APPENDIX A - PROPOSED REGULATION ORDER

Amendments to Sections 1961.2 and 1961.3,
Title 13, California Code of Regulations

Set forth below are the proposed amendments to title 13 of the California Code of Regulations (CCR). Amendments to existing section proposed and subject to comment in this rulemaking are shown in underline to indicate additions and strikeout to indicate deletions. Amendments to these regulations that were approved by the Board on February 8, 2018 [HD GHG Phase 2] as part of the “Rulemaking to Consider Proposed California Greenhouse Gas (GHG) Emissions Standards for Medium- and Heavy-Duty Engines and Vehicles and Proposed Amendments to the Tractor-Trailer GHG Regulation,” but which have not yet been approved by the Office of Administrative Law are indicated in dotted underline to indicate additions and italics double strikeout for deletions. The dotted underline and italics double strikeout text is presented for context and completeness only and is not subject to comment in this proposal. Subsections for which no changes are proposed in this rulemaking are indicated with “*    *    *    *”.

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1. Amend title 13, CCR, section 1961.2 to read as follows:


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2. Amend title 13, CCR, section 1961.3 to read as follows:


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(c) Optional Compliance with the 2017 through 2025 MY National Greenhouse Gas Program.

The optional compliance approach provided by this section 1961.3 (c) shall not be available for 2021 through 2025 model year passenger cars, light-duty trucks, and medium-duty passenger vehicles if the "2017 through 2025 MY National Greenhouse Gas Program" is altered via a final rule published in the Federal Register subsequent to October 25, 2016.

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(f) Definitions Specific to this Section. The following definitions apply to this section 1961.3:

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(25) “2017 through 2025 MY National Greenhouse Gas Program” means the national program that applies to new 2017 through 2025 model year passenger cars, light-duty-trucks, and medium-duty passenger vehicles as adopted by the U.S. Environmental Protection Agency as codified in 40 CFR Part 86, Subpart S, except as follows:

For model years 2021 through 2025, the “2017 through 2025 MY National Greenhouse Gas Program” means the national program that applies to new 2021 through 2025 model year passenger cars, light-duty-trucks, and medium-duty passenger vehicles as adopted by the U.S. Environmental Protection Agency as codified in 40 CFR Part 86, Subpart S, as last amended on October 25, 2016 that incorporates CFR sections §86.1818-12 (October 25, 2016), §86.1865-12 (October 25, 2016), §86.1866-12 (October 25, 2016), §86.1867-12 (October 25, 2016), §86.1868-12 (October 25, 2016), §86.1869-12 (October 25, 2016), §86.1870-12 (October 25, 2016), and §86.1871-12 (October 25, 2016).

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(g) Severability. Each provision of this section is severable, and in the event that any provision of this section is held to be invalid, the remainder of both this section and this article remains in full force and effect.