State of California
AIR RESOURCES BOARD

Executive Order R-15-002

Relating to Rulemaking to Consider Amendments to the LEV III Criteria Pollutant Requirements for Light- and Medium-Duty Vehicles, the Hybrid Electric Vehicle Test Procedures, and the Heavy-Duty Otto-Cycle and Heavy-Duty Diesel Test Procedures

WHEREAS, on October 23, 2014, the Air Resources Board (ARB or Board) conducted a public hearing to consider the proposed Amendments to the LEV III Criteria Pollutant Requirements for Light- and Medium-Duty Vehicles, the Hybrid Electric Vehicle Test Procedures, and the Heavy-Duty Otto-Cycle and Heavy-Duty Diesel Test Procedures, as set forth in Appendices A through J to the Initial State of Reasons released to the public on September 2, 2014;

WHEREAS, the environmental analysis prepared under ARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)) in the Staff Report concluded that the amendments will not result in any significant adverse impacts on the environment;

WHEREAS, following the public hearing, the Board adopted Resolution 14-34 in which the Board approved for adoption the proposed amendments to sections 1900, 1956.8, 1961.2, 1962.2, 1965, 1976, and 1978, Title13 California Code of Regulations, and the proposed amendments to (and adoption of) the documents incorporated by those regulations, as set forth in Attachments A through K of that resolution;

WHEREAS, Resolution 14-34, directed the Executive Officer to make the modified regulatory language in Attachment K to that resolution and any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public review period and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications or present the regulation to the Board for further consideration if warranted;

WHEREAS, modified regulatory language and supporting documentation were circulated for three 15-day public comment periods, with the changes to the originally proposed text clearly indicated, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from December 23, 2014 through January 12, 2015 for the first 15-day public comment period, from June 9, 2015 through June 24, 2015 for the second 15-day comment period, and from August 6, 2015 through August 21, 2015 for the third 15-day comment period;

WHEREAS, a number of written comments were received during the initial 45-day comment period and supplemental 15-day comment periods, and those comments were considered by the Executive Officer; and

WHEREAS, based on substantial evidence in the record there is no possibility the modifications to the regulation made available for 15-day public comment periods after the Board hearing could affect the conclusion of the environmental analysis included in the Staff Report, so no additional environmental analysis was required and no additional comments raising significant environmental issues were received.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 14-34 are incorporated herein.

IT IS FURTHER ORDERED that sections 1900, 1956.8, 1961.2, 1962.2, 1965, 1976, and 1978,, Title 13 California Code of Regulations, which incorporate by reference the following documents, are adopted as set forth in Attachments 1 through 9 to this Order:

- "California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," as last amended December 6, 2012;
- "California Non-Methane Organic Gas Test Procedures," as last amended December 6, 2012;
- "California Evaporative Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles," as last amended December 6, 2012;
- "California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles," as last amended March 22, 2012;
- "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines," as last amended October 21, 2014;
- "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles," as last amended October 21, 2014;
- "California Exhaust Emission Standards and Test Procedures for 2018 and Subsequent Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes," as last amended May 30, 2014;
- "California Environmental Performance Label Specifications for 2009 and Subsequent Model Year Passenger Cars, Light-Duty Trucks, and Medium-Duty Passenger Vehicles," as last amended March 22, 2012; and
- new "California Non-Methane Organic Gas Test Procedures for 2017 and Subsequent Model Year Vehicles," incorporated by reference in title 13, CCR, section 1961.2.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 2nd day of September, 2015 at Sacramento, California.

Richard W. Corey
Executive Officer

Attachments

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