even if that consumer does not use or install the product right away. For example, an engine purchaser may store the engine in an environment that impacts the engine and / or emission control system, or may install the engine and use the vehicle off-road, before registering the vehicle for on-road use. The engine manufacturer should not have to extend the warranty for an additional two years. Although the ARB has proposed an alternative 5 years or 50,000 miles warranty from the date of purchase, this exceeds the Health and Safety Code warranty period in Section 43205(a)(2) and (3). Ford requests that the regulation be revised to start the warranty from the date of purchase, rather than up to two years later.

The proposed regulation requires the manufacturer to run an evaporative emissions tests. Ford does not believe evaporative tests run by the manufacturer on a slave vehicle will be representative of the specially constructed vehicle, which calls into question the value of requiring the manufacturer to run evaporative emissions tests. Evaporative testing is very burdensome, including the development of a fuel tank temperature profile, a 2-day diurnal test, and a 3-day diurnal and running loss test. Ford requests that an alternative, based on good engineering judgment and approved by the Executive Officer be accepted, in lieu of testing.

Conclusion

Ford would like to increase the market for these "clean" engines in specially constructed vehicles. However, we are concerned that the proposed regulations, especially the warranty provisions, may prevent a business case to do so.