

TITLE 13. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER DELAYING IMPLEMENTATION OF THE PERIODIC SMOKE SELF-INSPECTION PROGRAM FOR HEAVY-DUTY DIESEL-POWERED VEHICLE FLEETS

The Air Resources Board (the "Board" or "ARB") will conduct a public hearing at the time and place noted below to consider delaying implementation of the existing regulations governing the Periodic Smoke Self-Inspection Program.

DATE: December 8, 1994

TIME: 9:30 a.m.

PLACE: Air Resources Board
Board Hearing Room, Lower Level
2020 L Street
Sacramento, California 95814

This item will be considered at a two-day meeting of the Board, which will commence at 9:30 a.m., December 8, 1994, and may continue at 8:30 a.m., December 9, 1994. This item may not be considered until December 9, 1994. Please consult the agenda for the meeting, which will be available at least 10 days before December 8, 1994, to determine the day on which this item will be considered.

INFORMATIVE DIGEST OF PROPOSED ACTION

Sections Affected:

The proposed delay of the implementation of the Periodic Smoke Self-Inspection Program for heavy-duty diesel-powered fleets -- Section 2190, Title 13, California Code of Regulations (CCR).

Health and Safety Code section 43701(a) provides that the ARB shall adopt regulations which require owners or operators of heavy-duty diesel vehicles to perform regular inspections of their vehicles for excessive emissions of smoke. This statute directs the ARB to specify the inspection procedure, the frequency of inspections, the emission standards for smoke, and the actions vehicle owners or operators need to take to remedy excessive smoke emissions. In accordance with this statutory requirement, the Board adopted regulations establishing the Periodic Smoke Self-Inspection Program (PSI) on December 10, 1992. The implementation of this program was originally specified to begin on January 1, 1995. The ARB staff is proposing that this date be delayed until July 1, 1996.

The PSI program regulations require that California-based fleets having two or more heavy-duty diesel vehicles (over 6000 pounds gross vehicle weight rating) must perform annual

The Executive Officer has also determined that small businesses will not be affected by this 18-month delay, because they have not purchased meters to comply with the January 1, 1995 start date and, therefore, will be smoke testing their vehicles at repair facilities.

In accordance with Government Code section 11346.54, the Executive Officer has determined that the proposed regulatory action will not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within California, or the expansion of businesses currently doing business within California. An assessment of the economic impacts of the proposed regulatory action can be found in the Staff Report.

In addition, before taking final action on the proposed action, the Board must determine that no alternative considered by the agency would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

ENVIRONMENTAL IMPACT

The Executive Officer has determined that as a result of adopting the proposed regulatory action to delay the PSI program from January 1, 1995 to July 1, 1996, there will be a short-term adverse environmental impact. Emission benefits which were expected to be obtained for this 18 month period will be lost, however, the loss is short-term and the benefits would be regained when the program is implemented in mid-1996. A detailed assessment of the environmental impacts of the proposed regulatory action can be found in the Staff Report.

SUBMITTAL OF COMMENTS

The public may present comments relating to this matter orally or in writing. To be considered by the Board, written submissions must be addressed to and received by the Board Secretary, Air Resources Board, P. O. Box 2815, Sacramento, CA 95812, no later than 12:00 noon, December 7, 1994, or received by the Board Secretary at the hearing.

The Board requests but does not require that 20 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

STATUTORY AUTHORITY AND HEARING PROCEDURES

This regulatory action is proposed under that authority granted in Health and Safety Code sections 39600, 39601, 43013, and 43701. This action is proposed to implement, interpret and make specific Health and Safety Code sections 39002, 39003, 39010, 39033, 43000, 43018, 43701, and 44011.6.