

## FINAL REGULATION ORDER

NOTE: This document is written in a style to indicate changes from the existing provisions. All existing language is indicated by plain text. All additions to language are indicated by underlined text. All deletions to language are indicated by ~~strikeout~~. Only those portions containing the suggested modifications from existing provisions are included. All other portions remain unchanged and are indicated by the symbol “\* \* \* \* \*” for reference.

Amend sections 2111, 2112, 2411, 2412, 2413, and 2415, title 13 California Code of Regulations, and the incorporated California Exhaust Emission Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles, 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,~~

~~\* \* \* \* \*~~

~~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.~~

### ~~§ 2112. Definitions.~~

~~\* \* \* \* \*~~

~~(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, sand 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 and 43806, Health and Safety Code; and Section 28114, Vehicle Code.~~

~~Reference: Sections 39002, 39003, 39500, 43000, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43107, 43202, 43204-43205.5, 43206, 43210, 43211, 43212, 43213 and 43806, Health and Safety Code; and Section 28114, Vehicle Code.~~

**§ 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) "All-Terrain Vehicle (ATV)" means any ~~motorized~~ off-highway motor vehicle 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. 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.

\* \* \* \* \*

(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 not exceeding 600 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.

(17)(20) . . . .

(18)(21) . . . .

(19)(22) . . . .

(20)(23) . . . .

(21)(24) . . . .

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.