

## TITLE 13. CALIFORNIA AIR RESOURCES BOARD

### 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

The Air Resources Board (ARB or Board) will conduct a public hearing at the time and place noted below to consider the adoption of a regulation and related certification procedures for new engines for use in light-duty specially constructed vehicles.

DATE: November 17, 2011

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency  
Air Resources Board  
Byron Sher Auditorium  
1001 I Street  
Sacramento, California 95814

This item may be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., Thursday, November 17, 2011, and may continue at 8:30 a.m., on Friday, November 18, 2011. This item may not be considered until Friday, November 18, 2011. Please consult the agenda for the hearing, which will be available at least 10 days before Thursday, November 17, 2011, to determine the day on which this item will be considered.

#### **INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT** **OVERVIEW**

**Sections Affected:** Proposed adoption of California Code of Regulations, title 13, sections 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, and 2218, which incorporate by reference "California Certification Procedures for Light-Duty Engine Packages for Use in Light-Duty Specially Constructed Vehicles for 2012 and Subsequent Model Years."

The following documents are also incorporated by reference:

- "California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles" (last amended September 27, 2010)
- "California Evaporative Emissions Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles" (last amended December 2, 2009)
- "Procedures for Reporting Failure of Emission-Related Components," (last amended December 3, 2009)

July 8, 1994, clarifies U.S. EPA's policy concerning the regulation of imported and domestically produced kit cars and kit car packages.

U.S. EPA's policy only applies to kits or assembled kit cars. It provides that the engine of a kit car must be used or used and rebuilt, in order for U.S. EPA to consider an assembled kit car or complete kit car package to be a rebuilt vehicle of a previously certified configuration that is covered by the certificate of conformity that U.S. EPA issued for that certified configuration.

However, U.S. EPA does not have a mechanism for preventing kit cars not in compliance with their policy from being registered and driven. Hence, kit cars not complying with U.S. EPA's policy are regularly registered in California and other states.

### **AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS**

ARB staff has prepared a staff report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: "Proposed Regulation and Certification Procedures For Light-Duty Engine Packages For Use In Light-Duty Specially Constructed Vehicles For 2012 and Subsequent Model Years."

Copies of the ISOR and the full text of the proposed regulatory language may be accessed on ARB's website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990, on Wednesday, September 28, 2011. Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on ARB's website listed below.

Inquiries concerning the substance of the proposed regulation may be directed to the designated agency contact persons, Ms. Anna Wong, Air Pollution Specialist, (916) 323-2410, or Ms. Kimberly Heroy-Rogalski, Manager, (916) 327-2200.

Further, the agency representative and designated back-up contact persons, to whom non-substantive inquiries concerning the proposed administrative action may be directed are Ms. Lori Andreoni, Manager, Board Administration and Regulatory Coordination Unit, (916) 322-4011, or Ms. Amy Whiting, Regulations Coordinator, (916) 322-6533. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on ARB's website for this rulemaking at [www.arb.ca.gov/regact/2011/spcn11/spcn11.htm](http://www.arb.ca.gov/regact/2011/spcn11/spcn11.htm)

through staff's proposed procedure would need to report the number of engines sold each year in California. Additionally, shops that install these certified engine packages into SPCNSs would be required to report to ARB the number of certified engine packages installed in SPCNSs each year.

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

### **SUBMITTAL OF COMMENTS**

Interested members of the public may also present comments orally or in writing at the meeting, and comments may be submitted by postal mail or by electronic submittal before the meeting. The public comment period for this regulatory action will begin on Monday, October 3, 2011. To be considered by the Board, written comments, not physically submitted at the meeting, must be submitted on or after Monday, October 3, 2011 and received no later than 12:00 noon on Wednesday, November 16, 2011, and must be addressed to the following:

Postal mail: Clerk of the Board, Air Resources Board  
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

#### **\*New Feature\***

**You can now sign up online in advance to speak at the Board meeting** when you submit an electronic board item comment. For more information go to: <http://www.arb.ca.gov/board/online-signup.htm>.

Please note that under the California Public Records Act (Gov. Code, § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request. Additionally, this information may become available via Google, Yahoo, and any other search engines.

ARB requests that written and email statements on this item be filed at least 10 days prior to the hearing so that ARB staff and Board members have additional time to consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

- Un intérprete que esté disponible en la audiencia.
- Documentos disponibles en un formato alternativo (por decir, sistema Braille, o en impresión grande) u otro idioma.
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

CALIFORNIA AIR RESOURCES BOARD



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James N. Goldstene  
Executive Officer

Date: September 20, 2011

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at [www.arb.ca.gov](http://www.arb.ca.gov)*