

PART 5

FINAL REGULATION ORDER

Tier 4 Off-Road Compression-Ignition Engines

Title 13

California Code of Regulations

Sections 2421, 2423, 2424, 2425, 2425.1, 2426, 2427

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§ 2425. Defects Warranty Requirements for 1996 and Later Off-Road Compression-Ignition Engines.

(a) ~~Applicability~~ Applicability. This section shall apply to new 1996-1999 model year heavy-duty off-road compression-ignition engines and new 2000 and later model year compression-ignition engines. For 2011 and later model year compression-ignition engines the requirements in §1039.120 and §1039.125 of the 2011 and Later Test Procedures, Part I-D, shall also apply. The warranty period shall begin on the date the engine or equipment is delivered to an ultimate purchaser. The use of alternative fuels shall not void the warranties on any engine certified to use such fuel.

(b) ~~General Emissions Warranty Coverage~~ General Emissions Warranty Coverage. The manufacturer of each off-road compression-ignition engine shall warrant to the ultimate purchaser and each subsequent purchaser that the engine is:

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NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 43104 and 43105, Health and Safety Code. Reference: Sections 43013, 43017, 43018, 43101, 43102 and 43205.5, Health and Safety Code.

§ 2425.1 Defect Investigation and Reporting Requirements.

(a) ~~Applicability~~ Applicability. This section shall apply to new off-road compression-ignition engines subject to the standards in Section 2423 (b)(1)(B) and the incorporated 2008-2010 or 2011 and Later Test Procedures as applicable, and shall address defects for any of the emission-related components, or systems containing the components listed in Section 2425(d)(1).

(b) ~~General requirements~~ General requirements. Engine manufacturers shall investigate their engines that have been introduced into commerce in California for incorrect, improperly installed, or otherwise defective emission-related components or systems, and shall submit a report to the ARB based on federal triggering thresholds documenting these activities, as required, and their findings. If available, California-specific incidence rates shall also be included in this report.

(c) ~~Investigation and reporting procedures~~ Investigation and reporting procedures. Engine manufacturers shall perform the investigation and reporting procedures specified in Part 1068, Subpart F of the 2008-2010 Test Procedures or Part I-E of the 2011 and Later Test Procedures as applicable.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 43104 and 43105, Health and Safety Code. Reference: Sections 43013, 43017, 43018, 43101, 43102 and 43205.5, Health and Safety Code.

(6) ~~Engine Preparation and Preconditioning~~ Engine Preparation and Preconditioning.

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(7) ~~Quality-Audit Engine Selection Criteria~~ Quality-Audit Engine Selection Criteria.

(A) Engines shall be representatively selected.

(B) At the end of each calendar quarter, all of the data accumulated during the quarter shall be reported to the Executive Officer. Upon accumulation of sufficient data, the compliance of the engine family group with the emission standards is determined.

(8) ~~Standards and Test Procedures; Evaluation~~ Standards and Test Procedures; Evaluation.

The exhaust sampling and analytical procedures shall be those described in the 1996-1999 Heavy-Duty Test Procedures. An engine family group is considered to have failed the quality audit test if the average emissions do not comply with the applicable certification standards. Any corrective action to bring the engines into compliance with the standards must be applied to all engines in the engine family group reasonably expected to be in noncompliance based on the audit data and other relevant information.

(9) ~~Reports~~ Reports.

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(c) ~~Selective Enforcement Audit~~ Selective Enforcement Audit.

(1)(A) The 2000 and later model year Tier 1, Tier 2, and Tier 3 off-road compression-ignition engines certified for sale in California shall be subject to the Selective Enforcement Audit requirements specified in Subpart F of the 2000 Plus Limited Test Procedures.

(B) The 2008 and later model year Tier 4 off-road compression-ignition engines certified for sale in California shall be subject to the Selective Enforcement Audit requirements specified in Subpart E of Part 1068 of the 2008-2010 Test Procedures or Part I-E of the 2011 and Later Test Procedures as applicable.

(2) These procedures specify the Selective Enforcement Audit test procedures in conjunction with the 2000 Plus Limited Test Procedures and the 2000 and Later Test Procedures. An engine is in compliance with these Selective Enforcement Audit standards and test procedures only when all portions of these Selective Enforcement Audit test procedures are fulfilled.

(3) Air Resources Board (ARB) personnel and mobile laboratories shall have access to engine or equipment assembly plants, distribution facilities, and test facilities for the purpose of engine selection, testing, and observation. Scheduling of access shall be arranged with the designated manufacturer's representative and shall not unreasonably disturb normal operations.

(d) Any manufacturer obtaining certification under this part shall supply to the Executive Officer, upon request, a reasonable number of production engines selected by the Executive Officer which are representative of the engines, emission control systems, fuel systems, and transmissions offered and typical of production models available for sale under the certificate. These engines shall be supplied for testing at such time and place and for such reasonable periods as the Executive Officer may require. Heavy-duty engines supplied under this paragraph may be required to be mounted in chassis and appropriately equipped for operation on a chassis dynamometer.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102, 43104 and 43105, Health and Safety Code. Reference: Sections 43013, 43017, 43018, 43101, 43102, 43104 and 43210-43212, Health and Safety Code.