

State of California  
AIR RESOURCES BOARD

**EXECUTIVE ORDER G-04-076**

Relating to the Rulemaking for Proposed Amendments to the Regulation for the  
Statewide Portable Equipment Registration Program

WHEREAS, on February 26, 2004, the Air Resources Board (the Board or ARB) conducted a public hearing to consider the Proposed Amendments to the Regulation for the Statewide Portable Equipment Registration Program as set forth in the Initial Statement of Reasons released to the public on January 9, 2004;

WHEREAS, following the public hearing on February 26, 2004, the Board adopted Resolution 04-8, in which the Board approved the proposed amendments of sections 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, and repeal of 2466, title 13, California Code of Regulations (CCR), as set forth in Attachment A thereto, with the modifications described in Attachment B thereto;

WHEREAS, the Board, in Resolution 04-8, directed the Executive Officer to adopt the regulations, after making them available to the public for a period of at least 15 days, provided that the Executive Officer shall consider such written comments regarding the changes in the regulations as originally proposed as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if she determined that this was warranted;

WHEREAS, on May 13, 2004, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing, were made available for public comment for a period of at least 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, five written comments were received during the first 15-day period and have been considered by the Executive Officer; the Executive Officer subsequently determined that additional modifications were appropriate;

WHEREAS, on December 17, 2004 a second 15-day notice was made available in accordance with the provisions of section 44, title 1, CCR, with the modifications clearly indicated; regarding an increase of fees to recover the reasonable costs of inspection. It was determined that the proposed changes would not be made.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 04-8 are incorporated by reference herein.

IT IS FURTHER ORDERED, in accordance with Resolution 04-8, that sections 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, and repeal of 2466, 13, CCR, are adopted as set forth in Attachment 1 hereto.

Executed this 7<sup>th</sup> day of January, 2005, at Sacramento, California.

  
Catherine Witherspoon  
Executive Officer

Attachment

**Rec'd By**  
*Office of the Secretary*

JAN 7 <sup>1</sup>/<sub>2</sub> 2005

*Resources Agency of California*