

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:

§ 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-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 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-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.

(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-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.