

State of California
AIR RESOURCES BOARD

Executive Order R-19-011

*Relating to Proposed Amendments to the Red Sticker Program for
Off-Highway Recreational Vehicles*

WHEREAS, on April 25, 2019, the California Air Resources Board (CARB or Board) conducted a public hearing to consider the Proposed Amendments to the Red Sticker Program for Off-Highway Recreational Vehicles, as set forth in Appendix A to the Initial Statement of Reasons released to the public on March 5, 2019;

WHEREAS, the environmental analysis prepared under CARB's regulatory program certified under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)) in the Staff Report concluded that the amendments are exempt from CEQA under California Code of Regulations, title 14, section 15308 ("Class 8" exemption: Actions Taken by Regulatory Agencies for Protection of the Environment) because the record evidence shows that the amendments will enhance the environment by better protecting the public from health impacts associated with exposure to hydrocarbon, oxides of nitrogen, and ground level ozone, the regulatory process involves procedures for protection of the environment, and the amendments will not result in any significant adverse environmental impacts;

WHEREAS, following the public hearing, the Board adopted Resolution 19-11 in which the Board approved for adoption amendments to section 2411, 2412, 2415, 2416, 2418, and 2419.4, Title 13, California Code of Regulations, as set forth in Attachment A and Attachment B of that resolution;

WHEREAS, Resolution 19-11 directed the Executive Officer to make the modified regulatory language in Attachment B to that resolution and any additional conforming modifications deemed appropriate available for public comment, with any additional supporting documents and information, for a period of at least 15 days. The Executive Officer was directed to consider written comments submitted during the public review period and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications or present the regulation to the Board for further consideration if warranted;

WHEREAS, modified regulatory language and supporting documentation were circulated for a 15-day public comment period, with the changes to the originally proposed text clearly indicated, and amendments to the California Exhaust Emissions Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles and Engines, according to provisions of California Code of Regulations, title 1, section 44 and Government Code section 11340.85, from July 8, 2019, through July 26, 2019;

WHEREAS, a number of written comments were received during the initial 45-day comment period and supplemental 15-day comment period, and those comments were considered by the Executive Officer;

WHEREAS, Resolution 19-11 also directed the Executive Officer to consider written comments submitted during the public review period and make any additional appropriate conforming modifications available for public comment for at least 15 days, and to take final action to adopt the regulation after addressing all appropriate modifications, if any, or present the regulation to the Board for further consideration if warranted; and

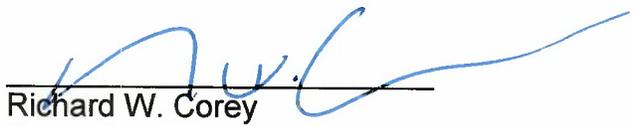
WHEREAS, a number of written comments were received during the initial 45-day comment period, and those comments were considered by the Executive Officer and no additional substantial modifications were made that required a 15 day comment period, only non-substantial modifications were made as indicated in the Final Statement of Reasons.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 19-11 are incorporated herein.

IT IS FURTHER ORDERED that section sections 2411, 2412, 2415, 2416, 2418, and 2419.4 in Article 3, Chapter 9, Division 3, Title 13, California Code of Regulations, which incorporate by reference the amendments to the California Exhaust Emissions Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles and Engines, are adopted as set forth in Attachment 1 and 2 to this Order.

IT IS FURTHER ORDERED that the adopted regulatory text may be further revised with non-substantial or grammatical changes, which will be added to the rulemaking record and indicated as such.

Executed this 9th day of October, 2019, at Sacramento, California.


Richard W. Corey
Executive Officer

Attachment 1: Final Regulation Order for the Proposed Amendments to Title 13, California Code of Regulations, sections 2411, 2412, 2415, 2416, 2418, and 2419.4 Regarding Off-Highway Recreational Vehicles and Engines

Attachment 2: Amendments to California Exhaust Emissions Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles and Engines