# State of California
# Office of Administrative Law

**In re:**
**Air Resources Board**

**Regulatory Action:**

**Title 13, California Code of Regulations**

**Adopt sections:**
**Amend sections: 1962.1, 1962.2**
**Repeal sections:**

**NOTICE OF APPROVAL OF REGULATORY ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2015-0904-01**

**OAL Matter Type: Regular (S)**

---

This rulemaking action amends sections in Title 13 of the California Code of Regulations concerning zero emission vehicle compliance requirements for Intermediate Volume Manufacturers (IVMs) that are working to bring advanced technology vehicles to the market. The action provides additional compliance flexibility by modifying the definition of IVM to add a global revenue test and by providing IVMs with: a pathway to pool compliance obligations in Section 177 states, additional production lead time, and additional credit deficit recovery time. The action also clarifies the fast refueling definition to address an unintended consequence of the existing definition.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 1/1/2016.

Date: October 12, 2015

Dale P. Mentink
Senior Attorney

For: DEBRA M. CORNEZ
Director

Original: Richard W. Corey
Copy: Trini Balcazar

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

# NOTICE PUBLICATION/REGULATIONS SUBMISSION

**REGULAR**

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

| OAL FILE NUMBERS | NOTICE FILE NUMBER | REGULATORY ACTION NUMBER | EMERGENCY NUMBER |
|---|---|---|---|
| | Z-2014-0819-07 | 2015-0904-01S | |

For use by Office of Administrative Law (OAL) only

2015 SEP -4 A 11:16

OFFICE OF ADMINISTRATIVE LAW

ENDORSED - FILED
in the office of the Secretary of State
of the State of California
OCT 12 2015
1:59 PM

NOTICE | REGULATIONS

**AGENCY WITH RULEMAKING AUTHORITY**
AIR RESOURCES BOARD

AGENCY FILE NUMBER (If any)

## A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

| 1. SUBJECT OF NOTICE | TITLE(S) | FIRST SECTION AFFECTED | 2. REQUESTED PUBLICATION DATE |
|---|---|---|---|
| Zero Emission Vehicle Regulation 2014 | 13 | 1962.1 | September 5, 2014 |

| 3. NOTICE TYPE | 4. AGENCY CONTACT PERSON | TELEPHONE NUMBER | FAX NUMBER (Optional) |
|---|---|---|---|
| [X] Notice re Proposed Regulatory Action [ ] Other | Amy Whiting | (916) 322-6533 | (916) 322-3928 |

| OAL USE ONLY | ACTION ON PROPOSED NOTICE | NOTICE REGISTER NUMBER | PUBLICATION DATE |
|---|---|---|---|
| | [ ] Approved as Submitted [ ] Approved as Modified [ ] Disapproved/ Withdrawn | 2014, 362 | 9/5/2014 |

## B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

| 1a. SUBJECT OF REGULATION(S) | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) |
|---|---|
| Zero Emission Vehicle Regulation 2014 | |

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) **(Including title 26, if toxics related)**

| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) | |
|---|---|
| | ADOPT |
| | AMEND: 1962.1, 1962.2 and Incorporated Documents |
| TITLE(S): 13 | REPEAL |

3. TYPE OF FILING

- [X] Regular Rulemaking (Gov. Code §11346)
- [ ] Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
- [ ] Emergency (Gov. Code, §11346.1(b))
- [ ] Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
- [ ] Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
- [ ] Emergency Readopt (Gov. Code, §11346.1(h))
- [ ] File & Print
- [ ] Other (Specify) _____
- [ ] Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
- [ ] Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
April 20, 2015 - May 5, 2015, June 9, 2015 - June 24, 2015, August 17, 2015 - September 1, 2015

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

- [X] Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
- [ ] Effective on filing with Secretary of State
- [ ] §100 Changes Without Regulatory Effect
- [ ] Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

- [X] Department of Finance (Form STD. 399) (SAM §6660)
- [ ] Fair Political Practices Commission
- [ ] State Fire Marshal
- [ ] Other (Specify) _____

| 7. CONTACT PERSON | TELEPHONE NUMBER | FAX NUMBER (Optional) | E-MAIL ADDRESS (Optional) |
|---|---|---|---|
| Trini Balcazar, Regulations Coordinator | (916) 445-9564 | (916) 322-3928 | trinidad.balcazar@arb.ca.gov |

8. **I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

| SIGNATURE OF AGENCY HEAD OR DESIGNEE | DATE |
|---|---|
| | 9/2/2015 |

TYPED NAME AND TITLE OF SIGNATORY
Richard W. Corey, Executive Officer

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED
OCT 12 2015
Office of Administrative Law