State of California
AIR RESOURCES BOARD

**Executive Order R-15-003**

*Relating to Rulemaking to Consider Amendments to the* California Zero Emission Vehicle Regulation

WHEREAS, on October 23, 2014, the Air Resources Board (ARB or Board) conducted a public hearing to consider the proposed Amendments to the California Zero Emission Vehicle (ZEV) regulation, sections 1962.1 and 1962.2, "California Exhaust Emission Standards and Test Procedures for 2009 through 2017 Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck, and Medium-Duty Vehicle Classes", and "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 set forth in Appendices A through C to the Initial Statement 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, the Board considered the proposed amendments on October 23, 2014 and directed staff to return with modifications that result in greater flexibility for IVMs while still maintaining stringency of the regulation;

WHEREAS, on May 21, 2015, following a second public hearing, the Board adopted Resolution 15-7 which directed the Executive Officer to make modified regulatory language ensuring clarity and resolving the limited textual errors identified in the Errata document released on October 14, 2014, along with any additional conforming modifications as 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 April 20, 2015 through May 5, 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 17, 2015 through September 1, 2015 for the third 15-day comment period;

WHEREAS, on May 21, 2015, following the second public hearing, the Board adopted Resolution 15-7 in which the Board approved for adoption the proposed amendments to sections 1962.1, and 1962.2, 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 E of that resolution;

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 15-7 are incorporated herein.

IT IS FURTHER ORDERED that sections 1962.1 and 1962.2, Title 13 California Code of Regulations, which incorporate by reference the following documents, are adopted as set forth in Attachments 1 through 3 to this Order:

- "California Exhaust Emission Standards and Test Procedures for 2009 through 2017 Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck, and Medium-Duty Vehicle Classes", as adopted December 17, 2008, as last amended May 30, 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 adopted March 22, 2012, as last amended May 30, 2014".

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 3rd day of September, 2015 at Sacramento, California.

Richard W. Corey
Executive Officer

Attachments