REQUEST FOR EARLY EFFECTIVE DATE

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO NEW PASSENGER MOTOR VEHICLE GREENHOUSE GAS EMISSION STANDARDS

Pursuant to Government Code section 11343.4(c), the Air Resources Board (ARB) requests that the amendment of sections 1961 and 1961.1, title 13, California Code of Regulations, become effective upon filing with the Secretary of State. Good cause for this request exists.

The subject amendments provide passenger vehicle manufacturers with an additional compliance option beginning with the 2009 model year. That model year has now ended and manufacturers should now be preparing end-of-year reports to demonstrate compliance with the 2009 model year fleet-average greenhouse gas standards. An early effective date will provide certainty to the manufacturers in preparing those reports; they will be able to rely on and apply the subject amendments both to more efficiently provide test data and to average their fleet emissions over sales in California and the states that have adopted California's standards under Section 177 of the federal Clean Air Act.

An early effective date should cause no adverse impact because affected manufacturers and their trade associations, and other stakeholders, commented in support of these amendments as part of a broader series of commitments with the federal government toward regulating passenger vehicle greenhouse gas emissions. Conversely, without an early effective date affected manufacturers would be delayed the certainty needed to more promptly finalize their reports, and the ARB commitment to revise its regulations through these amendments would be needlessly delayed.

Date: February 22, 2010

/S/

David Aron Livingston
Senior Staff Counsel