Executive Order R-09-010

Relating to Regulation to Reduce Emissions From In-Use On-Road Diesel Vehicles, And Amendments to the Regulations For In-Use Off-Road Vehicles, Drayage Trucks, Municipality And Utility Vehicles, Mobile Cargo Handling Equipment, Portable Engines and Equipment, Heavy Duty Engines and Vehicle Exhaust Emissions Standards and Test Procedures and Commercial Motor Vehicle Idling


WHEREAS, Resolution 08-43, directed the Executive Officer to adopt the regulations, after making the modified regulatory language and any additional supporting documents and information available for public comment for a period of at least 15 days, “provided that the Executive Officer shall consider such written comments and additional supporting documents and information as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted”;

WHEREAS, the approved amendments set forth above, with the changes to the originally proposed text clearly indicated, have been made available for public comment for a period of 15 days in accordance with the provisions of title 1, Cal. Code Regs., section 44;
WHEREAS, the no written comments were received during this 15 day period that address the modifications proposed to the amendments; and

WHEREAS, the Executive Officer has deemed it is necessary to bifurcate the amendments to sections 2020, 2022, 2022.1, 2027, 2449 and 2449.3, 2451, 2452, 2453, 2455, 2456, 2458, 2461, 2462, 2479, 2485, and 1956.8, title 13, Cal. Code Regs., and sections 93116.1, 93116.2, and 93116.3, title 17, Cal. Code Regs., as modified and approved by the Board amendments from the new regulations proposed and approved in section 2025, title 13, Cal. Code Regs., because the regulations are presently in effect and the amendments, many of which are intended to clarify the rights and responsibilities of stakeholders under the existing regulations, need to become operative as soon as possible.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 08-43 are incorporated herein.

IT IS FURTHER ORDERED, that the amendments to sections 2020, 2022, 2022.1, 2027, 2449 and 2449.3, 2451, 2452, 2453, 2455, 2456, 2458, 2461, 2462, 2479, 2485, and 1956.8, title 13, Cal. Code Regs., and sections 93116.1, 93116.2, and 93116.3, title 17, Cal. Code Regs., are adopted as set forth in Attachment B, and modified in Attachment D to Resolution 08-43, which are appended to this Order as Attachment 1.

Executed this 19 day of October 2009, at Sacramento, California.

/s/
James N. Goldstene
Executive Officer

Attachment