

# Appendix A1

## PROPOSED REGULATION ORDER

Amend sections 2440 and 2442 title 13, California Code of Regulations to read as follows:

[Note: The proposed amendments subject to comment in this rulemaking are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions to the California Code of Regulations. Subsections for which no changes are proposed in this rulemaking are indicated with “\* \* \* \*”.]

### § 2440. Applicability.

\* \* \* \*

- (d) For 2018 and subsequent model years, the requirements set forth in Article 4, Chapter 15, Division 3, Title 13, California Code of Regulations shall take precedent and supersede the evaporative requirements in this Article.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code. Reference: Sections 43013, 43017, 43018, 43101, 43102, 43104, 43105, 43150-43154, 43205.5, and 43210-43212, Health and Safety Code.

### § 2442. Emission Standards.

\* \* \* \*

- (d) Voluntary Standards. Model Year ~~2009~~ 2015 and later spark-ignition marine engines:
- (1) Engine Manufacturers may voluntarily certify their engines to the full useful life exhaust and evaporative emission standards in Table 3 below.
  - (2) Marine vessels powered by engines certified to the voluntary standards in Table 3 below and equipped with a fully compliant OBD-M system (see § 2444.2) shall display a five-star consumer/environmental emission label (see § 2443.2 and § 2443.3).

**Table 3 - Voluntary Standards**

HC <sup>1</sup> +NO <sub>x</sub> STANDARD <i>[grams per kilowatt-hour]</i>	CO STANDARD <i>[grams per kilowatt-hour]</i>	PERMEATION STANDARDS <i>[grams per square meter per day]</i>		DIURNAL STANDARD <sup>2,5,7</sup> <i>[grams per gallon per day]</i>
		Hose <sup>3,6,7</sup>	Tank <sup>4,5,7</sup>	
2.50	50.0	15.0	1.5	0.4

1. The exhaust standard includes total hydrocarbons
2. Diurnal testing assumes a trailerable boat and requires fuel with 9 pounds per square inch (psi) volatility and a 24 hour fuel temperature cycle of 25.6 to 32.2 °Celsius
3. Fuel line permeation testing requires gasoline fuel with 10% ethanol content and must be performed at a test temperature of 23 ± 2 °Celsius
4. Fuel tank permeation testing requires gasoline fuel with 10% ethanol content and must be performed at a test temperature of 28 ± 2 °Celsius
5. Compliance with these standards is only a requirement for high-performance engines through model year 2017. During this interim period, the engine manufacturer is responsible for ensuring that these standards are met for any vessel in which a five-star certified high-performance engine has been installed
6. Compliance with this standard is a requirement for all sterndrive/inboard marine engines
7. For 2018 and subsequent model years, permeation and diurnal control shall no longer be applicable under this section, but shall instead be satisfied per the provisions of Article 4, Chapter 15, Division 3, Title 13, California Code of Regulations.

(3) Spark-ignition marine engines certified to the voluntary standards are subject to the same in-use compliance and recall requirements as engines certified to the required exhaust and evaporative standards.

\* \* \* \*

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code. Reference: Sections 43013, 43017, 43018, 43101, 43102, 43104, 43105, 43150-43154, 43205.5, and 43210-43212, Health and Safety Code.