

**BARCLAYS OFFICIAL CALIFORNIA CODE OF
REGULATIONS
TITLE 13. MOTOR VEHICLES
DIVISION 3. AIR RESOURCES BOARD
CHAPTER 5. STANDARDS FOR MOTOR VE-
HICLE FUELS
ARTICLE 1. STANDARDS FOR GASOLINE
SUBARTICLE 2. STANDARDS FOR GASOLINE
SOLD BEGINNING MARCH 1, 1996**

This database is current through 12/26/2003, Register
2003, No. 52.

s 2262.4. Compliance With the CaRFG Phase 2 and
CaRFG Phase 3 Standards for Reid Vapor Pressure.

(a) Compliance with the cap limits for Reid vapor pres-
sure.

(1) No person shall sell, offer for sale, supply, offer for
supply, or transport California gasoline which exceeds the
applicable cap limit for Reid vapor pressure within each of
the air basins during the regulatory period set forth in
section (a)(2).

(2) Regulatory Control Periods.

(A) April 1 through October 31 (May 1 through October
31 in 2003 and 2004):

South Coast Air Basin and Ventura County

San Diego Air Basin

Mojave Desert Air Basin

Salton Sea Air Basin

(B) May 1 through September 30:

Great Basin Valley Air Basin

(C) May 1 through October 31:

San Francisco Bay Area Air Basin

San Joaquin Valley Air Basin

Sacramento Valley Air Basin

Mountain Counties Air Basin

Lake Tahoe Air Basin

(D) June 1 through September 30:

North Coast Air Basin

Lake County Air Basin

Northeast Plateau Air Basin

(E) June 1 through October 31:

North Central Coast Air Basin

South Central Coast Air Basin (Excluding Ventura
County)

(b) Compliance by producers and importers with the flat
limit for Reid vapor pressure.

(1) Reid vapor pressure standard for producers and im-
ports.

(A) In an air basin during the regulatory control periods
specified in section (b)(2), no producer or importer shall
sell, offer for sale, supply, or offer for supply from its
production facility or import facility California gasoline
which has a Reid vapor pressure exceeding the applicable
flat limit set forth in section 2262 unless the gasoline has
been reported as a PM alternative gasoline formulation
pursuant to section 2265(a) using the evaporative emis-
sions model element of the CaRFG Phase 3 Predictive
Model.

(B) In an air basin during the regulatory control periods
specified in section (b)(2), no producer or importer shall
sell, offer for sale, supply, or offer for supply from its
production facility or import facility California gasoline
which has been reported as a PM alternative gasoline
formulation pursuant to section 2265(a) using the evapor-
ative emissions model element of the CaRFG Phase 3

Predictive Model if the gasoline has a Reid vapor pressure exceeding the PM flat limit for Reid vapor pressure in the identified PM alternative specifications.

(2) Regulatory control periods for production and import facilities.

(A) 1. March 1 through October 31 (Except as otherwise provided in (A)2. and (A)3. below):

South Coast Air Basin and Ventura County

San Diego Air Basin

Mojave Desert Air Basin

Salton Sea Air Basin

2. In the areas identified in section 2262.4(b)(2)(A)1., California gasoline that is supplied March 1 through March 31, 2003 from a production or import facility that is qualified under this subsection is not subject to the prohibitions of section 2262.4(b)(1), as long as the gasoline either is designated as subject to the CaRFG Phase 3 standards, or is subject to the CaRFG Phase 2 standards and also meets the prohibitions in sections 2262.6(a)(1) and 2262.6(c) regarding the use of oxygenates. In order for a production or import facility to be qualified, the producer or importer must notify the Executive Officer in writing by February 14, 2003 that it has elected to have the facility be subject to this subsection during March 2003.

3. In the areas identified in section 2262.4(b)(2)(A)1., California gasoline that is supplied March 1 through March 31, 2004 from a production or import facility that was not qualified under section 2262.4(b)(2)(A)2. is not subject to the prohibitions of section 2262.4(b)(1).

(B) April 1 through September 30:

Great Basin Valley Air Basin

(C) April 1 through October 31:

San Francisco Bay Area Air Basin

San Joaquin Valley Air Basin

Sacramento Valley Air Basin

Mountain Counties Air Basin

Lake Tahoe Air Basin

(D) May 1 through September 30:

North Coast Air Basin

Lake County Air Basin

Northeast Plateau Air Basin

(E) May 1 through October 31:

North Central Coast Air Basin

South Central Coast Air Basin (Excluding Ventura County)

(c) Applicability.

(1) Section (a)(1) shall not apply to a transaction occurring in an air basin during a regulatory control period in section (a)(2) where the person selling, supplying, or offering the gasoline demonstrates as an affirmative defense that, prior to the transaction, he or she has taken reasonably prudent precautions to assure that the gasoline will be delivered to a retail service station or bulk purchaser-consumer's fueling facility when the station or facility is not subject to a regulatory control period in section (a)(2).

(2) Section (b) shall not apply to a transaction occurring in an air basin during the applicable regulatory control period for producers and importers where the person selling, supplying, offering or transporting the gasoline demonstrates as an affirmative defense that, prior to the transaction, he or she has taken reasonably prudent precautions to assure that the gasoline will be delivered to a retail service station or bulk purchaser-consumer's fueling facility located in an air basin not then subject to the regulatory control period for producers and importers set forth in section (b)(2).

(3) Section (a)(1) shall not apply to a transaction occurring in an air basin during the regulatory control period where the transaction involves the transfer of gasoline from a stationary storage tank to a motor vehicle fuel tank and the person selling, supplying, or offering the gasoline demon-

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strates as an affirmative defense that the last delivery of gasoline to the stationary storage tank occurred more than fourteen days before the start of the regulatory control period.

(4) For purposes of compliance with section 2262.4(b) only, gasoline that is produced in California and is transported to the South Coast Air Basin, Ventura County, or the San Diego Air Basin by marine vessel shall be treated as having been imported at the facility to which the gasoline is off-loaded from the marine vessel.

<General Materials (GM) - References, Annotations, or

Tables>

Note: Authority cited: Sections 39600, 39601, 43013, 43013.1, 43018 and 43101, Health and Safety Code; and Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District, 14 Cal.3d 411, 121 Cal. Rptr. 249 (1975). Reference: Sections 39000, 39001, 39002, 39003, 39010, 39500, 39515, 39516, 41511, 43000, 43013, 43013.1, 43016, 43018, 43101, 43830 and 43830.8, Health and Safety Code; and Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District, 14 Cal.3d 411, 121 Cal. Rptr. 249 (1975).

HISTORY

1. New section filed 11-16-92; operative 12-16-92 (Register 92, No. 47).
2. Amendment of subsections (b)-(c) and repealer of subsection (d) filed 6-2-95; operative 7-3-95 (Register 95, No. 22).
3. Amendment filed 9-21-98; operative 9-21-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 39).
4. Repealer of section and renumbering of former section 2262.1 to section 2262.4, including amendment of section heading, section and Note, filed 8-3-2000; operative 9-2-2000 (Register 2000, No. 31).
5. Amendment filed 12-24-2002; operative 12-24-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 52).

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