REQUEST FOR EARLY EFFECTIVE DATE

Pursuant to Government Code section 11343.4, the Air Resources Board (ARB) requests an early effective date for the enclosed amendments to the utility and lawn and garden emission regulations, Title 13, California Code of Regulations, sections 2400-2407 and the incorporated "California Exhaust Emission Standards and Test Procedures for 1995 and Later Utility and Lawn and Garden Equipment Engines," adopted on March 20, 1992 and last amended on April 8, 1993 (Test Procedures). The ARB requests that the proposed amendments be effective upon filing with the Secretary of State. Good cause for this request exists.

The amendments were approved for adoption, with modifications, on July 28, 1994 by the ARB, pursuant to Part 5 of the Health and Safety Code. The amendments provide manufacturers with greater flexibility in certifying engines under the utility and lawn and garden regulations. The amendments clarify existing requirements and responsibilities of affected manufacturers, make the regulations more consistent with the recently promulgated U.S. Environmental Protection Agency (U.S. EPA) test procedures and the recommended practices of the Society of Automotive Engineers and International Standards Organizations, and better reflect contemporary utility engine test practices of the affected industries.

These amendments are within the scope of the authorization request that California has submitted to the U.S. EPA. The California request is presently pending, and the U.S. EPA is expected to grant California's request shortly. The California regulations become enforceable upon the granting of the authorization, and the ARB and industry would benefit if manufacturers can take advantage of the improved flexibility and consistency that these amendments provide. An early effective date should positively impact manufacturers and should allow California consumers to have a wider range of products available during the first several months after implementation of the regulations. An early effective date should not have any adverse consequences for either the regulated community or the general public.

The ARB will notify all affected manufacturers of the effective date of the amendments as soon as it is known.

Date: 6/8/95

Michael L. Terris
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