

**REQUEST FOR AN EARLY EFFECTIVE DATE  
Pursuant To Government Code Section 11343.4(c)**

The Air Resources Board (ARB or Board) formally requests, under Government Code section 11343.4(c), that the Office of Administrative Law (OAL) prescribe an early effective date for the adopted amendments to the California Zero Emission Vehicle Program Regulations (ZEV Regulation), title 13, California Code of Regulations, sections 1962.1, 1962.2 and 1962.3 that were considered by the Board on January 26-27, 2012 and subsequently adopted. Specifically, ARB requests that the regulations be effective on the date of OAL approval. ARB believes that "good cause" exists for OAL to grant ARB's request – i.e., that the amendments become effective with OAL's approval and filing of the regulations with the Secretary of State.

**DEMONSTRATION OF GOOD CAUSE**

In this rulemaking, the Board considered and subsequently adopted amendments to the Zero Emission Vehicle Regulation that require intermediate and large manufacturers to produce an increasing number of zero and near-zero emission vehicles with the goal of commercialization in California by 2025 model year. The amendments increase the requirements in 2018 through 2025 model years, provide considerable flexibility for manufacturers faced with increased requirements, and simplify the overall structure of the ZEV regulation.

Compliance and reporting for the ZEV regulation is ongoing and is required annually on May 1, with an opportunity for a manufacturer's compliance report to be updated by September 1, if necessary. An early effective date would allow manufacturers to comply with amendments made to 2011 model year requirements and rules by September 1, 2012. This would avoid ambiguity and resulting confusion for stakeholders who must meet the reporting and compliance deadlines, and would allow ARB to effectively and expeditiously administer and enforce the amended regulation.

For these reasons, ARB believes good cause exists for OAL to grant ARB's request for an early effective date that coincides with its approval of the amendments and filing of the amendments to the Secretary of State pursuant to Government Code section 11343.4(c).

Date: May 15, 2012

  
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Daniel Whitney  
Staff Counsel