

State of California
AIR RESOURCES BOARD

Executive Order R-18-02

Relating to California Greenhouse Gas Emissions Standards for Medium- and Heavy-Duty Engines and Vehicles and Amendments to the Tractor-Trailer GHG Regulation

WHEREAS, on February 8, 2018, the California Air Resources Board (CARB or Board) conducted a public hearing to consider the proposed California Greenhouse Gas Emissions Standards for Medium- and Heavy-Duty Engines and Vehicles (Phase 2) and proposed amendments to the Tractor-Trailer GHG Regulation, as set forth in Appendices A through C to the Initial Statement of Reasons (Staff Report) released to the public on December 19, 2017;

WHEREAS, the environmental analysis prepared under CARB'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 proposal is exempt from CEQA under the general rule or "common sense" exemption (14 CCR 15061(b)(3)) and under the "Class 8" exemption (14 CCR 15308) because it is an action taken by a regulatory agency for the protection of the environment and there is no substantial evidence indicating that the proposal could adversely affect air quality or any other environmental resource area, as described in Chapter V., Environmental Analysis, of the Staff Report;

WHEREAS, following the public hearing, the Board adopted Resolution 18-2 in which the Board approved for adoption amendments to sections 1956.8, 1961.2, 1965, 2036, 2037, 2065, 2112, and 2141, title 13, and sections 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95311, 95662, and 95663, title 17, California Code of Regulations, and incorporated documents as set forth in Attachments A through G to Resolution 18-2:

- California Greenhouse Gas Exhaust Emission Standards and Test Procedures for 2014 and Subsequent Model Heavy-Duty Vehicles;
- California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles;
- California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines and Vehicles;
- 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; and
- California Environmental Performance Label Specifications for 2021 and Subsequent Model Year Medium-Duty Vehicles, Except Medium-Duty Passenger Vehicles;

WHEREAS, Resolution 18-2 directed the Executive Officer to make the modified regulatory language in Attachment G 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 a 15-day public comment period, 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 July 3, 2018 through July 18, 2018;

WHEREAS, during the 15-day comment period, one commenter purported to raise significant environmental issues associated with the proposal;

WHEREAS, staff subsequently prepared written responses, as set forth in Attachment G to Resolution 18-32, to the written comments submitted during the 15-day public comment period that purported to raise significant environmental issues;

WHEREAS, the Executive Officer presented to the Board staff's written responses to the written comments submitted during the 15-day public comment period that purported to raise significant environmental issues for the Board's consideration and approval at a subsequently scheduled public hearing held on September 27, 2018;

WHEREAS, on September 27, 2018, the Board repealed Resolution 18-2, approved the staff's written responses to the comments submitted during the 15-day public comment period that purported to raise significant environmental issues, as set forth in Attachment G to Resolution 18-32, and adopted Resolution 18-32, in which the Board approved for adoption amendments to sections 1956.8, 1961.2, 1965, 2036, 2037, 2065, 2112, and 2141, title 13 and sections 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95311, 95662, and 95663, title 17 California Code of Regulations, and incorporated documents as set forth in Attachments A through F to Resolution 18-32:

- California Greenhouse Gas Exhaust Emission Standards and Test Procedures for 2014 and Subsequent Model Heavy-Duty Vehicles;
- California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles
- California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines and Vehicles
- 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

- California Environmental Performance Label Specifications for 2021 and Subsequent Model Year Medium-Duty Vehicles, Except Medium-Duty Passenger Vehicles

WHEREAS, Resolution 18-32 directed the Executive Officer to determine if additional conforming modifications to the regulation are appropriate, and if the Executive Officer determined no additional modifications are appropriate, to take final action to adopt the regulation, as set forth in Attachment A, and documents incorporated by reference therein, as set forth in Attachments B through F to Resolution 18-32. Resolution 18-32 also specified that if the Executive Officer determines additional conforming modifications are appropriate, to take final action to adopt the regulation after addressing all appropriate modifications, or to present the regulation to the Board for further consideration if warranted;

WHEREAS, a number of written comments were received during the initial 45-day comment period and the supplemental 15-day comment period commencing July 3, 2018 and ending July 18, 2018, and those comments were considered by the Executive Officer;

WHEREAS, I have determined that no additional conforming modifications to the regulation are appropriate;

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 18-32 are incorporated herein.

IT IS FURTHER ORDERED that sections 1956.8, 1961.2, 1965, 2036, 2037, 2065, 2112, and 2141, title 13, and sections 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95311, 95662, and 95663, title 17, California Code of Regulations, which incorporate by reference the following documents:

- California Greenhouse Gas Exhaust Emission Standards and Test Procedures for 2014 and Subsequent Model Heavy-Duty Vehicles
- California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles
- California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines and Vehicles
- 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
- California Environmental Performance Label Specifications for 2021 and Subsequent Model Year Medium-Duty Vehicles, Except Medium-Duty Passenger Vehicles

are adopted as set forth in Attachments A through F to this Executive Order.

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 19th day of December 2018 at Sacramento, California.



Richard W. Corey
Executive Officer

Attachments