Air Resources Board

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Linda S. Adams
Secretary for Environmental Protection

Arnold Schwarzenegger
Governor

July 30, 2009 MAILOUT MSO # 2009-04

TO: ALL MANUFACTURERS OF
- PASSENGER CARS
- LIGHT-DUTY TRUCKS
- MOTORCYCLES
- MEDIUM-DUTY VEHICLES AND ENGINES USED IN SUCH VEHICLES
- HEAVY-DUTY VEHICLES AND ENGINES USED IN SUCH VEHICLES
- ALL OTHER INTERESTED PARTIES

SUBJECT: Minor amendments to the Periodic Smoke Inspection Program (PSIP) weight class requirements, which include all heavy-duty diesel-powered vehicles with gross vehicle weight ratings (GVWR) greater than 6,000 pounds which are part of a fleet of two or more vehicles that operate on the streets or highways within the state of California.

This Mailout provides notice of a proposal involving on-road vehicles and engines in customer use and will be presented to the Air Resources Board (ARB or the Board) in November 2009. The presentation will address the need to amend the PSIP regulations (Title 13 California Code of Regulations, Section 2190, et seq.) to properly implement the requirements of AB 1488 (Mendoza, Chapter 739, Statutes of 2007- Smog Check for Diesel Vehicles). The staff is requesting comments on this issue for consideration in preparation for the Board public hearing.

Background

The ARB's PSIP program was signed into law in 1990 (Senate Bill 2330) to control excess smoke emissions and tampering from heavy-duty diesel trucks and buses. The PSIP program requires that owners of California based fleets of two or more diesel vehicles with GVWRs of greater than 6,000 pounds conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. The ARB randomly audits fleets, maintenance and inspection records and tests a representative sample of vehicles. All vehicles that do not pass the test must be repaired and retested. The program is well established since its implementation in July 1998. More information regarding PSIP can be accessed at http://www.arb.ca.gov/enf/hdvip/hdvip.htm or through a request for hard copies to the ARB staff contacts listed at the end of this document.

New Legislation Impacts

Assembly Bill 1488 mandated, beginning January 1, 2010, that diesel passenger cars and trucks, manufactured after the 1997 model year that have a GVWR of less than 14,000 pounds will be included in the California Smog Check Program. Since the current PSIP requires all diesel-powered vehicles of greater than 6,000 pounds GVWR, that are part of a fleet of two or more vehicles be inspected annually and AB 1488 now includes all diesel vehicles under 14,000 pounds in Smog Check, some vehicles will be subject to both programs. This situation may cause confusion to PSIP inspectors and Smog Check technicians, as well as, possible additional expenses to fleet owners and private citizens that own these vehicles. ARB estimates that 540,000 diesel vehicles will be subject to Smog Check; however, the vast majority of these vehicles have never been inspected under any program because they are not part of a fleet (and subject to PSIP).

PSIP Regulation Amendment

ARB staff proposes to amend the current PSIP regulations at the November 2009, Board hearing to exclude 1998 and subsequent model-year vehicles of less than 14,000 pounds GVWR from the PSIP. All 1997 or earlier model year diesel vehicles and those diesel vehicles of 14,000 pounds or more GVWR, that are part of a fleet of two or more vehicles, will continue to be subject to PSIP. It is staff's intention to only amend the weight class specifications of the existing PSIP regulations and no additional regulatory language regarding this issue will be drafted for this hearing.

In order to meet the November Board hearing schedule, the staff report addressing this issue will be published on or before October 2, 2009. Since no (or insignificant) regulatory language changes will be developed for the November Board hearing, staff will not conduct a workshop prior to this hearing. However, written public comments can be submitted to this office on or before August 31, 2009, for ARB's consideration.

Please submit written comments regarding this issue to Ms. Annette Hebert, Chief, Mobile Source Operations Division, Air Resources Board, 9480 Telstar Avenue, Suite 4, El Monte, California 91731. If you have any immediate questions or concerns regarding amendments to the PSIP, please contact Mr. Robert Ianni, Air Resources Engineer at (916) 322-0845 or rianni@arb.ca.gov or Mr. Wayne Sobieralski, Air Resources Engineer at (916) 323-1099 or wsobiera@arb.ca.gov, Heavy Duty Diesel Vehicle Inspection and Maintenance Development Section.

Sincerely,

Annette Hebert, Chief
Mobile Source Operations Division