

APPENDIX I

STAFF'S MODIFICATIONS TO THE PROPOSED REGULATION ORDER

Title 13 California Code of Regulations

Staff's Proposed Modifications to the Proposed Regulation Order

**CALIFORNIA REGULATION FOR NEW 1997 AND LATER OFF-HIGHWAY
RECREATIONAL VEHICLES AND ENGINES**

NOTE: This document is printed in a style to indicate changes from the existing provisions. The originally proposed amendments are shown in ~~single-strikeout~~ to indicate deletions and single underline to indicate additions to existing regulatory language. The proposed modifications to the ARB staff's original proposal are shown in ~~double-strikeout~~ to indicate deletions and double underline to indicate additions. The feature “* * * * *” indicates existing language remains unchanged.

Amend section 2111, title 13, California Code of Regulations, to read as follows:

§ 2111. Applicability.

(a) These procedures shall apply to:

(1) California certified 1982 and subsequent model-year passenger cars, light-duty trucks, medium-duty vehicles, heavy-duty vehicles, motorcycles, California-certified 1997 and subsequent model-year off-road motorcycles and all-terrain vehicles, and 2007 and subsequent model-year off-road sport vehicles, off-road utility vehicles, and sand cars, including those federally certified vehicles which are sold in California pursuant to Health and Safety Code 43102,

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018 and 43105, Health and Safety Code.

Reference: Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107, and 43204-43205.5, Health and Safety Code.

Amend section 2112, title 13, California Code of Regulations, to read as follows:

§ 2112. Definitions.

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(l)(12) For 1997 and subsequent model year off-road motorcycles, all-terrain vehicles, and for 2007 and subsequent model year off-road sport vehicles, off-road utility vehicles, and cars, and engines used in such vehicles, a period of use of five years or 10,000 kilometers (6,250 miles), whichever first occurs.

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43104 and 43105, Health and Safety Code.

Reference: Sections 39002, 39003, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43107 and 43204-43205.5, Health and Safety Code.

Amend section 2411, title 13, California Code of Regulations, to read as follows:

§ 2411. Definitions.

(a) The definitions in Section 1900(b), Chapter 1, Division 3, Title 13 of the California Code of Regulations, apply with the following additions:

(1)~~(A)~~ “All-Terrain Vehicle (ATV) Class I” means any motorized off-highway motor vehicle 50 inches (1270 mm) or less in overall width, 50 inches (1270 mm) or less in overall width that has all of the following features and characteristics: designed to travel on four or more low pressure tires, having a single seat designed to be straddled by the operator and or a single seat designed to be straddled by the operator and a seat for no more than one passenger, having handlebars for steering control, and intended for use by a single operator and no passengers. The vehicle is designed to carry not more than 350 pounds (160 kg) payload, excluding the operator, and is powered by an internal combustion engine. Width shall be exclusive of accessories and optional equipment. Width shall be exclusive of accessories and optional equipment. A golf cart, off-road sport vehicle, off-road utility vehicle, or sand car is not, for purposes of this regulation, to be classified as an all-terrain vehicle.

~~(B) “All Terrain Vehicle (ATV) Class II” means any off-highway motor vehicle possessing the same features and characteristics as Class I ATVs, but having straddle seating for one operator and one passenger.~~

~~(C) “All Terrain Vehicle (ATV) Class III” means any off-highway motor vehicle that has all of the following features and characteristics: designed to travel on four or more wheels, having bench or bucket seating for two or more persons, designed for operation over rough terrain, having either a rear payload 350 pounds or more or seating for six or more passengers, having an engine displacement less than or equal to one liter, having a maximum brake power less than or equal to 30 kilowatts, and is capable of speeds over 25 miles per hour.~~

* * * * *

(13) “Off-Highway Recreational Vehicle Engines” or “Engines” are identified as: two-stroke or four-stroke, air-cooled, liquid-cooled, gasoline, diesel, or alternate-fuel powered engines or electric motors that are designed for powering off-road recreational vehicles and engines included in, but not limited to use in, the following: off-road motorcycles, all-terrain vehicles, off-road sport vehicles, off-road utility vehicles, sand cars, and golf carts. All engines and equipment that fall within the scope of the preemption of Section 209(e)(1)(A) of the Federal Clean Air Act, as amended, and as defined by regulation of the Environmental Protection Agency, are specifically not included within this category.

* * * * *

(17) "Off-Road Sport Vehicle" means any off-highway motor vehicle that has all of the following features and characteristics: designed to travel on four wheels, having bench or bucket seating for one or more persons, having a steering wheel for steering control, designed for operation over rough terrain, having a rear payload of less than 350 pounds, having an internal combustion engine with a displacement less than or equal to one liter, and is capable of speeds 25 miles per hour or more. Vehicles otherwise meeting the definition for sand cars but powered by an engine with a displacement less than or equal to one liter are considered off-road sport vehicles.

(18) "Off-Road Utility Vehicle" means any off-highway motor vehicle that has all of the following features and characteristics: designed to travel on four or more wheels, having bench or bucket seating for two or more persons, having a steering wheel for steering control, designed for operation over rough terrain, having an internal combustion engine with a displacement less than or equal to one liter, having a maximum brake power less than or equal to 30 kilowatts, capable of speeds 25 miles per hour or more, and having either 1) a rear payload of 350 pounds or more, or 2) seating for six or more passengers.

(19) "Sand Car" means any off-highway motor vehicle that has all of the following features and characteristics: designed to travel on four wheels, having bench or bucket seating for one or more persons, having a steering wheel for steering control, designed primarily for operation over sand dunes, and is powered by an internal combustion engine with a displacement greater than one liter. Vehicles otherwise meeting the criteria in the previous sentence that are powered by an engine with a displacement less than or equal to one liter are considered off-road sport vehicles.

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, and 43107, Health and Safety Code.

Reference: Sections 43013, 43018, 43101, and 43107, Health and Safety Code.

Amend section 2412, title 13, California Code of Regulations, to read as follows:

§ 2412. Emission Standards and Test Procedures – New Off-Highway Recreational Vehicles and Engines.

(a) This section applies to all off-highway recreational vehicles and engines used in such vehicles produced on or after January 1, 1997.

(b) For purposes of certification in California, manufacturers must comply with the following exhaust and evaporative emissions from new off-highway recreational vehicles and engines that are sold, leased, used, or introduced into commerce in California.

(1) Exhaust emissions must not exceed:

~~Emission Standards~~

(a) Vehicle & Model Year	Hydrocarbon (HC)	Oxides of Nitrogen (NO_x)	Carbon Monoxide (CO)	Particulate Matter⁽⁴⁾
Off Road Motorcycles and All Terrain Vehicles (Class I and Class II) with Engines Greater Than 90 cc⁽³⁾ — 1997 and Later (g/km)⁽⁴⁾	1.2⁽²⁾	—	15.0	—
Off Road motorcycles and All Terrain Vehicles (Class I and Class II) with Engines 90 cc or Less — 1999 and Later (g/km)	1.2⁽²⁾	—	15.0	—
All Terrain Vehicle (Class I and Class II) Option — 1997 and Later	Shall comply with exhaust emission standards equivalent to the off road motorcycle and all terrain vehicle standard using the utility test procedures set forth in CCR, Title 13, section 2403, and the incorporated document “California Exhaust Emission Standards and Test Procedures for 1995 and Later 2004 Small Off Road Engines” which is hereby incorporated by reference herein.⁽⁵⁾			
All Terrain Vehicles (Class III) — 2007 and Later (g/kW-hr)⁽⁶⁾	HC+NO_x		400	—
	12.0			

<p>Golf Carts in Federal Ozone Non-Attainment Areas — 1997 and Later</p>	<p>ZERO</p>	<p>ZERO</p>	<p>ZERO</p>	<p>ZERO</p>
<p>Off Road Motorcycle and All Terrain Vehicle (Class I and Class II) Option: 1997 and Later Vehicles with Engines Greater Than 90 cc, and 1999 and Later Vehicles with Engines 90 cc or Less</p>	<p>Vehicles and engines that do not meet the emissions standards noted above may be certified subject to the use restrictions described in subsection (f) below.</p>			

- ~~1. Applicable to diesel and two-stroke spark ignited engines only.~~
- ~~2. Compliance with the 1.2 grams per kilometer HC standard to be applied as a “corporate average” shall be determined as provided in subsection (d). Each engine family shall have only one applicable standard.~~
- ~~3. Cubic centimeter.~~
- ~~4. Grams per kilometer.~~
- ~~5. Compliance with the equivalent all-terrain vehicle HC standard to be applied as a “corporate average” shall be determined as provided in subsection (d). Each engine family shall have only one applicable standard.~~
- ~~6. Grams per kilowatt hour, as tested using the utility test procedures set forth in CCR, Title 13, section 2403, and the incorporated document “California Exhaust Emission Standards and Test Procedures for 1995-2004 Small Off-Road Engines”.~~

Exhaust Emission Standards Based on
Chassis-Based Testing

<u>Vehicle & Model Year</u>	<u>Hydro- carbon (HC)</u>	<u>Oxides of Nitrogen (NO_x)</u>	<u>Carbon Monoxide (CO)</u>	<u>Particulate Matter⁽⁴⁾</u>
<u>Off-Road Motorcycles and All-Terrain Vehicles with Engines Greater Than 90 cc⁽¹⁾ 1997 and Later (g/km)⁽²⁾</u>	<u>1.2⁽³⁾</u>	<u>==</u>	<u>15.0</u>	<u>==</u>
<u>Off-Road motorcycles and All-Terrain Vehicles with Engines 90 cc or Less 1999 and Later (g/km)</u>	<u>1.2⁽³⁾</u>	<u>==</u>	<u>15.0</u>	<u>==</u>
<u>Off-Road Motorcycle and All-Terrain Vehicle Option: 1997 and Later Vehicles with Engines Greater Than 90 cc, and 1999 and Later Vehicles with Engines 90 cc or Less</u>	<u>Vehicles and engines that do not meet the emissions standards noted above may be certified subject to the use restrictions described in subsection (f) below.</u>			
<u>Off-Road Sport Vehicles and Off-Road Utility Vehicles 2007 and Later (g/km)</u>	<u>1.2⁽³⁾</u>	<u>==</u>	<u>15.0</u>	<u>==</u>
<u>Sand Cars 2007 and Later (g/km)</u>	<u>1.2⁽³⁾</u>	<u>==</u>	<u>15.0</u>	<u>==</u>
<u>Golf Carts in Federal Ozone Non-Attainment Areas 1997 and Later</u>	<u>ZERO</u>	<u>ZERO</u>	<u>ZERO</u>	<u>ZERO</u>

1. Cubic centimeters.
2. Grams per kilometer.
3. Compliance with the 1.2 grams per kilometer HC standard to be applied as a
“corporate average” shall be determined as provided in subsection (d). Each
engine family shall have only one applicable standard.
4. Applicable to diesel and two-stroke spark ignited engines only.

Emission Standards Based on
Optional Engine-Based Testing⁽¹⁾

<u>Vehicle & Model Year</u>	<u>Hydrocarbon plus Oxides of Nitrogen (HC+NO_x)</u>	<u>Carbon Monoxide (CO)</u>	<u>Particulate Matter⁽⁵⁾</u>
<u>All-Terrain Vehicles with engines less than 225 cc⁽²⁾ 1997 and Later (g/kW-hr)⁽³⁾</u>	<u>16.1⁽⁴⁾</u>	<u>400</u>	=
<u>All Terrain Vehicles with engines greater than or equal to 225 cc 1997 and Later (g/kW-hr)</u>	<u>13.4⁽⁴⁾</u>	<u>400</u>	=
<u>Off-Road Sport Vehicles and Off-Road Utility Vehicles 2007 and Later (g/kW-hr)</u>	<u>12.0⁽⁴⁾</u>	<u>400</u>	=
<u>Sand Cars 2007 and Later (g/kW-hr)</u>	<u>13.4⁽⁴⁾</u>	<u>400</u>	=

1. All-Terrain Vehicles, Off-Road Sport Vehicles, Off-Road Utility Vehicles, and Sand Cars may use the utility test procedures set forth in the "California Exhaust Emission Standards and Test Procedures for 1995-2004 Small Off-Road Engines," as incorporated by reference in CCR, title 13, section 2403(d). The test cycle is limited to the 6-mode Test Cycle A only.
2. Cubic centimeters.
3. Grams per kilowatt-hour.
4. Compliance with the optional HC+NO_x standard to be applied as a "corporate average" shall be determined as provided in subsection (d). Each engine family shall have only one applicable standard.
5. Applicable to diesel and two-stroke spark ignited engines only.

(2) Evaporative emissions must not exceed:

Evaporative Emissions

<u>Vehicle & Model Year</u>	<u>Emission Component</u>	<u>Permeation Standard</u>	<u>Test Temperature</u>
Off-Road Motorcycles and All Terrain Vehicles	Fuel Tank Permeation	<u>1.5</u>	<u>28 °C (82 °F)</u>
<u>ALL Off-Highway Recreational Vehicles 2008 and Later</u> <u>g/m²/day⁽¹⁾</u>	Hose Permeation	<u>15.0</u>	<u>23 °C (73 °F)</u>

1. Grams per square meter per day.

(c)(1) The test procedures for determining certification and compliance with the standards for exhaust and evaporative emissions from new ~~off-road motorcycles, all terrain vehicles, and golf carts~~ off-highway recreational vehicles are set forth in "California Exhaust Emission Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles and Engines," adopted November 23, 1994, and last amended October 22, 1999, which are hereby incorporated by reference herein and which in turn incorporate by reference Subparts E and F, of Part 86, and Subparts B, C, and F, and I of Part 1051, Title 40, Code of Federal Regulations. Manufacturers of the following are not required to perform emissions testing, but must file an application of certification and comply with the administrative requirements outlined in the procedures to certify their vehicles for sale in California:

A) Golf carts.

B) Off-road motorcycles and all-terrain vehicles, and engines used in such vehicles, as described in subsection (f) below.

(2) The test procedures for determining certification and compliance with the standards for exhaust emissions from all-terrain vehicle, off-road sport vehicle, off-road utility vehicle, and sand car engines (those engines utilizing the engine-based optional standards noted in (b) above) are set forth in "California Exhaust Emission Standards and Test Procedures for 1995 and Later -2004 Small Off-Road Engines," adopted March 20, 1992, and last amended ~~March 23, 1999~~ July 26, 2004.

(d)(1) For chassis-based testing, ~~Compliance~~ with a standard to be applied as a “corporate average” shall be determined as follows:

$$\frac{\sum_{j=1}^n (PROD)_{jx} (STD)_{jx}}{\sum_{j=1}^n (PROD)_{jx}} = STD_{ca}$$

n = ~~Off road motorcycle and all terrain~~ Off-highway recreational vehicle engine families.

PROD_{jx} = Number of units in engine family j produced for sale in California in model year x.

STD_{jx} = The manufacturer designated HC exhaust emission standard for engine family j in model year x, which shall be determined by the manufacturer subject to the following conditions: (1) no individual engine family exhaust emission standard shall exceed 2.5 g/km, and (2) no engine family designation or engine family exhaust emission standard shall be amended in a model year after the engine family is certified for the model year, and (3) prior to sale or offering for sale in California, each engine family shall be certified in accordance with “California Exhaust Emissions Standards and Test Procedures for 1997 and Later Off-highway Recreational Vehicles and Engines” adopted November 23, 1994, and shall be required to meet the manufacturer’s designated HC exhaust emission standard as a condition of the certification Executive Order. Prior to certification the manufacturer shall also submit estimated production volumes for each engine family to be offered for sale in California.

STD_{ca} = A manufacturer’s corporate average HC exhaust emissions from those California ~~off road motorcycles and all terrain~~ off-highway recreational vehicles subject to the California corporate average HC exhaust emissions standard, as established by an Executive Order certifying the California production for the model year. This order must be obtained prior to the issuance of certification Executive Orders for individual engine families for the model year and shall include but not be limited to the following requirements in subsection (e) below:

(2) For the optional engine-based testing, compliance with a standard to be applied as a “corporate average” shall be determined as follows:

$$\sum_{j=1}^n \frac{(\text{FEL}_j)(\text{Sales}_j)(\text{Power}_j)(\text{Load Factor})(\text{EDP}_j)}{(\text{Sales}_j)(\text{Power}_j)(\text{Load Factor})(\text{EDP}_j)} = \text{STD}_{ca}$$

where

n = the number of small off-road engine families.

FEL = the Family Emission Level for an engine family.

Sales_j = the eligible sales of engine family *j*.

Power_j = the sales-weighted maximum modal power (in kilowatts) of engine family *j*, or an alternative approved by the Executive Officer.

EDP_j = the Emissions Durability Period of engine family *j*.

Load Factor = the Load Factor is 47% (i.e., 0.47).

STD_{ca} = A manufacturer's corporate average HC+NO_x exhaust emissions from those California off-highway recreational vehicles subject to the California corporate average HC+NO_x exhaust emissions standard, as established by an Executive Order certifying the California production for the model year. This order must be obtained prior to the issuance of certification Executive Orders for individual engine families for the model year and shall include but not be limited to the following requirements in subsection (e) below:

(e)(1) During the manufacturer's production year, for each vehicle produced for sale in California, the manufacturer must provide the following information to the Executive Officer within 30 days after the last day in each calendar quarter:

(i)A) vehicle identification numbers and an explanation of the identification code if applicable;

(i)B) model number and engine size of vehicle;

(i)C) the total number of vehicles marketed and produced for sale in California and their applicable designated emissions standards.

(2) The manufacturer's average HC or HC+NO_x exhaust emissions, as applicable, shall meet the corporate average standard at the end of the manufacturer's

production for the model year.

(3) Production and sale of vehicles which result in noncompliance with the California standard for the model year shall cause a manufacturer to be subject to civil penalties, according to applicable provisions of the Health and Safety Code. All excess emissions resulting from non-compliance with the California standard shall be made up in the following model year.

(4) For a period of up to one year following the end of the model year, for each model the manufacturer shall submit California sales and registration data as it becomes available.

~~(e) As an option to the standards set forth in subsection (b) above, exhaust emissions from 1997 and later all terrain vehicle engines must not exceed the equivalent to the off road motorcycle and all terrain vehicle standard using the utility test procedures set forth in "California Exhaust Emission Standards and Test Procedures for 1995 and Later Small Off Road Engines," adopted March 20, 1992, and last amended March 23, 1999, which is hereby incorporated by reference herein.~~

(f) Off-road motorcycles and ATVs, and engines used in such vehicles, that do not meet the emissions standards in subsection (b) above may operate only during certain periods of time at certain off-highway vehicle (OHV) riding areas. Section 2415 of this Article lists these California OHV riding areas and their associated riding seasons for off-highway recreational vehicles that are subject to use restrictions.

(g)(1) On or after January 1, 1997, no new engines greater than 90 cc may be produced for sale to replace off-road motorcycles, all-terrain vehicles and engines used in such vehicles, unless those engines comply with the emission control standards in effect at the time of replacement.

(2) On or after January 1, 1997, manufacturers may not produce for sale in federal ozone nonattainment areas of California new, non-zero emission engines for golf carts.

(3) On or after January 1, 1999, no new engines 90 cc or less may be produced for sale to replace off-road motorcycle and all-terrain vehicle engines, unless those engines comply with the emission control standards in effect at the time of replacement.

(4) On or after January 1, 2007, no new engines may be produced for sale to replace engines in off-road sport vehicles, off-road utility vehicles, or sand cars, unless those engines comply with the emission control standards in effect at the time of replacement.

(h) The Executive Officer may find that any ~~off-road motorcycles, all terrain~~ off-highway recreational vehicles or engines used in such vehicles certified to comply

with California emission standards and test procedures for on-road or other off-road applications are in compliance with these regulations.

(i) No crankcase emissions shall be discharged into the ambient atmosphere from the following vehicles, or from engines used in such vehicles:

(1) 1997 and later off-road motorcycles, all-terrain vehicles, and golf carts;

(2) 2007 and later off-road sport vehicles, off-road utility vehicles, and sand cars.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, and 43107, Health and Safety Code.

Reference: Sections 43013, 43018, 43102, 43104 and 43107, Health and Safety Code.

Amend section 2413, title 13, California Code of Regulations, to read as follows:

§ 2413. Emission Control Labels – New Off-Highway Recreational Vehicles.

(a) Purpose. The Air Resources Board recognizes that certain emissions-critical or emissions-related parts must be properly identified and maintained in order for off-highway recreational vehicles, and engines used in such vehicles, to comply with the applicable emission standards. The purpose of this section is to require ~~off-road motorcycle and ATV~~ off-highway recreational vehicle engine manufacturers to attach a label (or labels) on each production vehicle (or engine) in order to provide vehicle owners and service mechanics with information necessary for the proper maintenance of these vehicles and engines in customer use.

(b) Applicability

(1) All ~~off-road motorcycles, all terrain vehicles~~ off-highway recreational vehicles, and engines used in such vehicles, except those certified according to section 2412(f), produced on or after January 1, 1997, for sale, lease, use or introduction into commerce in California, shall comply with these labeling requirements, of Title 13, California Code of Regulations, Chapter 1, Article 2, Section 1965, and the incorporated “California Motor Vehicle Emission Control and Smog Index Label Specifications,” adopted March 1, 1978, as last amended June 24, 1996 (as corrected September 20, 1996), and which are hereby incorporated by reference herein. ~~Any reference to motorcycles in the incorporated documents this section 2413 applies to off-road motorcycles, all terrain vehicles, and engines used in such vehicles.~~

(2) Any off-road motorcycle, all-terrain vehicle, and engines used in such vehicles, that are exempt from exhaust emission standards pursuant to title 13 of the California Code of Regulations shall also be exempt from the requirements of this section.

(3) The responsibility for compliance with this section rests with the manufacturer who has been granted certification in order to offer these vehicles and engines for sale in California.

(c) Label Content and Location

(1) A tune-up label made of a permanent material shall be welded, riveted or otherwise permanently attached to an area on the ~~off-road motorcycle, all terrain vehicle,~~ off-highway recreational vehicle or engine in such a manner that the label will be readily visible to the average person after the engine installation.

(2) In selecting an acceptable location, the manufacturer shall consider the possibility of accidental damage (e.g., possibility of tools or sharp instruments coming in contact with the label). Each label shall be affixed in such a manner that it cannot be removed without destroying or defacing the label, and shall not be affixed to any part that is likely to be replaced during the vehicle's useful life. ~~Labels shall not be affixed to any part that is likely to be replaced in the useful life of the vehicle.~~

(3) The tune-up label shall be in the English language, and use block letters and numerals, which shall be of a color that contrasts with the background color of the label.

(4) The tune-up label shall contain the following information:

(A) A label heading that shall read: "Vehicle Emission Control Information."

(B) The complete corporate name and trademark of the manufacturer.

(C) Engine family name and engine displacement (in cubic centimeters).

(D) Identification of the Exhaust Emission Control System Abbreviations may be used and shall conform to the nomenclature and abbreviations found in the Society of Automotive Engineers' document J1930, which is incorporated by reference in section 1977, title 13, CCR, entitled "Electrical/Electronic Systems Diagnostic Terms, Definitions, Abbreviations, and Acronyms."

(E) The tune-up specifications and adjustments recommended by the manufacturer, including, if applicable: valve lash, ignition timing, idle air fuel mixture setting procedure and value (e.g., CO, idle speed drop), and high idle speed. These specifications shall indicate the proper transmission position during tune-up and what accessories, if any, should be in operation, and what systems, if any (e.g., vacuum advance, air pump), should be disconnected during the tune-up. Any tune-up specifications or adjustment instructions that appear on labels shall be sufficiently clear and complete so as to preclude the need for a mechanic or vehicle owner to consult other references in order to correctly perform the adjustments. The manufacturer shall include the single statement: "No other adjustments needed," in lieu of any tune-up adjustment instruction, when the manufacturer does not recommend a tune-up specification or an adjustment.

(F) Any specific fuel or engine lubricant requirements (e.g., research octane number, engine lubricant type, etc.).

(G) An unconditional statement of compliance with the appropriate model-year California regulations. For example, “This (specify off-road motorcycle, all-terrain vehicle, off-road sport vehicle, off-road utility vehicle, sand car, or engine, as applicable) conforms to California regulations applicable to (specify applicable model year) model-year new (specify off-road motorcycles, all-terrain vehicles, off-road sport vehicles, off-road utility vehicles, sand cars, or engines, as applicable). The statement shall also include the phrase, “is certified to (specify applicable HC standard in grams per kilometer) HC engine family exhaust emission standard in California” or the phrase “is certified to (specify applicable HC+NO_x standard in grams per kilowatt-hour) HC+NO_x engine family exhaust emission standard in California.”

(H) Statements such as those in (G) shall not appear on labels placed on off-highway recreational vehicles or engines that do not comply with all applicable California regulations.

(5) A manufacturer may elect to use a supplemental label when the original label lacks sufficient space to include all the required information. A supplemental label shall conform to all of the specifications as the original label. The original label shall be indicated as “1 of 2” and the supplemental label shall be indicated as “2 of 2” whenever a supplemental label is utilized.

(6) The provisions of this section shall not prevent a manufacturer from also reciting on the label that such off-highway recreational vehicle or engine conforms to any applicable federal emission standards for new off-road motorcycles, all-terrain vehicles, off-road utility vehicles or engines used in such vehicles, or any other information that such manufacturer deems necessary for, or useful to, the proper operation and satisfactory maintenance of such off-highway vehicles or engines.

(7) As used in this Section 2413(c), readily visible to the average person means that the label shall be readable from a distance of 18 inches (46 centimeters) without any obstructions from vehicle or engine parts (including all manufacturer available optional equipment) except for flexible parts (e.g., vacuum hoses, ignition wires) that can be moved out of the way without disconnection. Alternatively, information required by these specifications to be printed on the label shall be no smaller than 8 point type size (2 millimeters in height) provided that no vehicle or engine parts (including all manufacturer available optional equipment), except for flexible parts, obstruct the label.

(8) The labels and any adhesives used shall be designed to withstand, for the off-highway recreational vehicle’s total expected life, typical off-highway recreational vehicle environmental conditions at the location where a label has been attached. Typical off-highway recreational vehicle environmental conditions include, but are not limited to, exposure to engine fuels, lubricants and coolants (e.g., gasoline, motor oil, brake fluids, ethylene glycol), engine operating temperatures, steam cleaning, and paints or paint solvents. The manufacturer must submit, with its certification application, a statement attesting that its labels comply with this requirement.

(9) The manufacturer must obtain approval from the Executive Officer for all emission control label formats and locations prior to certification. Approval of the specific tune-up specifications and adjustments is not required; however, the format for all such specifications and adjustments, if any, is subject to review. If the Executive Officer finds that the information on the label is vague or subject to misinterpretation, or that the location does not comply with these specifications, the Executive Officer may require that the label or its location be modified accordingly.

(10) Samples of all actual production emission control labels used within an engine family shall be submitted to the Executive Officer of the state Air Resources Board within thirty days after the start of production.

(11) The Executive Officer may approve alternate label locations or may, upon request and when the Executive Officer determines warranted, waive or modify one or more of the label content requirements, provided that the intent of this section is satisfied.

(12) If the Executive Officer finds any ~~off-road motorcycle, all-terrain vehicle,~~ off-highway recreational vehicle or engine manufacturer using emission control labels that are different from those approved or that do not substantially comply with the readability or durability requirements set forth in this section, the Executive Officer may invoke section 2109, title 13, California Code of Regulations.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43105, and 43107, Health and Safety Code.

Reference: Sections 43013, 43018, 43102, 43105, and 43107, Health and Safety Code.

Amend section 2415, title 13, California Code of Regulations, to read as follows:

§ 2415. California Off-Highway Vehicle Areas and Riding Seasons for Off-Highway Recreational Vehicles with Use Restrictions.

(a) The following table lists ~~the~~ public off-highway vehicle (OHV) areas ~~of~~in California that are designated for off-highway recreational vehicle operation, including off-highway motorcycle and ATV operation. Although not every type of off-highway recreational vehicle may be eligible to operate at every OHV area due to restrictions by the designated Public Land Management Agency other than this section, vehicles that meet the emission standards in section 2412(b) are not subject to the riding season restrictions noted below. Model year 2003 and later ~~off-highway off-road~~ motorcycles and ATVs that are certified pursuant to section 2412(f) are permitted to operate in the public areas designated for OHV use noted below, only during the applicable riding seasons noted. ~~Off-highway motorcycles and ATVs that meet the emissions standards in section 2412(b) are not subject to riding season use restrictions.~~ This table contains the following information: Public Land Management entities, OHV riding area names, and the applicable riding seasons. The OHV areas are listed in order of location, from north to south.

Table 1
OHV Areas and Their Riding Seasons for Vehicles with Use Restrictions

OHV Area Managing Entity [†]	OHV Area Name	Riding Season
<i>Department of Parks and Recreation (DPR)</i>		
	Carnegie	Nov 1 - Apr 30
	Clay Pit	Nov 1 - Jun 30
	Hollister Hills	Oct 1 - May 31
	Hungry Valley	Oct 1 - Apr 30
	Ocotillo Wells	Oct 15 - May 15
	Oceano Dunes	Sep 15 - May 15
	Prairie City	Oct 15 - Apr 15
	Mammoth Bar	Oct 1 - May 31

[†]The OHV area managing entities are indicated in *italics*, and the managing entity regions are indicated in regular text.

OHV Area Managing Entity	OHV Area Name	Riding Season
<i>Bureau of Land Management (BLM)</i>		
Bakersfield District Office		
	Clear Creek Management Area	Oct 1 – May 31
	Bishop Resource Area	Year-round
BLM Norcal		
	Fort Sage OHV Area	Year-round
	Samoa Dunes	Year-round
	Black Sands Beach	Year-round
	Chappie-Shasta ORV Area	Oct 1 – May 31
	South Cow Mountain Recreation Area	Year-round
	Knoxville Recreation Area	Year-round
California Desert District Office		
	Olancho Dunes	Year-round
	Spangler Hills	Oct 1 – May 31
	Jawbone Canyon/Dove Springs	Oct 1 – May 31
	Dument Dunes	Nov 1 – Apr 30
	Stoddard Valley	Oct 1 – Apr 30
	Johnson Valley	Oct 1 – Apr 30
	Superstition Mountain	Oct 1 – May 31
	Imperial Sand Dunes (Glamis/Gecke)	Oct 1 – Apr 30

OHV Area Managing Entity	OHV Area Name	Riding Season
<i>Bureau of Land Management (BLM)</i> <i>(continued)</i>		
	Plaster City	Oct 1 - May 31
	Imperial Sand Dunes (Buttercup Valley)	Oct 1 - Apr 30
	Lark Canyon (McCain Valley)	Article II. Dec 1 - Jan 31
	Razor	Oct 1 - Apr 30
	Imperial Sand Dunes (Mammoth Wash)	Oct 1 - Apr 30
	El Mirage/Shadow Mountains	Nov 1 - Mar 15
	Rice Valley Dunes	Year-round
	Parker Strip	Year-round
<i>United States Forest Service (USFS)</i>		
Angeles National Forest		
	Mt. Baldy Ranger District	Dec 1 - Jan 31
	Rowher Flat	Nov 1 - Mar 31
	Tujunga Ranger District	Dec 1 - Jan 31
	Little Rock	Nov 1 - Mar 31
Cleveland National Forest		
	Cerral Canyon	Article III. Dec 1 - Jan 31
	Wildomar	Dec 1 - Feb 28/29 ^a

OHV Area Managing Entity	OHV Area Name	Riding Season
<i>United States Forest Service (USFS)</i> <i>(continued)</i>		
Eldorado National Forest		
	Mace Mill--Rock Creek	Oct 15 - May 31
	Barrett Lake	Year-round
Inyo National Forest		
	Poleta	Year-round
Lake Tahoe Basin Management Unit		
	Kings Beach	Year-round
Los Padres National Forest		
	Alamo Mountain	Oct 15 - Apr 30
	Ballinger Canyon	Nov 1 - Mar 15
	Black Mountain (Poze-LaPanza)	Oct 1 - Apr 30
	Santa Barbara Ranger District	Nov 15 - Mar 15
	Ortega Trail	Nov 15 - Mar 15
Mendocino National Forest		
	Davis Flat	Year-round
	Lake Pillsbury	Year-round
	Elk Mountain Area	Year-round

OHV Area Managing Entity	OHV Area Name	Riding Season
<i>United States Forest Service (USFS)</i> <i>(continued)</i>		
Plumas National Forest		
	Gold Lake	Year-round
	Dixie Mountain	Year-round
	Mosquito Creek/Antelope Lake/Lights Creek/Canyon Dam	Year-round
	Deadman Springs/Snake Lake	Year-round
	Cleghorn Bar/Poker Flat/La Porte	Year-round
	Big Creek/Four Tees/French Creek/Bucks Summit	Year-round
San Bernardino National Forest		
	Lake Arrowhead Area	Nov 1 - Feb 28/29 ^a
	Big Bear Lake Area	Nov 1 - Feb 28/29 ^a
	San Jacinto Area	Nov 1 - Feb 28/29 ^a
	Lytle Creek Area	Nov 1 - Feb 28/29 ^a
Sequoia National Forest		
	Tule River Ranger District	Nov 1 - Apr 30
	Frog Meadow Area	Nov 1 - Apr 30
	Kennedy Meadows	Year-round

OHV Area Managing Entity	OHV Area Name	Riding Season
<i>United States Forest Service (USFS)</i> <i>(continued)</i>		
Shasta-Trinity National Forest		
	Hayfork Area	Year-round
	McCloud Ranger District	Year-round
Sierra National Forest		
	Kings River	Nov 1 - May 31
	Shaver Lake Area	Nov 1 - May 31
	Hites Cove	Nov 1 - May 31
	Miami Creek	Nov 1 - May 31
Six Rivers National Forest		
	Smith Rivers-NRA	Year-round
Stanislaus National Forest		
	Niagara Ridge Area/Herring Creek	Year-round
	Date Flat Area/Moore Creek Area	Oct 1 - May 31
	Deer Creek Area/Hull Creek Area	Oct 1 - May 31
	Corral Hollow/Spicer	Oct 1 - May 31

OHV Area Managing Entity	OHV Area Name	Riding Season
<i>United States Forest Service (USFS)</i> <i>(continued)</i>		
Tahoe National Forest		
	Foresthill OHV Area	Oct 1 – May 31
	Fordyce Jeep Trail	Oct 1 – May 31
	Truckee Ranger District	Year-round
	Prosser Hills Area	Year-round
	Downieville Ranger District	Year-round
<i>Cities, Counties, or other Jurisdictions</i>		
	Frank Raines-Deer Creek OHV Park	Oct 1 – May 31
	La Grange ORV Park	Nov 1 – Mar 31
	Park Moabi	Year-round
	Riverfront Park ORV Area	Year-round
	County of Santa Clara Motorcycle Park	Nov 1 – Apr 30
	Black Butte Lake	Year-round

a. In leap years, February 29 is the last day of February.

<u>Public Land Management Agency</u>	<u>Riding Areas</u>	<u>Riding Seasons</u>	
<u>Ranger District:</u> United States Forest Service		<u>Beginning</u>	<u>End</u>
<u>Field Office:</u> Bureau of Land Management	<u>OHV Area Name</u>		
<u>State Vehicular Recreation Area (SVRA):</u> California State Parks			
<u>Mc Cloud Ranger District</u>	<u>McCloud OHV Area</u>	<u>Year round</u>	
<u>Arcata Field Office</u>	<u>Samoa Dunes</u>	<u>Year round</u>	
<u>Hayfork Ranger District</u>	<u>Hayfork OHV Area</u>	<u>Year round</u>	
<u>Redding Field Office</u>	<u>Chappie-Shasta ORV Area</u>	<u>1-Oct</u>	<u>30-June</u>
<u>Eagle Lake Field Office</u>	<u>Fort Sage OHV Area</u>	<u>Year round</u>	
<u>Mt. Hough Ranger District</u>	<u>Mt. Hough OHV Area</u>	<u>Year round</u>	
<u>Feather River Ranger District</u>	<u>Feather River OHV Area</u>	<u>Year round</u>	
<u>Downieville Ranger District</u>	<u>Downieville OHV Area</u>	<u>Year round</u>	
<u>Beckworth Ranger District</u>	<u>Beckworth OHV Area</u>	<u>Year round</u>	
<u>Army Corps of Engineers</u>	<u>Black Butte Lake</u>	<u>Year round</u>	
<u>Upper Lake Ranger District</u>	<u>Upper Lake OHV Areas</u>	<u>Year round</u>	
<u>Grindstone Ranger District</u>	<u>Grindstone OHV Areas</u>	<u>Year round</u>	
<u>Ukiah Field Office</u>	<u>South Cow Mountain Recreation Area</u>	<u>Year round</u>	
<u>Ukiah Field Office</u>	<u>Knoxville Recreation Area</u>	<u>Year round</u>	
<u>SVRA</u>	<u>Clay Pit</u>	<u>1-Sep</u>	<u>30-Jun</u>
<u>City of Marysville</u>	<u>Eugene Chappie OHV Park</u>	<u>Year round</u>	
<u>SVRA</u>	<u>Mammoth Bar</u>	<u>Year round</u>	
<u>Nevada City Ranger District</u>	<u>Nevada City OHV Areas</u>	<u>Year round</u>	
<u>Truckee Ranger District</u>	<u>Truckee OHV Areas</u>	<u>Year round</u>	
<u>Lake Tahoe Basin Management Unit</u>	<u>Lake Tahoe OHV Area</u>	<u>Year round</u>	
<u>American River Ranger District</u>	<u>American River OHV Areas</u>	<u>Year round</u>	

<u>Georgetown Ranger District</u>	<u>Georgetown OHV Areas</u>	<u>Year round</u>	
<u>Placerville Ranger District</u>	<u>Placerville OHV Areas</u>	<u>Year round</u>	
<u>Amador Ranger District</u>	<u>Amador OHV Areas</u>	<u>Year round</u>	
<u>Pacific Ranger District</u>	<u>Pacific OHV Areas</u>	<u>Year round</u>	
<u>SVRA</u>	<u>Prairie City</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Calaveras Ranger District</u>	<u>Calaveras OHV Areas</u>	<u>Year round</u>	
<u>Summit Ranger District</u>	<u>Summit OHV Areas</u>	<u>Year round</u>	
<u>Mi-Wuk Ranger District</u>	<u>Mi-Wuk OHV Areas</u>	<u>1-Oct</u>	<u>31-May</u>
<u>SVRA</u>	<u>Carnegie</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Santa Clara County</u>	<u>Metcalf Motorcycle Park</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Stanislaus County</u>	<u>Stanislaus OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Groveland Ranger District</u>	<u>Groveland OHV Areas</u>	<u>1-Oct</u>	<u>31-May</u>
<u>Bass Lake Ranger District</u>	<u>Bass Lake OHV Areas</u>	<u>1-Oct</u>	<u>31-May</u>
<u>SVRA</u>	<u>Hollister Hills</u>	<u>1-Oct</u>	<u>31-May</u>
<u>Hollister Field Office</u>	<u>Clear Creek Management. Area</u>	<u>1-Oct</u>	<u>31-May</u>
<u>High Sierra Ranger District</u>	<u>High Sierra OHV Areas</u>	<u>1-Oct</u>	<u>31-May</u>
<u>Bishop Field Office</u>	<u>Bishop Resource Area</u>	<u>Year round</u>	
<u>Hume Lake Ranger District</u>	<u>Hume Lake OHV Areas</u>	<u>1-Oct</u>	<u>31-May</u>
<u>SVRA</u>	<u>Oceano Dunes</u>	<u>Year round</u>	
<u>Santa Lucia Ranger District</u>	<u>Santa Lucia OHV Areas</u>	<u>Year round</u>	
<u>Kern River Ranger District</u>	<u>Kern River OHV Areas</u>	<u>1-Oct</u>	<u>31-May</u>
<u>Tule River/Hot Springs Ranger District</u>	<u>Tule River/Hot Springs OHV Areas</u>	<u>1-Oct</u>	<u>31-May</u>
<u>Ridgecrest Field Office</u>	<u>Olancha Dunes</u>	<u>Year round</u>	
<u>Ridgecrest Field Office</u>	<u>Jawbone Canyon, Dove Springs</u>	<u>1-Sep</u>	<u>31-May</u>
<u>Ridgecrest Field Office</u>	<u>Spanqler Hill</u>	<u>1-Sep</u>	<u>31-May</u>
<u>White Mountain Ranger District</u>	<u>White Mountain OHV Areas</u>	<u>Year round</u>	
<u>Mt. Pinos Ranger District</u>	<u>Mt. Pinos OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>

<u>SVRA</u>	<u>Hungry Valley</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Santa Barbara Ranger District</u>	<u>Santa Barbara OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Ojai Ranger District</u>	<u>Ojai OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Santa Clara/Mojave Rivers Ranger District</u>	<u>Santa Clara/Mojave Rivers OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>San Gabriel River Ranger District</u>	<u>San Gabriel River OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Front Country Ranger District</u>	<u>Front Country OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Mountain Top Ranger District</u>	<u>Mountain Top OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>San Jacinto Ranger District</u>	<u>San Jacinto OHV Areas</u>	<u>1-Oct</u>	<u>31-May</u>
<u>Barstow Field Office</u>	<u>Dumont Dunes</u>	<u>Year round</u>	
<u>Barstow Field Office</u>	<u>El Mirage</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Barstow Field Office</u>	<u>Stoddard Valley</u>	<u>1-Sep</u>	<u>31-May</u>
<u>Barstow Field Office</u>	<u>Rasor</u>	<u>1-Sep</u>	<u>31-May</u>
<u>Barstow Field Office</u>	<u>Johnson Valley</u>	<u>1-Sep</u>	<u>31-May</u>
<u>Needles Field Office</u>	<u>Eastern Mojave Desert Areas</u>	<u>Year round</u>	
<u>San Bernardino County</u>	<u>Park Moabi</u>	<u>Year round</u>	
<u>Lake Havasu Field Office</u>	<u>Parker Strip</u>	<u>Year round</u>	
<u>Palm Springs Field Office</u>	<u>Colorado Desert Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Trabuco Ranger District</u>	<u>Trabuco OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>Descanso Ranger District</u>	<u>Descanso OHV Areas</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>El Centro Field Office</u>	<u>Lark Canyon</u>	<u>1-Oct</u>	<u>30-Apr</u>
<u>SVRA</u>	<u>Ocatillo Wells</u>	<u>1-Oct</u>	<u>31-May</u>
<u>SVRA</u>	<u>Heber Dunes</u>	<u>1-Oct</u>	<u>31-May</u>
<u>SVRA</u>	<u>Heber Dunes</u>	<u>Year Round</u>	
<u>El Centro Field Office</u>	<u>Arroyo Salado</u>	<u>1-Oct</u>	<u>31-May</u>
<u>El Centro Field Office</u>	<u>Superstition Mountain</u>	<u>1-Oct</u>	<u>31-May</u>
<u>El Centro Field Office</u>	<u>Plaster City</u>	<u>1-Oct</u>	<u>31-May</u>
<u>El Centro Field Office</u>	<u>Imperial Dunes-Mammoth Wash</u>	<u>Year round</u>	
<u>El Centro Field Office</u>	<u>Imperial Dunes-Glamis/Gecko</u>	<u>Year round</u>	
<u>El Centro Field Office</u>	<u>Imperial Dunes-Buttercup Valley</u>	<u>Year round</u>	

(b) The Executive Officer shall publish in the California Regulatory Notice Register and notify potentially affected OHV Area Managing Entities regarding revisions to Table 1 in subsection (a) at least 30 days before the revisions take effect, in the following situations:

(1) The Executive Officer may revise Table 1 in subsection (a) when there is a change in the designation (with respect to California Ambient Air Quality Standards), from ozone nonattainment to attainment, of an area in which an OHV area is located, provided that the attainment area is not identified as an upwind contributor to significant impacts to transport of ozone or ozone precursors as identified and defined in Section 70500, Title 17, California Code of Regulations.

(2) The Executive Officer may revise Table 1 in subsection (a) to reflect changes in the physical characteristics or identity of OHV Areas, including but not limited to changes in ownership or control of listed areas, addition or deletion of areas, or changes in the geographic domain of listed areas.

~~(c) Within five years from the effective date of adoption or date of implementation, whichever comes later, the Air Resources Board, in consultation with the Secretary for Environmental Protection, shall review the provisions of this section to determine whether it should be retained, revised or repealed.~~

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, and 43107, Health and Safety Code, and sections 38020 and 38390, Vehicle Code.
Reference: Sections 43013, 43018, and 43107, Health and Safety Code, and Governor's Executive Order W144-97.

