

Proposed Exemption Regulation for Highway Motorcycle Aftermarket Emission Critical Parts

WORKSHOP #2

August 20, 2008

Overview

- Background
- Modifications to original proposal [*text in yellow italics are changes since 7/23/08 issue date*]
- Conclusion

Background

- First workshop held 4/9/2008
- Industry's comments/concerns with original proposal:
 - Warranty period
 - Too lengthy for older motorcycles
 - Quality audit testing
 - Testing of one part for every 500 sold is burdensome
 - In-use enforcement testing
 - Testing of up to 20% of part applications is burdensome
 - Owner modifications may impact emissions
 - In-use recall
 - Potentially expensive

Background (cont.)

- Information received on motorcycle parts industry practices
 - Much smaller budgets compared to major motorcycle OEMs
 - No organized dealer network
 - Reliance on outside labs for testing
 - Extensive use of distribution channels
 - No direct sales
 - Difficult to track part numbers to VINs
 - High rate of owner modifications

Modifications to Original Proposal

- Warranty and labeling
- Quality-audit/in-use testing
- Warranty reporting/in-use recall
- Other minor revisions

Warranty

- Emission defects part warranty
 - Five years/applicable mileages when new
 - Three years/half applicable mileages when motorcycle is four years or older from original purchase
- Installation warranty
 - *Two years/12,000 kilometers*
- Recordkeeping requirement
 - Manufacturer warranty cards (min. 50% returns)
 - Installer/retailer must track part sales

Labeling

- Exemption labeling
 - Direct embossment/stamping on part (all catalyst exhausts)
 - 2mm min block text
 - Label or plate for small parts

Quality Audit/In-Use Testing

- Fewer tests (five per year max.)
- Testing done by ARB
 - Free if vehicle passes emissions
 - Manufacturer pays if vehicle fails
 - *Manufacturer may observe testing*
 - *Tested motorcycle will be baseline tested in its OEM-certified configuration*
- In-use enforcement testing removed from proposal.

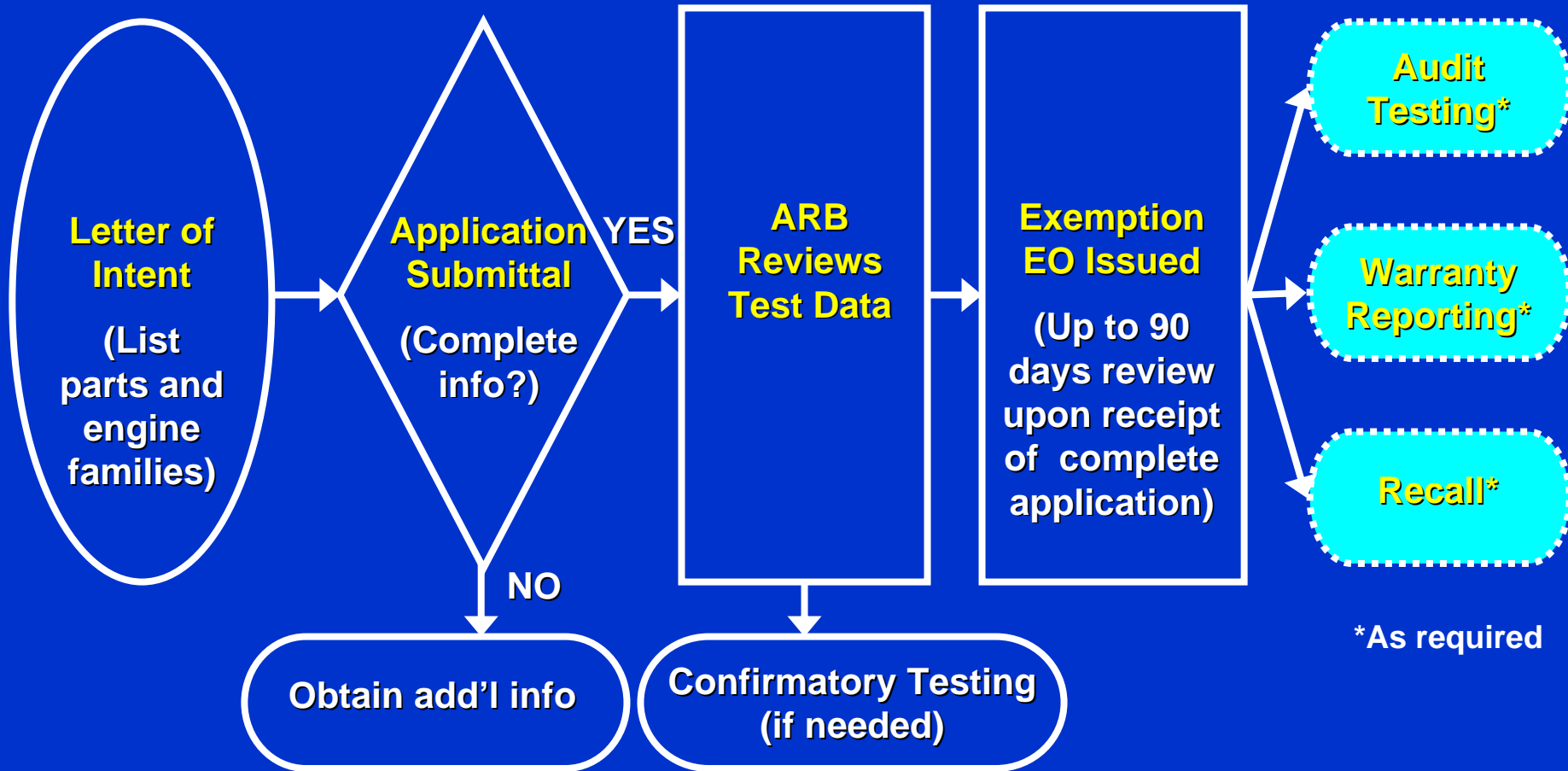
Warranty Reporting/In-Use Recall

- Recall based on defects reporting
 - *Reporting modified to be similar to motorcycle OEM 2010 MY requirements; semi-annual*
 - *No reporting until unscreened claims reach 4% or 10 vehicles, whichever is greater, then semi-annually*
 - *Supplemental reporting when 10% unscreened or 20 vehicles, whichever is greater, is reached; recall action triggered*
 - *No recall if manufacturer can show screened claims fall below 4% or 10 vehicles, whichever is greater*
- Recall provision clarifications
 - *“Repair” is replaced with “corrective action”*
 - *Other language to account for ultimate purchasers performing installation of replacement part*

Other Minor Revisions

- Tamper resistance method description
- Other minor revisions for clarity (definitions, test vehicle selection)

Exemption Process Summary



Conclusion

- Modified proposal addresses many industry concerns
- Comments needed by mid-September
- ARB will continue to work with part manufacturers on proposal
- Timeline:
 - Staff report (45-Day Notice) by end of October 2008
 - Board hearing in December 2008

Contact Information

- ARB Website:

www.arb.ca.gov/msprog/aftermkt/motorcycle1/motorcycle1.htm

- Mailing Lists:

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