

Barclays Official California Code of Regulations Currentness
Title 13. Motor Vehicles
Division 3. Air Resources Board
Chapter 3.5. Heavy-Duty Diesel Smoke Emission Testing, and Heavy-Duty Vehicle Emission Control System Inspections (Refs & Annos)

13 CCR § 2180

§ 2180. Applicability.

Unless otherwise noted, this chapter applies to all diesel-powered and gasoline-powered heavy-duty vehicles, including pre-1974 model-year vehicles, operating in the State of California.

Note: Authority cited: Sections 39600, 39601, 43013, 43701 and 44011.6, Health and Safety Code. Reference: Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018, 43701 and 44011.6, Health and Safety Code; and Section 505, Vehicle Code.

HISTORY

1. New section filed 10-21-91; operative 11-20-91 (Register 92, No. 9).
2. Redesignation and amendment of subchapter 3.5 to chapter 3.5 and amendment of section filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
3. Amendment of section and Note filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).

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13 CCR § 2180, 13 CA ADC § 2180

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Title 13. Motor Vehicles

Division 3. Air Resources Board

Chapter 3.5. Heavy-Duty Diesel Smoke Emission Testing, and Heavy-Duty Vehicle Emission Control System Inspections (Refs & Annos)

13 CCR § 2180.1

§ 2180.1. Definitions.

(a) The definitions of this section supplement and are governed by the definitions set forth in Chapter 2 (commencing with section 39010), Part 1, Division 26 of the Health and Safety Code. The following definitions shall govern the provisions of this chapter.

(1) “Authorized dealer” means a group of independent service and repair facilities that are recognized by the motor vehicle or engine manufacturer as being capable of performing repairs to factory specifications; including warranty repair work.

(2) “CARB post-repair inspection” means a repeat emission control system inspection, conducted by the California Air Resources Board at a California Air Resources Board-specified site, for the purpose of clearing a Citation issued under section 2185(a)(1)(C).

(3) “CARB post-repair test” means a repeat test, conducted by the California Air Resources Board at a California Air Resources Board-specified site, for the purpose of clearing a Citation issued under section 2185(a)(1)(C).

(4) “Basic penalty” means the civil penalty of (\$500) for a test procedure or emission control system inspection violation that is to be deposited in the Vehicle Inspection and Repair Fund.

(5) “Citation” means a legal notice issued by the California Air Resources Board to the owner of a heavy-duty vehicle requiring the owner to repair the vehicle, to submit a demonstration of correction, and to pay a civil penalty.

(6) “Day” means calendar day.

(7) “Defective” means a condition in which an emission control system or an emission control system component is malfunctioning due to age, wear, malmaintenance, improper installation, or design defects.

(8) “Demonstration of correction” means the documents identified in section 2186.

(9) “Driver” has the same meaning as defined in [California Vehicle Code section 305](#).

(10) “Emission control label (ECL)” means the label required by the “California Motor Vehicle Emission Control Label Specifications”, incorporated by reference in [13 CCR, section 1965](#), or Title 40, Code of Federal Regulations (CFR), Part 86, Subpart A.

(11) “Emission control system” means the pollution control components on an engine at the time its engine family is certified, including, but not limited to, the emission control label.

(12) “Engine control module (ECM)” means the computer system responsible for providing fuel to the engine and controlling a vehicle's emissions.

(13) “Engine manufacturer diagnostic (EMD) system” means any system certified to meet the requirements of [title 13, California Code of Regulations, section 1971](#).

(14) “Executive Officer” means the Executive Officer of the California Air Resources Board or his or her designee.

(15) “Federal emission standards” means the emission standards adopted by the U.S. Environmental Protection Agency, pursuant to [Title 42 United States Code, section 7521\(a\)](#), that are required to be met for the certification of heavy-duty vehicles or engines.

(16) “Fleet” means two (2) or more heavy-duty vehicles.

(17) “Heavy-duty commercial vehicle” means a “motor truck” designed, used, or maintained primarily for the transportation of property, as defined in [section 410 of the California Vehicle Code](#), and having a gross vehicle weight rating (GVWR) greater than 10,000 pounds.

(18) “Heavy-duty vehicle” means a motor vehicle having a manufacturer's maximum gross vehicle weight rating (GVWR) greater than 6,000 pounds, except passenger cars.

(19) “Implement of husbandry” is a vehicle used exclusively in the conduct of agricultural operations, including vehicles described in [California Vehicle Code sections 36000, 36005, and 36015](#).

(20) “Inspection procedure” means the test procedure specified in [section 2182](#) and the emission control system inspection specified in [section 2183](#).

(21) “Inspection site” means an area including a random roadside location, a weigh station, or a fleet facility used for conducting the heavy-duty vehicle test procedure, emission control system inspection, or both.

(22) “Inspector” means a California Air Resources Board employee with the duty of enforcing [Health and Safety Code sections 43701\(a\) and 44011.6](#) and [title 13, CCR sections 2180 through 2194](#).

(23) “Interrogation” refers to a thorough examination of any and all relevant digital records for the purposes of the inspection.

(24) “Issuance” means the act of mailing or personally delivering a Citation or Notice of Violation to the owner.

(25) “Minimum penalty” means the (\$300) penalty that is to be deposited in the Diesel Emission Reduction Fund pursuant to [Health and Safety Code section 44011.6\(1\)](#).

(26) “Notice of Violation” means a legal notice issued to the owner of a heavy-duty vehicle powered by a diesel engine with a measured smoke opacity exceeding the applicable opacity standard, requiring the owner to repair the vehicle and submit a demonstration of correction.

(27) “Officer” means a uniformed member of the Department of the California Highway Patrol.

(28) On Board Diagnostics (OBD) means any system certified to meet the requirements of [title 13, California Code of Regulations, sections 1968.1, 1968.2, 1971.1](#), or future OBD requirements adopted by the California Air Resources Board.

(29) “Opacity” means the percentage of light obstructed from passage through an exhaust smoke plume.

(30) “Owner” means either (A) the person registered as the owner of a vehicle by the California Department of Motor Vehicles (DMV), or its equivalent in another state, province, or country; or (B) a person shown by the registered owner to be legally responsible for the vehicle's maintenance. The person identified as the owner on the registration document carried on the vehicle at the time a Citation is issued shall be deemed the owner unless that person demonstrates that another person is the owner of the vehicle.

(31) “Payment” means a financial transaction intended as a recompense or restitution by bank check, money order, electronic bank transfer or credit card.

(32) “Removal from service” means the towing and storage of a vehicle under [California Vehicle Code section 27159](#) and under the auspices of the Department of the California Highway Patrol.

(33) “Repair facility” means any place where heavy-duty vehicles are repaired, rebuilt, reconditioned, or in any way maintained for the public at a charge, and fleet maintenance facilities.

(34) “SAE J1667” means Society of Automotive Engineers (SAE) Recommended Practice SAE J1667 “Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel Powered Vehicles,” as issued February 1996 (“1996-02”), which is incorporated herein by reference.

(35) “Schoolbus” means the same as defined in [California Vehicle Code section 545](#).

(36) “Smokemeter” means a detection device used to measure the opacity of smoke in percent opacity.

(37) “Specialty farm vehicle” means a vehicle exempted from DMV registration under [California Vehicle Code section 36101](#) or [36102](#).

(38) “Tampered” means missing, modified, or disconnected, or, as it applies to emission control labels, permanently obscured.

(39) “Test procedures,” for the purpose of chapter 3.5, means the test procedures set forth in SAE J1667.

(40) “Uncleared Citation” means a Citation for which demonstration of correction and, if required, payment of any civil penalty has not been made.

(41) “Verified Diesel Emissions Control Strategy (VDECS)” means a verified diesel emission control strategy or system that has received approval from the Executive Officer according to the “Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines” in title 13, California Code of Regulations, commencing with section 2700. Level 2 VDECS means the strategy reduces engine diesel particulate matter emissions by between 50 and 84 percent. Level 3 VDECS means the strategy reduces engine particulate matter emissions by 85 percent or greater, or reduces engine emissions to less than or equal to 0.01 grams diesel particulate matter per brake horsepower-hour.

Note: Authority cited: [Sections 39600, 39601, 43013, 43701 and 44011.6, Health and Safety Code](#); and [Section 312, Corporations Code](#). Reference: [Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018, 43701 and 44011.6, Health and Safety Code](#); [Sections 410 and 505, Vehicle Code](#); [title 42 United States Code, section 7521\(a\)](#); and [title 40, Code of Federal Regulations Part 86, Subpart A](#).

HISTORY

1. New section filed 10-21-91; operative 11-20-91 (Register 92, No. 9).
2. Amendment of subsection (a)(29) filed 12-1-93; operative 1-1-95 (Register 93, No. 49).
3. Amendment filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
4. Amendment of subsections (a)(1)-(2) and (a)(6), new subsection (a)(25), subsection renumbering and amendment of Note filed 3-21-2005; operative 3-21-2005 pursuant to [Government Code section 11343.4](#) (Register 2005, No. 12).
5. New subsections (a)(1), (a)(6), (a)(13), (a)(15) and (a)(33), subsection renumbering, amendment of newly designated subsections (a)(10) and (a)(32) and amendment of Note filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).
6. Change without regulatory effect amending subsections (a)(2)-(3), repealing subsection (a)(29) and renumbering subsections filed 5-23-2007 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2007, No. 21).
7. Amendment of section and Note filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

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13 CCR § 2181

§ 2181. Responsibilities of the Driver and Inspector during the Inspection Procedure.

(a) Driver of heavy-duty diesel-powered vehicle. The driver of a heavy-duty diesel-powered vehicle selected to undergo the inspection procedure shall do all of the following:

- (1) Drive the vehicle to the inspection site upon direction of an officer.
- (2) Show proof of driver's license and vehicle registration to the inspector or officer upon request.
- (3) Perform the test procedure upon request by an inspector.
- (4) Open the vehicle door so that the inspector can observe the driver depress the accelerator pedal.
- (5) Permit an emission control system inspection and open the hood of the vehicle upon the request of the inspector.
- (6) As applicable, sign the Citation or Notice of Violation to acknowledge its receipt and sign the smoke test report to acknowledge performance of the test procedure.

(b) Driver of heavy-duty gasoline-powered vehicle. The driver of a heavy-duty gasoline-powered vehicle selected to undergo the inspection shall do all of the following:

- (1) Drive the vehicle to the inspection site upon direction of an officer.
- (2) Show proof of driver's license and vehicle registration to the inspector or officer upon request.
- (3) Permit an emission control system inspection and open the hood of the vehicle upon request of the inspector.
- (4) As applicable, sign the Citation or Notice of Violation to acknowledge its receipt.

(c) Inspector. The inspector in performing the inspection procedures shall do all of the following:

- (1) Advise the driver that refusal to submit to the inspection procedure is a violation of these regulations.
- (2) Obtain engine identification information from the vehicle when tested pursuant to section 2182 to determine which opacity standard specified in section 2182 applies.
- (3) Except as otherwise provided in section 2181(c)(4), issue a Citation to the driver of a vehicle that fails the applicable opacity standard as specified in section 2182, the emission control system inspection or is missing an emission control label.
- (4) For the first 6 months from the effective date of the amended regulation, issue a Notice of Violation to the driver of a vehicle that fails the applicable smoke opacity standard as specified in section 2182(a). If the same vehicle has already been issued a Notice of Violation for failing the applicable smoke standard in section 2182(a) subsequent to the effective date of the amended regulation, issue a Citation. This provision sunsets six (6) months from July 1, 2019.

Note: Authority cited: [Sections 39600, 39601, 43013, 43701 and 44011.6, Health and Safety Code](#). Reference: [Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018, 43701 and 44011.6, Health and Safety Code](#); and [Sections 260 and 305, Vehicle Code](#).

HISTORY

1. New section filed 10-21-91; operative 11-20-91 (Register 92, No. 9).
2. Amendment of subsection (c)(2) filed 12-1-93; operative 1-3-94 (Register 93, No. 49).
3. Amendment of section heading and section filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
4. New subsections (a)(2), (a)(6), (b)(2) and (b)(6), subsection relettering, amendment of newly designated subsections (a)(5) and (b)(3) and amendment of Note filed 3-21-2005; operative 3-21-2005 pursuant to [Government Code section 11343.4](#) (Register 2005, No. 12).
5. Amendment of subsections (a)(7), (b), (b)(4), (c) and (c)(3)-(6) and amendment of Note filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).
6. Change without regulatory effect repealing subsection (a)(6), renumbering subsections and repealing subsection (c)(6) filed 5-23-2007 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2007, No. 21).
7. Amendment of subsections (c)(3)-(4) and repealer of subsection (c)(5) filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

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13 CCR § 2182

§ 2182. Heavy-Duty Diesel Vehicle Smoke Opacity Standards and Test Procedures; Excessive Smoke.

(a) Standards. All heavy-duty vehicles operating within the State of California, when tested in accordance with the test procedures specified in section 2182(b), shall not exceed a smoke opacity percentage of:

1. 5% for any heavy-duty vehicle powered by a 2007 or subsequent model-year diesel engine.
2. 5% for any heavy-duty vehicle required to be equipped or retrofitted with a Level 3 VDECS, regardless of its diesel engine model-year.
3. 20% for any heavy-duty vehicle equipped or retrofitted with a Level 2 VDECS, regardless of its diesel engine model-year.
4. 20% for any heavy-duty vehicle powered by a 1997 to 2006 model-year diesel engine.
5. 30% for any heavy-duty vehicle powered by a 1991 to 1996 model-year diesel engine.
6. 40% for any heavy-duty vehicle powered by a pre-1991 model-year diesel engine.
7. 40% for any heavy-duty two-engine crane that has been reported to CARB per title 13 section 2449(g) and that is powered by an off-road propulsion engine without a diesel particulate filter.

(b) Test Procedures: The test procedures set forth in Society of Automotive Engineers (SAE) Recommended Practice J1667 “Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel Powered Vehicles,” as issued February 1996 (“1996-02”), which is incorporated herein by reference.

(c) Effect of missing emission control label on applicable standard. When the owner of a heavy-duty diesel-powered vehicle receives a Citation from the CARB that the emission control label was missing during an inspection, the owner must replace the emission control label and provide the engine number identification to the CARB within 45 days of receipt of the Citation in addition to paying applicable penalties under section 2185(a)(3). If the owner fails to comply with this requirement, it will be

conclusively presumed in any subsequent smoke opacity test where the emission control label remains missing that the vehicle is subject to the 5 percent smoke opacity standard in section 2182(a)(1), (2).

(d) Excessive Smoke. A heavy-duty vehicle has excessive smoke, as that term is used in the [California Health and Safety Code section 44011.6](#), if it fails to comply with the applicable smoke opacity standard under section 2182(a).

(e) Tactical military vehicles, as described in [title 13, CCR, section 1905](#), are exempt from the requirements of this chapter.

Note: Authority cited: [Sections 39600, 39601, 43013, 43701 and 44011.6, Health and Safety Code](#). Reference: [Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018, 43701 and 44011.6, Health and Safety Code](#).

HISTORY

1. New section filed 10-21-91; operative 11-20-91 (Register 92, No. 9).
2. Amendment filed 12-1-93; operative 1-3-94 (Register 93, No. 49).
3. Amendment of section heading and section filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
4. Amendment of subsection (c), repealer of subsection (e) and amendment of Note filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).
5. Amendment filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

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13 CCR § 2183

§ 2183. Inspection of the Emission Control System on a Heavy-Duty Vehicle.

(a) Heavy-duty diesel-powered vehicles. No heavy-duty diesel-powered vehicle shall operate in California with tampered, inadequately maintained, or defective emission control components. The CARB shall conduct a visual inspection of heavy-duty diesel-powered vehicles to determine whether emission control components have been tampered with, inadequately maintained, or are defective. The inspection shall include, but is not limited to, the following:

- (1) The engine governor.
- (2) Any seals or covers protecting the air-fuel ratio adjustments.
- (3) Any fuel injection pump seals and covers.
- (4) The air cleaner and flow restriction indicator.
- (5) The exhaust gas recirculation valve.
- (6) The particulate matter trap system or catalytic converter system, including all related sensors, actuators, and monitors.
- (7) Related hoses, connectors, brackets, and hardware for these components.
- (8) Engine computer controls, related sensors, and actuators.
- (9) Emission control label (ECL).
- (10) Any other emissions-related components for a particular vehicle/engine as determined from the manufacturer's specifications, emission control label, certification data, or published vehicle parts manuals.
- (11) An interrogation or visual inspection of a malfunction indicator light (MIL) of the on-board diagnostics (OBD) system, engine manufacturer diagnostic system (EMD), or emission control module (ECM) system, where applicable.

(b) Heavy-duty gasoline-powered vehicles. No heavy-duty gasoline-powered vehicle shall operate in California with tampered or defective emission control components. The CARB shall conduct a visual inspection of heavy-duty gasoline-powered vehicles to determine whether emission control components have been tampered with or are defective. The inspection shall include, but is not limited to, the following:

- (1) The air injection system.
- (2) The positive crankcase ventilation system.
- (3) The exhaust gas recirculation system.
- (4) The catalytic converter, including pipes and valves.
- (5) The evaporative emission control system.
- (6) Related hoses, connectors, brackets, and hardware for these components.
- (7) Engine computer controls, related sensors, and actuators.
- (8) On-Board Diagnostic (OBD) systems for 1994 and subsequent model year vehicles, if so equipped.
- (9) Emission control label (ECL).
- (10) Any other emissions-related component for a particular vehicle/engine as determined from the manufacturer's specifications, emission control label, certification data, or published vehicle parts manuals.
- (11) An interrogation or visual inspection of a malfunction indicator light (MIL) of the on-board diagnostics (OBD) system.

(c) No 1974 or newer diesel powered heavy-duty commercial vehicle shall operate in California without evidence that, at the time of manufacture, the installed engine met emission standards at least as stringent as applicable federal emission standards for the model year of the engine. The CARB shall base its determination on whether an engine meets the above requirements by inspecting the emission control label (ECL) affixed to the vehicle's engine.

Note: Authority cited: Sections 39600, 39601, 43013, 43701 and 44011.6, Health and Safety Code. Reference: Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018, 43701 and 44011.6, Health and Safety Code.

HISTORY

1. New section filed 10-21-91; operative 11-20-91 (Register 92, No. 9).
2. Amendment of section heading and subsections (a) and (b) filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
3. Amendment of subsections (a), (a)(9), (b) and (b)(9), new subsection (c) and amendment of Note filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).
4. Amendment of subsections (a), (a)(2), (a)(6), (b), (b)(9) and (c) and new subsections (a)(11) and (b)(11) filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

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13 CCR § 2184

§ 2184. Refusal to Submit to Inspection Procedure.

The refusal by an owner or driver of a vehicle to submit to the test procedure in section 2182 or to the emission control system inspection in section 2183 constitutes a failure of the test procedure or inspection, unless the driver is cited by the California Highway Patrol for a violation of [California Vehicle Code section 2813](#).

Note: Authority cited: [Sections 39600, 39601, 43013, 43701 and 44011.6, Health and Safety Code](#). Reference: [Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018, 43701 and 44011.6, Health and Safety Code](#). [Sections 305, 505 and 2813, Vehicle Code](#).

HISTORY

1. New section filed 10-21-91; operative 11-20-91 (Register 92, No. 9).
2. Repealer of subsection (a) designator filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
3. Amendment of section and Note filed 3-21-2005; operative 3-21-2005 pursuant to [Government Code section 11343.4](#) (Register 2005, No. 12).
4. Change without regulatory effect amending section filed 5-23-2007 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2007, No. 21).

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13 CCR § 2185

§ 2185. Civil Penalty Schedule.

(a) The owner of a heavy-duty vehicle that fails the test procedure or the emission controls system inspection, including by refusal to submit, is subject to the following penalty schedule:

(1) Heavy-Duty Vehicle Opacity and Tampering Penalties for Violating Sections 2182 and 2183(a) and (b), Except for Violations Involving a Tampered ECL.

(A) Except as provided below, the owner of a heavy-duty vehicle, that is cited for the first time pursuant to section 2182 or 2183 (a) and (b), other than for a tampered ECL, and for which demonstration of correction is provided and payment is made within 45 days from personal or certified mail receipt of the Citation, shall pay the minimum penalty of \$300. An owner who fails to correct the vehicle or pay the minimum penalty within 45 days of receipt of the Citation shall be assessed a penalty of \$800.

(B) The above penalty shall not apply to the first Citation received by an owner of a school bus, but the owner shall be subject to the penalty provisions of paragraphs 2185(a)(1)(A) and (C) respectively for second and any subsequent violations. A second violation shall be subject to the penalty in section 2185(a)(1)(A) and any subsequent violations shall be subject to the penalty in section 2185(a)(1)(C).

(C) The owner of a vehicle that is cited pursuant to section 2182 or 2183(a) and (b), other than for a tampered ECL, for a second time within a 12 month period for the same vehicle shall within 45 days from personal or certified mail receipt of the current Citation provide demonstration of correction and pay the penalty of \$1,500 and the minimum penalty of \$300 for a total of \$1,800, notwithstanding section 2185(b).

(D) The owner of an implement of husbandry or specialty farm vehicle cited pursuant to section 2182 or 2183(a) and (b), other than for a tampered ECL, shall have 90 days from personal or certified mail receipt of the Citation to provide a demonstration of correction and is otherwise subject to the same penalty structure as all other heavy-duty vehicles as specified under section 2185(a)(1)(A) and section 2185(a)(1)(C).

(2) Penalties for a Tampered ECL under section 2183

The owner of a vehicle with a tampered ECL shall receive a Citation assessing the owner a \$300 penalty. The penalty shall only be waived if, at the time of inspection, the owner provides other documentation from the engine manufacturer or an authorized

dealer that demonstrates compliance with section 2183(c), and provided the ECL is replaced within 45 days. The documentation shall identify the engine by serial number.

(3) Penalties for Violations of Section 2183(c). The owner of a heavy-duty commercial vehicle that is cited for a violation of section 2183(c) shall be subject to the following penalties:

(A) The owner shall be subject to a penalty of \$500 for each violation.

(B) For the purposes of section 2185(a)(3), it shall be presumed that a heavy-duty commercial vehicle with a tampered ECL is not in compliance with section 2183(c) and is subject to a \$500 penalty for each violation in addition to the penalties provided for under section 2185(a)(2). If the owner demonstrates to CARB that a new ECL has been affixed to the vehicle's engine within 45-days of receipt of the Citation, pursuant to section 2186(a)(3) below, and the ECL demonstrates that the vehicle's engine was designed to at least meet U.S. EPA promulgated emission standards for the year of the engine's manufacture, the penalty for violation of section 2183(c) shall be waived.

(b) When a heavy-duty vehicle is cited after a bona fide change of ownership between non-related persons or entities, the new owner shall not be subject to the penalty schedule in section 2185(a)(1)(A) and (C) if the only Citations issued for the vehicle within the previous 12 months were issued prior to the change of ownership to the new owner.

Note: Authority cited: [Sections 39600, 39601, 43013, 43016, 43701 and 44011.6, Health and Safety Code](#). Reference: [Sections 39002, 39003, 39010, 39033, 43000, 43013, 43016, 43018, 43701 and 44011.6, Health and Safety Code](#); and [Sections 305, 505 and 545, Vehicle Code](#).

HISTORY

1. New section filed 10-21-91; operative 11-20-91 (Register 92, No. 9).
2. Amendment filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
3. Amendment filed 3-21-2005; operative 3-21-2005 pursuant to [Government Code section 11343.4](#) (Register 2005, No. 12).
4. Change without regulatory effect amending subsection (a)(1)(B) filed 8-8-2005 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2005, No. 32).
5. Amendment of section and Note filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).
6. Change without regulatory effect amending section filed 5-23-2007 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2007, No. 21).
7. Amendment filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

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13 CCR § 2186

§ 2186. Demonstration of Correction and Post-Repair Test or Inspection.

(a) Demonstration of Correction. The owner must demonstrate correction of the vehicle by submitting to the California Air Resources Board documents demonstrating compliance with (1) or (2) or (3):

(1) Where repairs are made at a repair facility, a repair receipt or a completed work order which contains the following information:

(A) Name, address, and phone number of the facility.

(B) Name of mechanic.

(C) Date of the repair.

(D) Description of component replacement(s), repair(s), and/or adjustment(s).

(E) Itemized list of replaced component(s), including description of part, part number, and cost.

(2) Where the owner makes his or her own repairs outside of a repair facility.

(A) An itemized receipt for the parts used in the repair.

(B) A statement identifying the date and nature of the repairs made.

(3) The owner of the heavy-duty vehicle who has received a Citation for a tampered ECL shall:

(A) Have the engine manufacturer through its authorized dealer, affix an emission control label identical to the label that was installed on the engine at the time of its original manufacturer.

(B) Provide written verification from the heavy-duty vehicle/engine manufacturer or its authorized dealer that the label has been replaced. The written verification must include identification of the engine serial number.

(b) Statement of Correction. The owner must also submit to the California Air Resources Board documents demonstrating compliance with (1) or (2):

(1) If the Citation or Notice of Violation was based on a failure to meet the opacity standard applicable under section 2182, a smoke test report from a subsequent test showing that the repaired vehicle passed the applicable section 2182 standard along with a statement to that effect made under penalty of perjury by the person who conducted the subsequent test.

(A) The person performing the smoke test in section 2186(b)(1) is required to be a trained smoke tester as defined in section 2191(a)(8).

(2) If the Citation or Notice of Violation was based on a failure to pass an emission control system inspection as specified in section 2183, a statement by a person, under penalty of perjury, that the person has reinspected any components identified in the Citation or Notice of Violation as defective or tampered and has determined that these components are correct, are installed, and are in good working order.

(c) The California Air Resources Board shall require a CARB post-repair test or a CARB post-repair inspection whenever:

(1) A submitted repair receipt or work order does not comply with (a) above.

(2) A repair receipt, work order or authorized dealer verification appears to be falsified.

(3) A second and subsequent failures of the test procedure or an emission control system inspection on the vehicle occur within a one year period.

Note: Authority cited: [Sections 39600, 39601, 43013, 43701 and 44011.6, Health and Safety Code](#). Reference: [Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018, 43701 and 44011.6, Health and Safety Code](#); and [Section 505, Vehicle Code](#).

HISTORY

1. New section filed 10-21-91; operative 11-20-91 (Register 92, No. 9).
2. Amendment filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
3. Amendment of section and Note filed 3-21-2005; operative 3-21-2005 pursuant to [Government Code section 11343.4](#) (Register 2005, No. 12).
4. Amendment filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).

5. Change without regulatory effect amending subsection (b) and repealing subsection (b)(3) filed 5-23-2007 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2007, No. 21).

6. Amendment of subsections (a), (a)(2)(B), (b) and (b)(1), new subsection (b)(1)(A) and amendment of subsections (b)(2) and (c) filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

This database is current through 6/3/22 Register 2022, No. 22

13 CCR § 2186, 13 CA ADC § 2186

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Chapter 3.5. Heavy-Duty Diesel Smoke Emission Testing, and Heavy-Duty Vehicle Emission Control System
Inspections (Refs & Annos)

13 CCR § 2187

§ 2187. Vehicles Removed from Service.

(a) Vehicles are subject to removal from service by the Department of the California Highway Patrol pursuant to [California Vehicle Code section 27159](#) if requested by the California Air Resources Board inspector, and if one or more uncleared Citations issued under section 2182 exist at the time of inspection.

(b) Upon payment of all unpaid penalties for a vehicle that has been removed from service, the California Air Resources Board shall provide the owner, or designee, a release form for presentation to the Department of the California Highway Patrol.

(c) The release of the vehicle shall be subject to the condition that it be repaired and post- repair tested or inspected within 15 days.

Note: Authority cited: [Sections 39600, 39601, 43013 and 44011.6, Health and Safety Code](#). Reference: [Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018 and 44011.6, Health and Safety Code](#). [Section 505, Vehicle Code](#).

HISTORY

1. New section filed 10-21-91; operative 11-20-91 (Register 92, No. 9).
2. Amendment of subsection (c) filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
3. Amendment of subsections (a) and (b) filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).
4. Amendment of subsections (a) and (b) filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

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13 CCR § 2187, 13 CA ADC § 2187

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13 CCR § 2188

§ 2188. Contesting a Citation.

The owner of a vehicle cited under these regulations may request a hearing pursuant to [section 60075.1 et seq., title 17, California Code of Regulations](#).

Note: Authority cited: [Sections 39600, 39601, 43013 and 44011.6, Health and Safety Code](#). Reference: [Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018, 43701 and 44011.6, Health and Safety Code](#).

HISTORY

1. New section filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
2. Amendment of section and Note filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).

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13 CCR § 2189

§ 2189. Severability of Provisions.

If any subsection, paragraph, subparagraph, sentence, clause, phrase, or portion of this Chapter is, for any reason, held invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the regulation.

Note: Authority cited: Sections 39600, 39601, 43013 and 44011.6, Health and Safety Code. Reference: Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018, 43701 and 44011.6, Health and Safety Code.

HISTORY

1. New section filed 1-16-2007; operative 2-15-2007 (Register 2007, No. 3).

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13 CCR § 2189, 13 CA ADC § 2189

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Title 13. Motor Vehicles

Division 3. Air Resources Board

Chapter 3.6. Periodic Smoke Inspections of Heavy-Duty Diesel-Powered Vehicles (Refs & Annos)

13 CCR § 2190

§ 2190. Vehicles Subject to the Periodic Smoke Inspection Requirements.

These regulations shall be applicable as follows:

(a) Except as provided in subsection (b), the requirements of this chapter apply to all heavy-duty diesel-powered vehicles with gross vehicle weight ratings greater than 6,000 pounds that operate on the streets or highways within the State of California and diesel vehicles 1998 model year and newer with gross vehicle weight ratings of greater than 6,000 pounds to 14,000 pounds that are registered in areas of California not designated for the biennial smog check program.

(b) Exemptions. The following vehicles are exempt from the requirements of this chapter:

(1) Heavy-duty diesel-powered vehicles that are not part of a fleet or are employed exclusively for personal use.

(2) Heavy-duty diesel-powered vehicles that are registered under the International Registration Plan as authorized by Article 4 (commencing with section 8050), Chapter 4, Division 3 of the California Vehicle Code and that have established a base state other than California (non-California based vehicles).

(3) Heavy-duty diesel-powered vehicles that operate in California under the terms of Interstate Reciprocity Agreements as authorized by Article 3 (commencing with section 8000), Chapter 4, Division 3 of the California Vehicle Code and that belong to fleets that are not based in California.

(4) Heavy-duty diesel-powered vehicles operating in California under the terms of any other apportioned registration, reciprocity, or bilateral prorate registration agreement between California and other jurisdictions and that belong to fleets that are not based in California.

(5) Heavy-duty diesel-powered vehicles operating in California under short-term vehicle registrations or permits of 90 days or less (including but not limited to 90-day temporary registrations and 4-day permits under [California Vehicle Code section 4004](#)).

(6) Diesel vehicles 1998 model year and newer with gross vehicle weight ratings of greater than 6,000 pounds to 14,000 pounds that are registered within an area designated for biennial smog check program coverage. If the vehicle is registered in areas of California designated for smog check inspections only upon initial registration in this state or during change of ownership, however, then the requirements of this chapter shall apply on a biennial basis as determined by the last digit of

the Vehicle Identification Number (VIN). VIN's ending with an even digit would be subject to the PSIP in even calendar years (2010, 2012, 2014 . . .) and VIN's ending with an odd number would be subject to the PSIP in odd calendar years (2011, 2013, 2015 . . .).

(7) Heavy-duty vehicles equipped with engines less than four years of age. Any heavy-duty vehicle is exempt from this chapter until January 1 of the calendar year that is four years after the model year of the engine. All vehicles are to be treated as having been acquired by the owner on January 1 of the engine model year. For example, a 1995 model year engine will be exempt until January 1, 1999, and testing must first be done for a 1995 model year engine in 1999.

(8) Tactical military vehicles, as described in [title 13, CCR, section 1905](#).

Note: Authority cited: [Sections 39600, 39601 and 43701\(a\), Health and Safety Code](#). Reference: [Sections 39002, 39003, 39010, 39033, 43000, 43018, 43701\(a\), 44011 and 44011.6, Health and Safety Code](#).

HISTORY

1. New subchapter 3.6 and section filed 12-1-93; operative 1-1-95 (Register 93, No. 49).
2. Amendment of first sentence filed 11-30-95; operative 12-30-95 (Register 95, No. 48).
3. Redesignation and amendment of subchapter 3.6 to chapter 3.6, new section heading and amendment of section filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
4. Amendment of first paragraph and subsection (a), new subsection (g) and amendment of Note filed 9-15-2011; operative 10-15-2011 (Register 2011, No. 37).
5. Amendment filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

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13 CCR § 2190, 13 CA ADC § 2190

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13 CCR § 2191

§ 2191. Definitions.

(a) The definitions of this section supplement and are governed by the definitions set forth in Chapter 2 (commencing with Section 39010), Part 1, Division 26 of the Health and Safety Code. The provisions of this chapter shall also be governed by the definitions set forth in [section 2180.1, Title 13, California Code of Regulations](#) including the following modifications:

- (1) “Executive Officer” means the Executive Officer of the California Air Resources Board (CARB) or his or her authorized representative.
- (2) “Fleet” means any group of 2 or more heavy-duty diesel-powered vehicles which are owned or operated by the same agency or entity.
- (3) “Individual directly employed by the owner of the fleet” means a person hired by the fleet having a direct employee/ employer relationship, excluding individuals either employed by a third-party or self-employed who contract with a fleet to perform smoke testing for that fleet.
- (4) “OBD data review” means a check of the On Board Diagnostics system for fault codes using the procedures described in section 2193(f).
- (5) “Post-repair smoke test” means a smoke test following a vehicle repair, conducted using the procedures described in section 2193(d).
- (6) “Smoke tester identification number” means the identification number provided by CARB given to a trained smoke tester following the successful completion of an approved training class.
- (7) “Smoke test” or “smoke opacity test” means a test of a vehicle's emissions for smoke opacity level conducted using the procedures described in section 2193(d).
- (8) “Trained Smoke Tester” means a person who has successfully completed the smoke tester training requirements in accordance with section 2193(g).

Note: Authority cited: Sections 39600, 39601 and 43701(a), Health and Safety Code. Reference: Sections 39002, 39003, 39010, 39033, 43000, 43018, 43701(a) and 44011.6, Health and Safety Code.

HISTORY

1. New section filed 12-1-93; operative 1-1-95 (Register 93, No. 49).
2. Amendment filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
3. Amendment filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

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13 CCR § 2191, 13 CA ADC § 2191

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13 CCR § 2192

§ 2192. Vehicle Inspection Responsibilities.

The owner of a heavy-duty diesel-powered vehicle subject to the requirements of this chapter shall do all of the following:

(a) Inspection. Conduct an annual smoke test using the procedures set forth in section 2193(d). Alternatively, an owner may elect to conduct an annual review of OBD data for fault codes, as described in sections 2193(e), (f), for model year 2013 and newer vehicles.

(1) Record the vehicle test information as specified in section 2194.

(b) Repair. Have the vehicle repaired if either it exceeds the applicable smoke opacity standard specified in section 2193(a), or, for vehicles conducting an annual review of OBD data, if the OBD data revealed fault codes described in section 2193(e). Repairs must be done within 45 days of the smoke opacity test or the OBD data review. After repairing the vehicle, the owner shall:

(1) Record the vehicle repair information as specified in section 2194.

(2) Conduct a post-repair smoke test to determine if the vehicle complies with the applicable smoke opacity standard as specified in section 2193(a), or, for vehicles complying via submission of OBD data, confirm the vehicle has been repaired and submit a post-repair OBD scan that shows those fault codes have been cleared, as specified in section 2193(e).

(3) Record the post-repair smoke test results or OBD review results as specified in section 2194.

(4) Make additional repairs to achieve compliance if the vehicle remains out of compliance, and repeat the post-repair smoke test procedure or OBD review procedure under section 2193 as necessary to ensure compliance.

(c) Recordkeeping. Comply with the recordkeeping requirements set forth in section 2194. Keep the specified records for two years after the date of inspection.

(d) Auditing. Permit a California Air Resources Board inspector to review the inspection records specified in section 2194.

Note: Authority cited: Sections 39600, 39601 and 43701(a), Health and Safety Code. Reference: Sections 39002, 39003, 39033, 43000, 43016, 43018, 43701(a) and 44011.6, Health and Safety Code.

HISTORY

1. New section filed 12-1-93; operative 1-1-95 (Register 93, No. 49).
2. Amendment of subsections (a)-(a)(2), (a)(4) and (a)(8) filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
3. New subsection (a)(9), subsection renumbering and amendment of Note filed 3-21-2005; operative 3-21-2005 pursuant to [Government Code section 11343.4](#) (Register 2005, No. 12).
4. Change without regulatory effect repealing subsection (a)(9) and renumbering subsections filed 5-23-2007 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2007, No. 21).
5. Amendment filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

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13 CCR § 2192, 13 CA ADC § 2192

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Chapter 3.6. Periodic Smoke Inspections of Heavy-Duty Diesel-Powered Vehicles

13 CCR § 2193

§ 2193. Smoke Opacity Standards, Inspection Intervals, and Test Procedures.

Currentness

(a) Standards. For any vehicle subject to the requirements of this chapter, the maximum smoke opacity standard when tested in accordance with the test procedures specified in section 2193(d) is as specified in section 2196.6.

- (1) 5% for any heavy-duty vehicle powered by a 2007 or subsequent model year diesel engine.
- (2) 5% for any heavy-duty vehicle required to be equipped or retrofitted with a Level 3 VDECS, regardless of its diesel engine model year.
- (3) 20% for any heavy-duty vehicle equipped or retrofitted with a Level 2 VDECS, regardless of its diesel engine model year.
- (4) 20% for any heavy-duty vehicle powered by a 1997 to 2006 model year diesel engine.
- (5) 30% for any heavy-duty vehicle powered by a 1991 to 1996 model year diesel engine.
- (6) 40% for any heavy-duty vehicle powered by a pre-1991 model year diesel engine.
- (7) 40% for any heavy-duty two-engine crane that has been reported to CARB per title 13 section 2449(g) and that is powered by an off-road propulsion engine without a diesel particulate filter.

(b) Inspection intervals.

- (1) Annual testing. A fleet, as defined in section 2191(a)(2), shall comply with the requirements of this chapter. A vehicle subject to the requirements must be tested annually (on or before December 31 of each year) for smoke opacity (and repaired if the applicable smoke opacity standard is exceeded) in accordance with the requirements of section 2193. An owner may elect instead to review annually an eligible vehicle's OBD data using the procedure set forth in section 2193(f).
- (2) New fleets. Fleets that first become subject to the requirements of this chapter subsequent to the effective date of these regulations must be tested in accordance with section 2193 on or before December 31 of the next calendar year from the date the fleet first becomes subject to the requirements of this chapter.

(c) Smoke test equipment. The smoke measurement equipment shall consist of a full-flow end-of-line or a sampling type smoke meter, a data-processing unit, and a printer and/or electronic storage medium to record and output the test results.

(1) The smoke meter shall comply with the specifications provided in the Society of Automotive Engineers (SAE) procedure J1667, "Snap-Acceleration Smoke Test Procedure for Heavy-Duty Powered Vehicles," February 1996, section 6, which is incorporated herein by reference, and shall be calibrated in accordance with specifications in SAE procedure J1667, section 7.

(2) The data-processing unit shall be capable of performing the functions described in SAE procedure J1667, Appendices A and C (February 1996).

(d) Smoke test procedures.

The smoke opacity test procedures are those set forth in the SAE Recommended Practice SAE J1667 as issued February 1996 ("1996-02"), which is incorporated herein by reference. The test procedure shall consist of preparation, preconditioning, and test phases:

(1) In the preparation phase, the tester shall ensure the vehicle is placed at rest, verify that the transmission is placed in neutral, and ensure the vehicle wheels are properly restrained to prevent any rolling motion, in accordance with specifications in SAE procedure J1667, section 5.1 (February 1996).

(2) In the preconditioning phase, the tester shall perform at least three preliminary snap-acceleration test cycles on the vehicle using the sequence described in SAE procedure J1667, section 5.3 (February 1996). Prior to conducting smoke measurements, the zero and full scale readings of the smoke meter shall be verified by the tester in accordance with specifications in SAE procedure J1667, section 5.4.2 (February 1996).

(3) In the test phase, the tester shall put the vehicle through three snap-acceleration test cycles.

(4) The tester shall measure the opacity during the preconditioning and test phases with a smoke meter and shall record the opacity measurements during each snap-acceleration test cycle.

(5) The smoke test opacity level to determine the compliance with section 2193(a) shall be the average of the corrected maximum 0.5-second average smoke values from the three snap-acceleration test cycles.

(6) The testing shall be performed by a "Trained Smoke Tester" as defined in section 2191(a)(8).

(e) OBD submission alternative.

In lieu of performing a smoke test as specified in section 2193(d), for 2013 and newer model year engines, fleets may review OBD data and submit the data to CARB as specified in section 2193(f).

(1) If the OBD data submission shows that the malfunction indicator light (MIL) status is commanded on or that any permanent fault code is stored, the vehicle is considered to have failed the test. The fleet owner shall then repair the vehicle and submit a post-repair OBD scan result that shows the MIL status is commanded off and that there are no permanent fault codes. The fleet owner shall keep vehicle repair information as specified in section 2194(b) for two years.

(f) OBD submission alternative procedure. If a fleet owner chooses to submit OBD data in accordance with section 2193(e), the owner shall submit the data to CARB using a format approved by the Executive Officer for electronic data reporting, to be made available on CARB's website, <https://www.arb.ca.gov>.

(1) Owner information. The owner shall submit to CARB the following information:

- Owner's name
- Name of company or agency
- Name of responsible person
- Title of responsible person
- Contact phone number
- Contact email address (if applicable)
- Street Address and Mailing Address

(2) Vehicle information. For each vehicle subject to the requirements of this chapter for which a fleet owner elects to conduct an annual review of OBD data, the fleet owner shall submit to CARB the following information:

- License plate number
- Engine model year
- Engine make

(3) OBD information. For each vehicle subject to the requirements of this chapter for which a fleet owner elects to conduct an annual review of OBD data, the fleet owner shall submit to CARB the following data from an OBD data scan which are available from vehicles pursuant to [Title 13, California Code of Regulations, Section 1971.1\(h\)\(4\)](#), “On-Board Diagnostic System Requirements -- 2010 and Subsequent Model -Year Heavy-Duty Engines” for vehicles with gross vehicle weight rating greater than 14,000 pounds, and [Title 13, California Code of Regulations, Section 1968.2\(g\)\(4\)](#), “Malfunction and Diagnostic System Requirements -- 2004 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles and Engines” for vehicles with GVWR 6001 pounds to 14,000 pounds.

- MIL status
- All stored emission-related fault codes:

- Active (MIL on) fault codes
- Previously active fault codes (if available)
- Pending fault codes
- Permanent fault codes
- Vehicle Identification Number
- Engine Serial Number (if available)
- Status of each readiness indicator
- Calibration Verification Number (CVN)
- OBD requirements to which the engine is certified
- Distance traveled/engine run time while MIL activated
- Distance traveled/engine run time since fault memory last cleared
- Number of warm-up cycles since fault memory last cleared

(g) Smoke Tester Training Requirements

A smoke tester must have a CARB-approved smoke tester identification number to perform the testing requirements in section 2193. To receive a smoke tester identification number through CARB, an individual that is not the owner and that is not directly employed by the fleet must submit a copy of the certificate of completion upon successful completion of one of the following training courses specified in section 2193(g)(1) or (2). An owner or an individual directly employed by the owner of the fleet may instead complete an on-line training course developed and distributed by CARB.

(1) The California Council on Diesel Education and Technology HDVIP/PSIP Course (CCDET I), or

(2) A training course meeting the requirements of section 2193(h), which has received Executive Officer approval as an approved smoke tester training.

(h) Smoke Tester Training Course Requirements

An entity offering a smoke tester training course must apply to the Executive Officer for approval to become a CARB-approved smoke tester training course provider. An approved smoke tester training course must include the following:

(1) Hands-on training on how to properly perform the testing requirements of this chapter following the equipment and procedure specifications required in section 2193.

(2) Hands-on training on how to properly calibrate a smoke meter to meet the specifications of SAE procedure J1667 and the requirements of section 2193(c)(1).

(3) Instructional curriculum on the requirements and responsibilities of both the fleet owner and the smoke tester to meet the requirements of sections 2190-2194.

(4) A requirement that potential smoke testers successfully pass a written examination and the hands-on training specified in sections 2193(h)(1) and (2).

(5) Issuance of a certificate of completion for smoke testers who have successfully passed the smoke tester training examinations as specified in section 2193(h)(4).

Credits

NOTE: Authority cited: [Sections 39600, 39601, 43013 and 43701\(a\), Health and Safety Code](#). Reference: [Sections 39002, 39003, 39033, 43000, 43013, 43018, 43701\(a\) and 44011.6, Health and Safety Code](#).

HISTORY

1. New section filed 12-1-93; operative 1-1-95 (Register 93, No. 49).
2. Amendment of subsection (a) filed 11-30-95; operative 12-30-95 (Register 95, No. 48).
3. Amendment of section heading and section filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
4. Change without regulatory effect amending subsection (e)(1) filed 8-24-2009 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2009, No. 35).
5. Change without regulatory effect amending subsection (c) filed 2-7-2013 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2013, No. 6).
6. Amendment of section heading and section filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).
7. Amendment of subsection (a) filed 10-5-2022; operative 1-1-2023 (Register 2022, No. 40).

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Cal. Admin. Code tit. 13, § 2193, 13 CA ADC § 2193

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13 CCR § 2194

§ 2194. Record Keeping Requirements.

(a) The owner of a vehicle subject to the requirements of this chapter shall record the following information when performing the smoke opacity testing:

- (1) The brand name and model of the opacity meter.
- (2) The dates of last calibration of the opacity meter.
- (3) The name and the smoke tester identification number of the trained smoke tester who conducted the test.
- (4) The name and address of the contracted smoke test facility or vehicle repair facility that conducted the test (if applicable).
- (5) The applicable smoke opacity standard for the tested vehicle.
- (6) Vehicle identification number, engine model year, engine make, engine model, and test date.
- (7) The initial smoke test opacity levels (for three successive test readings) and the J1667 standards including the average of the three snap-acceleration test cycles and the range.
- (8) An indication of whether the vehicle passed or failed the initial smoke test.
- (9) The post-repair test date.
- (10) The post-repair smoke test opacity levels (for three successive test readings).
- (11) An indication of whether the vehicle passed or failed the post-repair smoke test.
- (12) For vehicles that have failed the smoke test and have been repaired, the vehicle repair information specified in [section 2186\(a\), Title 13, California Code of Regulations](#).

(b) The owner of a vehicle subject to the requirements of this chapter shall record the following information when performing a review of the OBD system:

- (1) Vehicle identification number, engine model year, engine make, engine model, and test date.
- (2) The name and address of the test facility or vehicle repair facility that conducted the test (if applicable).
- (3) A copy of the OBD data submission meeting the requirements of 2193(e).
- (4) An indication of whether the vehicle passed or failed the initial OBD review.
- (5) The post-repair test date.
- (6) The post-repair OBD data submission meeting the requirements of 2193(e).
- (7) For vehicles that have failed the OBD review test and have been repaired, the vehicle repair information specified in [section 2186\(a\), Title 13, California Code of Regulations](#).

(c) The owner of a vehicle subject to the requirements of this chapter shall maintain an accurate list of vehicles in the fleet including model year, make, model, manufacturer, chassis, engine, engine serial number, vehicle identification number and license plate number.

(d) Upon request, the owner of a vehicle subject to the requirements of this chapter shall provide to CARB, as applicable, a copy of the vehicle OBD data submission in a comma separated value (CSV), Excel, or hypertext markup language (html) electronic file format, or smoke opacity records in a legible meter print out strip signed by the trained smoke tester.

Note: Authority cited: [Sections 39600, 39601, 43013 and 43701\(a\), Health and Safety Code](#). Reference: [Sections 39002, 39003, 39033, 43000, 43018, 43701\(a\) and 44011.6, Health and Safety Code](#).

HISTORY

1. New section filed 12-1-93; operative 1-1-95 (Register 93, No. 49).
2. Amendment of subsections (a) and (a)(2) filed 5-4-98; operative 5-4-98 pursuant to [Government Code section 11343.4\(d\)](#) (Register 98, No. 19).
3. Repealer of subsection (a)(2), subsection renumbering and new subsections (b)-(b)(1)(D) filed 3-21-2005; operative 3-21-2005 pursuant to [Government Code section 11343.4](#) (Register 2005, No. 12).

4. Change without regulatory effect repealing subsections (b)-(b)(1)(D) filed 5-23-2007 pursuant to [section 100, title 1, California Code of Regulations](#) (Register 2007, No. 21).

5. Amendment of section and Note filed 5-8-2019; operative 7-1-2019 (Register 2019, No. 19).

This database is current through 6/3/22 Register 2022, No. 22

13 CCR § 2194, 13 CA ADC § 2194

End of Document

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Barclays California Code of Regulations
Title 13. Motor Vehicles ([Refs & Annos](#))
Division 3. Air Resources Board
Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2195

§ 2195. Applicability.

[Currentness](#)

(a) This HD I/M Regulation applies to:

- (1) All non-gasoline heavy-duty vehicles operating in California and the owners and operators of such vehicles.
- (2) Any freight contractor or broker doing business with owners of vehicles subject to the requirements of this HD I/M Regulation.
- (3) An applicable freight facility allowing the operation of vehicles subject to the requirements of this HD I/M Regulation on their property.
- (4) Vendors of devices used to test vehicles in accordance with the requirements of this HD I/M Regulation.
- (5) Individuals performing vehicle testing in accordance with the requirements of this HD I/M Regulation.

(b) This HD I/M Regulation does not apply to:

- (1) Zero-emission heavy-duty vehicles, as defined in this HD I/M Regulation;
- (2) Authorized emergency vehicles, as defined in this HD I/M Regulation;
- (3) Tactical vehicles operated by the military as described in [title 13, CCR, section 1905](#);
- (4) For four (4) years from the effective date of this HD I/M Regulation, a vehicle equipped with an engine that has been CARB-certified to meet the most stringent optional reduced NOx standard as defined in [title 13, CCR, section 1956.8](#), purchased on or after the effective date of this HD I/M Regulation;
- (5) Motor homes, as defined in this HD I/M Regulation, registered outside of California and used for recreational purposes;

(6) Vehicles operating under a CARB-issued experimental permit as authorized by [California Health and Safety Code section 43014](#);

(7) Vehicles issued a permanent Historical Vehicle License Plate as authorized by [California Vehicle Code section 5004](#); or

(8) Vehicles operating under an Executive Order or Emergency Declaration as specified in subsection (c).

(c) Exemption Pursuant to Declared Emergency. Any out-of-state heavy-duty vehicle operating pursuant to an Executive Order or Emergency Declaration by the Governor of California, shall be exempt from the requirements of this HD I/M Regulation for 30 calendar days from the first day of operation under these emergency orders. After 30 calendar days, the owner of an out-of-state heavy-duty vehicle operating under these emergency orders shall ensure HD I/M compliance pursuant to this HD I/M Regulation.

(d) The requirements of sections 2196.1(f), 2196.2, 2197.2(b), 2196.8, and 2197 shall become effective following the Executive Officer determining that the devices, tools, and platforms within the electronic reporting system necessary to effectively implement the specific requirement have been built, tested, and are ready for use by regulated entities. Once the foregoing conditions are met, the Executive Officer shall notify entities of the effective dates by publishing the effective dates in the California Regulatory Notice Register and on CARB's website at least 90 calendar days prior to the effective dates. The Executive Officer shall ensure the effective date of sections 2196.1(f), 2197.2(b), 2196.8 and 2197 is no earlier than July 1, 2023, and that the effective date of section 2196.2 is no earlier than January 1, 2024.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#). Reference: [Sections 43014 and 44152, Health and Safety Code](#); and [Section 5004, Vehicle Code](#).

HISTORY

1. New chapter 3.7 (sections 2195-2199.1) and section filed 10-5-2022; operative 1-1-2023 (Register 2022, No. 40).

This database is current through 10/28/22 Register 2022, No. 43.

Cal. Admin. Code tit. 13, § 2195, 13 CA ADC § 2195

Barclays California Code of Regulations
Title 13. Motor Vehicles ([Refs & Annos](#))
Division 3. Air Resources Board
Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2195.1

§ 2195.1. Definitions.

[Currentness](#)

(a) For the purposes of this HD I/M Regulation, the following definitions shall apply:

“Affirmation of Fleet Wide Compliance” means a document issued to a fleet by the Executive Officer affirming that the vehicles within the given fleet are compliant with the requirements of this HD I/M Regulation.

“Aftermarket part” means a performance or add-on part issued an Executive Order that exempts the part from the prohibitions of [California Vehicle Code section 27156](#).

“Aftermarket parts label” means a product information label that is affixed to an aftermarket part that contains, at a minimum, the product name as exempted, CARB Executive Order number, instruction for proper installation, the manufacturer's name, and manufacturer's address.

“Agricultural vehicle” means a vehicle or truck-tractor trailer combination owned or operated by a farming business and used exclusively in agricultural operations to transport agricultural products to the first point of processing and does not include vehicles that do not directly support farming operations, such as personal use vehicles.

(1) First point of processing refers to the location where harvested crops, bees, fowl, fish, livestock, animals, or their products, such as wool, milk, or eggs, are first altered from their original state, or the first location where unaltered products are packaged and prepared for transportation.

(2) A first point of processing may include packinghouses, slaughterhouses, cotton gins, nut hullers/shellers and processors, dehydrators, lumber mills, feed and grain mills, and biomass facilities. For some crops, the first point of processing may be in the field, such as chipping wood.

(3) A first point of processing is not a location of the product's final use and does not include distribution centers, wholesale and retail sales locations where the first processing of a product does not occur, livestock auction houses, and subsequent locations where processing, canning, or similar activities occur after departing a first point of processing location.

“Alternative compliance verification terminal” means an applicable freight facility that does not, as of January 1, 2022, have automatic methods, including but not limited to Radio Frequency Identification Devices (RFID) or Automatic License Plate Recognition (ALPR), to identify each vehicle entering the facility.

“Alternative fuel” means natural gas, propane, ethanol, methanol, or other non-diesel or non-gasoline fuel, and includes any of these fuels used in combination with each other. For purposes of this HD I/M Regulation, “alternative fuel” does not mean electricity, hydrogen, or other zero tailpipe emissions fuel or technology.

“Alternative fuel retrofit system” or “retrofit system” is a package of fuel storage and delivery, ignition, emission control, on board diagnostic (OBD), and engine components that are modified, removed, or added during the process of modifying a motor vehicle or engine to operate on an alternative fuel.

“Applicable freight facility” is any of the following facilities within California if one or more heavy-duty vehicles operate within the legal property boundary of the facility:

- (1) A seaport facility, as defined in this section; or
- (2) An intermodal railyard, as defined in this section.

“Authorized emergency vehicle” means vehicles meeting one of the following requirements:

- (1) Authorized emergency vehicles as specified in [California Vehicle Code section 165](#).
- (2) A publicly owned authorized emergency vehicle used by an emergency medical technician-paramedic, as defined in [California Health and Safety Code section 1797.84](#), only as necessary to ensure the ability to respond to emergencies.

“Broker” means any person that, as a principal or agent, sells, offers for sale, negotiates for, or holds itself out by solicitation, advertisement, or otherwise as selling, providing, or arranging for transportation within California by motor carrier for compensation. A motor carrier, or person who is an employee or bona fide agent of a carrier, is not a broker when it arranges or offers to arrange the transportation of shipments which it is authorized to transport and which it has accepted and legally bound itself to transport.

“Calendar year” means January 1 to December 31 for a given year.

“California registered vehicle” means a vehicle that is required to register with the California DMV to legally operate in California.

“CARB” means the California Air Resources Board.

“Citation” means a notice issued by the CARB alleging a violation of the requirements of this HD I/M Regulation, which requires submission of documentation and payment of a penalty as specified in section 2198.2(b).

“Class I Railroad” has the same meaning as defined in [49 U.S.C. § 20102\(1\)](#).

“Commercial purposes” means for the purposes of transportation of materials, goods, commodities or persons for compensation, hire, or profit.

“Compliance deadline” refers to the deadline by which a vehicle shall demonstrate compliance with the requirements of this HD I/M Regulation.

- (1) “Annual compliance deadline” refers to the deadline once per compliance year for which a qualifying vehicle owner shall verify compliance pursuant to this HD I/M Regulation. The annual deadline is the final day of a vehicle's compliance year.
- (2) “Semiannual compliance deadline” refers to the deadline twice per compliance year for which a vehicle owner shall verify compliance pursuant to this HD I/M Regulation. Semiannual deadlines occur on a vehicle's compliance year expiration day in months six and twelve of each compliance year with the deadline in month twelve being the final day

of a vehicle's compliance year. If the semiannual compliance deadline would be a higher number than the total number of days in month six or twelve, the semiannual compliance deadline shall be the last day of that month.

(3) "Quarterly compliance deadline" refers to the deadline four times per compliance year for which a vehicle owner shall verify compliance pursuant to this HD I/M Regulation. Quarterly deadlines occur on a vehicle's compliance year expiration day in months three, six, nine, and twelve of each compliance year with the deadline in month twelve being the final day of a vehicle's compliance year. If the quarterly compliance deadline would be a higher number than the total number of days in any of the months three, six, nine, or twelve, the quarterly compliance deadline shall be the last day of that month.

"Compliance test" means the applicable test specified in sections 2196.3 and 2196.4 required of a vehicle subject to this HD I/M Regulation.

(1) If the compliance test performance date is different than its date of submission to the electronic reporting system, the Executive Officer shall deem the test performance date as the date of record.

"Compliance year" refers to the annual period for which a vehicle's compliance fee applies. For California-registered vehicles, the start and end date of every compliance year shall align with the day and month of a vehicle's DMV registration expiration date. The month of a compliance year refers to the month measured from the start of the compliance year. Thus, if the compliance year start date is in June, month three of the compliance year is September.

(1) The compliance year for a non-California registered vehicle and vehicles exempt from DMV registration shall be determined based on the vehicle's VIN. The compliance year shall begin and end on the last day of the month specified below based on the last number of a vehicle's VIN, as shown in the table below.

| | |
|---|----------|
| 0 | October |
| 1 | November |
| 2 | December |
| 3 | January |
| 4 | February |
| 5 | March |
| 6 | April |
| 7 | May |
| 8 | June |
| 9 | July |

“Consumable chemical fuel” for purposes of this HD I/M Regulation, means any solid, liquid, or gaseous matter, except hydrogen, that releases energy when consumed by an auxiliary power unit.

“Continuously connected remote on-board diagnostic device” or “CC-ROBD device”: See definition for “remote on-board diagnostic device.”

“Data link connector” is a multi-pin diagnostic connection port for vehicles, used to interface a testing device with the control modules of a given vehicle and access on-board diagnostics and live data streams.

“Defective” means a condition in which an emissions control system or an emissions control system component is malfunctioning due to age, wear, design defects, or causes other than tampering.

“Demonstration of Compliance” means the documents specified in section 2198.2(f).

“Designee” means a person authorized by a vehicle or fleet owner to electronically register for an account within the electronic reporting system to update and maintain the account information as necessary.

“Driver” has the same meaning as defined in [California Vehicle Code section 305](#).

“Electronic reporting system” means CARB's online database and reporting system to collect and store all compliance test results and other pertinent regulatory information required as part of this HD I/M Regulation.

“Emission control label” means the label required by the “California Motor Vehicle Emission Control and Smog Index Label Specifications For 1978 Through 2003 Model Year Motorcycles, Light-, Medium- and Heavy-Duty Engines and Vehicles,” as incorporated by reference in [title 13, CCR section 1965](#), as last amended on September 5, 2003, and as required by the “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles,” as incorporated by reference in [title 13, CCR section 1956.8](#), as last amended on April 18, 2019.

“Emissions control system” means the pollution control components, connections, and associated mechanisms on an engine at the time its engine family is certified, including the emission control label.

“Engine change” means the installation of an engine in a vehicle that is different from the vehicle manufacturer original configuration as certified by the United States Environmental Protection Agency (U.S. EPA) or CARB.

“Executive Order (EO)” means a document issued by the Executive Officer verifying that vehicles, engines, add-on components, and other devices meet requirements in CARB regulations or in California statute.

“Five-Day pass” means a once-a-year temporary pass, obtained through the electronic reporting system from the Executive Officer, to operate a vehicle in California for five consecutive calendar days without the Executive Officer deeming the vehicle compliant with the HD I/M Regulation.

“Fleet” means one (1) or more heavy-duty vehicles owned by the same person, agency, business, or other entity.

“Fleet facility” means an area where a vehicle primarily performs shipping or receiving operations, vehicle troubleshooting, repair, testing, or vehicle storage.

“Fraudulent” means any false statement or representation in any application, report, statement, or other document filed, maintained, or used for the purposes of compliance with this HD I/M Regulation.

“Freight contractor” means any person, excluding a broker, who enters into a contract with any party requiring the operation of a heavy-duty vehicle within California. This includes a shipper, receiver, carrier, or governmental agency as defined in this HD I/M Regulation, or any other intermediary party.

“Governmental agency” means any federal, state, or local government, including, public schools, water districts, or any other public entity with taxing authority.

“Gross vehicle weight rating (GVWR)” is as defined in [California Vehicle Code section 350](#).

“HD I/M compliance certificate” means a certificate issued to a vehicle owner by the Executive Officer, obtained after demonstrating compliance with this HD I/M Regulation, confirming the vehicle can legally operate in California.

“HD I/M Regulation” means sections 2195 through 2199 of this Chapter.

“HD I/M tester” means a person who has a current and valid CARB-issued HD I/M tester credential, as defined in section 2197.1.

“HD I/M tester credential” means the accreditation provided by CARB to an individual trained in accordance with the requirements of section 2197.1 to conduct vehicle compliance testing such as ROBD inspections, smoke opacity inspections, and vehicle emissions control equipment inspections required by this HD I/M Regulation and submit vehicle inspection data to the electronic reporting system based on the results of the inspection.

“Heavy-duty vehicle” means any motor vehicle having a manufacturer's GVWR greater than 14,000 pounds.

“Heavy-duty zero-emission vehicle” means an on-road vehicle with a manufacturer's GVWR greater than 14,000 pounds with a drivetrain that produces zero exhaust emissions of any criteria pollutant (or precursor pollutant) or greenhouse gas under any possible operational modes or conditions.

“Hybrid vehicle” means a vehicle that includes energy storage features (other than a conventional battery system or conventional flywheel) in addition to an internal combustion engine using a consumable chemical fuel.

“In-person field inspection” means any inspection conducted in accordance with the procedures specified in this HD I/M Regulation at an inspection site by a CARB inspector or peace officer.

“Inspection site” means an area including a random roadside location, a weigh station, a fleet facility, or other similar site used for conducting the heavy-duty vehicle test procedure, emissions control system inspection, or both.

“Inspector” means a CARB employee or authorized agent with the duty of enforcing [Health and Safety Code section 44152](#).

“Intermodal railyard” means any transportation facility owned or operated by a Class I Railroad that is primarily dedicated to the business of intermodal rail operations where cargo is transferred to or from a train and any other form of conveyance, such as train to ship, ship to train, train to truck, or truck to train.

“Malfunction indicator light (MIL)” means the light displaying the International Standards Organization (ISO) 2575 engine symbol F01, consistent with [subdivision \(d\) of section 1971.1, title 13, CCR](#).

“Manufacturer” means any person who manufactures or assembles an engine, vehicle, or piece of equipment for sale in California. It also means the person who is granted certification for a certified engine, vehicle, or equipment.

“Manufacturer original configuration” means an engine configuration in which all parts and components are properly installed and in place, in accordance with the requirements specified in the certification application and the applicable engine family Executive Order.

“Motor carrier” means a registered owner, lessee, licensee, or bailee of any vehicle, who operates or directs the operation of any such vehicle on either a for-hire or not-for-hire basis.

“Motor home” means a single vehicular unit designed for human habitation to provide temporary living quarters for recreational or emergency occupancy and built on, or permanently attached to, a self-propelled motor vehicle chassis, chassis cab, or van, which becomes an integral part of the completed vehicle or a vehicle that exclusively tows a trailer that was originally designed for human habitation for recreational or emergency occupancy.

(1) A converted vehicle shall be considered a motor home if the vehicle has permanently installed at least four of the following facilities: cooking, refrigeration or ice box, self-contained toilet, heating or air conditioning, a portable water supply system including a faucet and sink, a separate 110- to 125-volt electrical power supply or liquid petroleum gas supply.

“New motor vehicle” means a motor vehicle, the equitable or legal title to which has never been transferred to an ultimate purchaser in accordance with [Health and Safety Code section 39042](#).

“Non-continuously connected remote on-board diagnostic device” or “NCC-ROBD device”: See definition for “remote on-board diagnostic device.”

“Non-OBD-equipped vehicle” means any vehicle that does not meet the definition of an OBD-equipped vehicle.

“Notice to Submit to Testing (NST)” means a notice requiring demonstration of compliance, as specified in section 2198.2(a).

“On-Board Diagnostics (OBD) system” means any system certified to meet the requirements of any of the following:

- (1) [Title 13, CCR, section 1968.2](#);
- (2) [Title 13, CCR, section 1971.1](#);
- (3) [Title 40, Code of Federal Regulations \(CFR\), section 86.010-18](#), as last amended on June 29, 2021; or
- (4) Requirements equivalent to (1) through (3) of this definition.

“OBD-equipped vehicle” means a heavy-duty vehicle for the following model years and fuel types equipped with an OBD system:

- (1) Model year 2013 and newer diesel engines;
- (2) Model year 2013 and newer diesel hybrid engines;
- (3) Model year 2018 and newer alternative fuel engines; and
- (4) Model year 2018 and newer alternative fuel hybrid engines.

“Officer” means a uniformed member of the Department of the California Highway Patrol.

“Opacity” means the percentage of light obstructed from passage through an exhaust smoke plume.

“Outstanding enforcement action” means any unresolved civil, administrative, or criminal violation for which a notice was issued to a vehicle or a fleet owner for non-compliance with any in-use heavy duty vehicle requirements established by CARB.

“Owner” of a vehicle means the person or persons registered as the owner or lessee of a vehicle by the California Department of Motor Vehicles (DMV), or its equivalent in another state, province, or country; vehicle ownership is based on the vehicle registration document or the vehicle title, except as specified below:

(1) For vehicles that are owned by the federal government and not registered in any state or local jurisdiction, the owner shall be the department, agency, branch, or other entity of the United States, including the United States Postal Service, to which the vehicles in the fleet are assigned or which has responsibility for maintenance of the vehicles.

(2) For vehicles that are rented or leased from a business that is regularly engaged in the trade or business of renting or leasing motor vehicles without drivers, the owner shall be presumed to be the rental or leasing entity for purposes of compliance if:

(A) The rental or lease agreement for the vehicle is for a period of less than one year; or

(B) The rental or lease agreement for the vehicle is for a period of one year or longer, unless the terms of the rental or lease agreement or other equally reliable evidence identifies the party responsible for compliance with the HD I/M Regulation to be the renting operator or lessee of the vehicle.

(3) For the purpose of enforcement, if the rented or leased vehicle is inspected and cited for non-compliance with the HD I/M Regulation and neither the operator of the vehicle nor the rental or leasing entity can produce evidence of the party responsible for compliance, the owner shall be presumed to be both the rental or leasing entity and the renting operator or lessee of the vehicle.

(4) A financing company or a person that only provides financing to a third party in the form of “finance leases,” as defined in [California Uniform Commercial Code section 10103\(a\)\(7\)](#), is not considered to own the vehicles that are financed.

“Peace officer” means any law enforcement agencies' authorized representative as defined in California Penal Code, title 3, chapter 4.5, sections 830 et seq.

“Person” means an individual, corporation, business trust, estate, trust, partnership, Limited Liability Company, association, joint venture, government, governmental subdivision, agency, or instrumentality, public corporation, or any other legal or commercial entity.

“Provisional HD I/M compliance certificate” refers to a HD I/M compliance certificate issued to a vehicle owner that indicates that the applicable vehicle may be operated through the vehicle's next compliance deadline without demonstrating full compliance with the requirements of the HD I/M Regulation.

“Receiver” means a person or an entity that enters into a contractual agreement with a shipper, broker, or intermediary party to receive shipped goods, cargo, or commodities for the purpose of processing, packaging, retail sale or wholesale. This does not include the receipt of any goods by the final end-user or consumer.

“Referee” means an individual or entity authorized by CARB to provide independent evaluations of vehicles, and services to accommodate vehicles with inspection incompatibilities or compliance issues.

“Remote on-board diagnostic device” or “ROBD device” means an OBD data collection and submission system certified to meet the California Standards for Heavy-Duty Remote On-board Diagnostics Devices, adopted August 22, 2022 and hereby incorporated by reference.

(1) “Certified continuously connected remote OBD (CC-ROBD) device” means a ROBD device, which may be hard-wired into the vehicle wire harness or plugged into the vehicle and functions automatically without human interaction to perform the compliance test.

(2) “Certified non-continuously connected remote OBD (NCC-ROBD) device” means a plug-in ROBD device that requires human interaction to perform the compliance testing.

“Removal from service” means the towing and storage of a vehicle under [California Vehicle Code section 27159](#) and under the auspices of the California Highway Patrol.

“Rental or leasing company” means a business that rents or leases vehicles.

“Renter” means a person who rents or operates vehicles, engines, or equipment units not owned by that person.

“Repair facility” means any place where heavy-duty vehicles are repaired, rebuilt, reconditioned, or in any way maintained for the public at a fee, and fleet maintenance facilities.

“Roadside emissions monitoring device” means a CARB-authorized system for remotely measuring exhaust emissions, downloading OBD data, or collecting other information for identifying vehicles passing through the system.

“SAE J1667” means SAE Recommended Practice SAE J1667 “Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel Powered Vehicles,” as issued February 1996 (“1996-02”), which is incorporated herein by reference.

“Seaport facility” means any non-military independent marine terminal or any seaport where the seaport functions as a marine or seaport terminal.

(1) “Independent marine terminal” means a marine terminal that operates independently from a seaport or seaport authority.

(2) “Seaport” means the property where marine or seaport terminals are typically located for the loading and unloading of water-borne commerce onto and from ocean-going vessels. For purposes of this HD I/M Regulation, seaport does not include seaport property that is not related to or primarily used to engage in water-borne commerce.

(3) “Marine or seaport terminals” means wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or adjacent areas and structures associated with the primary movement of cargo or materials from vessel to shore or shore to vessel including structures which are devoted to receiving, handling, holding, consolidating, loading, or delivery of waterborne shipments or passengers, including areas devoted to the maintenance of the terminal or equipment. For the purposes of this HD I/M Regulation, the term includes production or manufacturing areas, warehouses, storage facilities, and private or public businesses or entities located on or surrounded by seaport property.

(4) “Seaport property” means publicly or privately owned property where a seaport is located. It is the property that includes the physical boundaries, either contiguous or non-contiguous, of the seaport and may include other properties owned by the seaport. For the purposes of this HD I/M Regulation, seaport property includes privately owned property located within a publicly or privately owned seaport property's boundaries.

“Shipper” means the person, party, or entity who usually owns or supplies the commodities transported by a carrier, or that has possession of freight prior to its transportation. This may include packing plants, storage facilities, warehouses, and distribution centers.

“Smoke meter” means a detection device used to measure the opacity of smoke in percent opacity.

“Smoke test” or “smoke opacity test” means a test of a vehicle's emissions for smoke opacity level conducted using the procedures specified in SAE J1667 Recommended Practice: Snap Acceleration Smoke Test Procedure for Heavy-Duty Powered Vehicles.

“Tampered” means missing, modified, disconnected, or improperly installed, or, as it applies to emission control labels, permanently obscured in accordance with [Vehicle Code section 27156](#) and [Health and Safety Code section 43008.6](#).

“Temporary operating permit” means a permit issued by the DMV, in accordance with [California Vehicle Code section 4156.5](#), which allows a motorist to operate a vehicle for a limited time when all registration fees have been paid, but license plates or registration stickers have not been issued.

“Test procedures” means the methods or actions required to complete the tests specified in this HD I/M Regulation, for the purposes of compliance verification.

“Tier 1, 2, or Tier 3 engine” means an off-road compression-ignition engine certified to the applicable emission standards in [CCR, title 13, section 2423\(b\)\(1\)\(A\)](#) or [section 2423\(b\)\(2\)\(A\)](#).

“Tier 4 engine” means an off-road compression-ignition engine certified to the interim or final Tier 4 emission standards in [CCR, title 13, section 2423\(b\)\(1\)\(B\)](#) or [section 2423\(b\)\(2\)\(B\)](#).

“Ultimate purchaser” means, with respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases a new motor vehicle or new motor vehicle engine for purposes other than resale, as defined in [Health and Safety Code section 39055.5](#).

“Unresolved citation” means a citation issued for violating the requirements of this HD I/M Regulation for which acceptable demonstration of compliance has not been provided or, if required, payment of all required penalties has not been received.

“Vehicle identification number (VIN)” means an alpha numeric code which has been permanently assigned by the manufacturer to a vehicle. The VIN is unique to each vehicle and may contain information deemed necessary by governing agencies. If a manufacturer cannot obtain a federal VIN from the National Highway Traffic Safety Administration for their vehicles, an alternative VIN approved by CARB may be used. Unless otherwise noted, the VIN and alternative VIN will follow formats specified in the Code of Federal Regulations 49, Chapter V, Parts 565, 566, and 571, on October 1, 2021, which are incorporated herein by reference.

“Vendor” means any person who manufactures or applies for certification for a ROBD device. It also means the person to whom CARB grants certification for a certified ROBD device.

“Verified diesel emissions control strategy (VDECS)” means a diesel emission control strategy or system that has received approval from the Executive Officer according to the “Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines” in title 13, CCR, commencing with section 2700. Level 2 VDECS means the strategy or system reduces engine diesel particulate matter emissions by 50 to 84 percent. Level 3 VDECS means the strategy reduces engine particulate matter emissions by 85 percent or greater, or reduces engine emissions to less than or equal to 0.01 grams diesel particulate matter per brake horsepower-hour.

Credits

NOTE: Authority cited: Sections 39002, 39003, 39600, 39601, 43000, 43013, 43701, 44011.6 and 44152, Health and Safety Code. Reference: Sections 1797.84, 39042, 39055.5, 39042.5, 44154 and 44156, Health and Safety Code; and Sections 165, 260, 305, 410, 505, 4156.5, 24019, 27153, 27156, 27158.1, 27158.2 and 27159, Vehicle Code.

HISTORY

1. New section filed 10-5-2022; operative 1-1-2023 (Register 2022, No. 40).

This database is current through 10/28/22 Register 2022, No. 43.

Cal. Admin. Code tit. 13, § 2195.1, 13 CA ADC § 2195.1

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Barclays California Code of Regulations
Title 13. Motor Vehicles (Refs & Annos)
Division 3. Air Resources Board
Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2196

§ 2196. Owner and Operator Requirements.

Currentness

(a) For each vehicle subject to the requirements of this HD I/M Regulation, the vehicle owner shall:

(1) Maintain compliance with the HD I/M Regulation as specified in section 2196.1.

(2) Retain the necessary documentation regarding the current hiring freight contractor or broker in the vehicle, as specified in section 2197.3(e).

(3) Not operate any 1974 or newer vehicle in California unless it meets emissions standards at least as stringent as applicable federal emissions standards for the model year of the engine as specified by a properly installed and legible emission control label.

(4) Not operate any vehicle in California with tampered or defective emission control components.

(5) Not operate any vehicle in California with improperly installed or applied aftermarket parts as determined by the aftermarket parts label and Executive Order.

(b) The vehicle owner or designee shall attest in the electronic reporting system the complete list of vehicles for which they are responsible, as specified in section 2197.2(b)(3).

(c) If a vehicle is operating pursuant to an Executive Order or Emergency Declaration by the Governor of California, the vehicle owner and operator shall ensure copies of dispatch records and other supporting documentation verifying the vehicle is being used to support emergency operations for a specified time are retained and provided to CARB staff, inspectors, or peace officers as specified in section 2197.3(f).

(d) Five-Day Pass. Prior to operating in California, a vehicle owner may obtain written approval from the Executive Officer to operate a vehicle for up to five consecutive calendar days without being subject to the requirements of section 2196(a)(1) and (a)(2).

(1) Vehicle owners are eligible to apply for a Five-Day Pass prior to travelling to California once per calendar year per vehicle. The vehicle owner shall submit an application for a Five-Day Pass to the Executive Officer at least seven business days prior to the vehicle's planned travel or entry in California that includes the information specified in section 2197.2(g).

(A) The Executive Officer shall notify the owner of a determination of their request within five (5) business days and may issue a Five-Day Pass provided the owner has no outstanding enforcement actions and the vehicle has not been issued a Five-Day Pass within the last year.

(2) The owner shall keep the Five-Day Pass in the vehicle, in a location that is accessible to be able to present during inspections, at all times, while operating in California during the specified time frame.

(e) Upon request from CARB staff, inspectors, or peace officers, the vehicle operator shall present a valid temporary operating permit or Five-Day Pass, if applicable, for the vehicle under inspection and documentation of the hiring entity, if any, as specified in subsection (a).

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#); and [Sections 27158.1 and 27158.2, Vehicle Code](#). Reference: [Section 44152, Health and Safety Code](#); and [Sections 27158.1 and 27158.2, Vehicle Code](#).

HISTORY

1. New section filed 10-5-2022; operative 1-1-2023 (Register 2022, No. 40).

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Cal. Admin. Code tit. 13, § 2196, 13 CA ADC § 2196

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13 CCR § 2196.1

§ 2196.1. HD I/M Compliance and Registration.

[Currentness](#)

(a) A vehicle owner shall demonstrate compliance with the HD I/M Regulation as specified in section 2196.1(b)(1) through (b)(5).

(1) Upon a transfer of ownership or registration in California, the new owner shall demonstrate compliance by ensuring the requirements of section 2196.1(b)(1) through (b)(5) have been met for the vehicle within the last 90 calendar days in advance of the transfer date. For example, if a new owner takes ownership of a vehicle on June 1, the new owner shall ensure vehicle compliance was demonstrated between March 3 and June 1.

(2) Upon transfer of ownership of a new motor vehicle as defined in [Health and Safety Code section 39042](#) to an ultimate purchaser, the new owner shall demonstrate compliance within 30 calendar days of the vehicle purchase by meeting the requirements of section 2196.1(b)(1) through (b)(5), with the exception of (b)(3).

(3) For the purposes of this HD I/M Regulation, the following conditions would not constitute a transfer of ownership:

(A) A motor vehicle registered to a sole proprietor is transferred to the proprietor as owner.

(B) The transfer is between companies the principal business of which is leasing motor vehicles, if there is no change in the lessee or operator of the motor vehicle or between the lessor and the person who has been, for at least one year, the lessee's operator of the motor vehicle.

(C) The transfer is between the lessor and lessee of the motor vehicle, if there is no change in the lessee or operator of the motor vehicle.

(D) An additional individual is added as a registered owner of the motor vehicle.

(b) The Executive Officer shall deem a vehicle compliant within 72 hours with the HD I/M Regulation upon finding all the following conditions are met:

(1) The owner has paid to CARB the compliance fee as specified in subsection (f).

- (2) The owner has reported to CARB the owner and vehicle information required under section 2197.2(b).
- (3) The owner has demonstrated compliance with the periodic vehicle emission testing requirements by submitting a passing compliance test as specified in section 2196.2.
- (4) The owner has no outstanding enforcement actions on the vehicle in question.
- (5) The owner has no outstanding emissions or OBD-related recalls on the vehicle in question.
- (c) The Executive Officer may deem a vehicle compliant if the referee identifies inspection incompatibilities or other technical issues that cannot be resolved.
- (d) A vehicle subject to this HD I/M Regulation shall be subject to the periodic vehicle emission testing requirements specified in section 2196.2 according to the frequencies specified below.
- (1) Motor homes registered in California and agricultural vehicles shall be subject to an annual compliance deadline.
- (2) For the first three years of periodic vehicle emission testing requirements specified in section 2196.2, all vehicles other than those specified in (1) shall be subject to semi-annual compliance deadlines.
- (3) Three years following the effective date of periodic vehicle emission testing requirements specified in section 2196.2, an OBD-equipped vehicle other than those specified in (1) shall be subject to quarterly compliance deadlines.
- (e) If a vehicle owner demonstrates vehicle compliance within 90 calendar days or less of the vehicle's immediate upcoming compliance deadline, the Executive Officer shall deem a vehicle compliant with the HD I/M Regulation up to the vehicle's subsequent compliance deadline as long as the additional conditions specified in section 2196.1(b) are met. For example, if an owner of a vehicle with a semi-annual compliance deadline demonstrates compliance between March 3 and May 31 in advance of a June 1 immediate upcoming compliance deadline, the vehicle shall be deemed compliant with the HD I/M Regulation up to and including December 1.
- (1) If a vehicle owner demonstrates vehicle compliance more than 90 calendar days before the vehicle's immediate upcoming compliance deadline, the Executive Officer shall deem a vehicle compliant with the HD I/M Regulation up to the vehicle's immediate upcoming compliance deadline as long as the additional conditions specified in section 2196.1(b) are met. For example, if an owner demonstrates compliance before March 3 in advance of a June 1 immediate upcoming compliance deadline, the vehicle shall be deemed compliant with the HD I/M Regulation up to and including June 1.
- (f) Compliance Fee. The Executive Officer shall assess a compliance fee of \$30.00 to the vehicle owner for each registered vehicle prior to the first demonstration of compliance for a vehicle in a given compliance year. The Executive Officer shall adjust the compliance fee annually based on the California Consumer Price Index (CCPI) as updated by the Department of Industrial Relations and shall publish the adjusted compliance fee by July 1st of each year on CARB's website.

(g) The Executive Officer shall notify the DMV a vehicle has been deemed compliant by CARB with the HD I/M Regulation for registration purposes if compliance with section 2196.1(b)(1) through (b)(5) has been demonstrated for the vehicle within 90 calendar days in advance of the registration date. The Executive Officer shall not request DMV to verify compliance with the HD I/M Regulation for vehicle registration purposes under the conditions specified in section 2196.1(a)(2) and (a)(3) above.

(h) CARB may publicly disclose the compliance status of vehicles operating in California.

Credits

NOTE: Authority cited: [Sections 39600, 39601, 43000, 43013, 43018, 43701, 44011.6, 44152 and 44154, Health and Safety Code](#); and [Section 4000.17, Vehicle Code](#). Reference: [Sections 39042, 44152 and 44154, Health and Safety Code](#); and [Section 4000.17, Vehicle Code](#).

HISTORY

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13 CCR § 2196.2

§ 2196.2. Periodic Vehicle Emission Testing Requirements.

[Currentness](#)

- (a) Applicability. The requirements of this section shall apply to each vehicle subject to this HD I/M Regulation.
- (b) The owner shall ensure the vehicle is tested via one of the following test procedures:
- (1) OBD-equipped vehicles shall satisfy the periodic testing requirements through the completion of a passing compliance test as specified in section 2196.3.
 - (2) Non-OBD-equipped vehicles shall satisfy the periodic testing requirements through the completion of a passing compliance test as specified in section 2196.4.
- (c) If the vehicle owner, HD I/M tester, or CARB determines that the test emission results do not pass, the Executive Officer shall not find that the vehicle has fulfilled the periodic testing requirement of this section. The vehicle owner may submit a new vehicle compliance test prior to a vehicle's compliance deadline to demonstrate compliance with this section.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#). Reference: [Section 44152, Health and Safety Code](#); and [Section 27153, Vehicle Code](#).

HISTORY

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13 CCR § 2196.3

§ 2196.3. Vehicle Compliance Test Methods for OBD-Equipped Vehicles.

[Currentness](#)

(a) An owner of an OBD-equipped vehicle or a person under the direction of the vehicle owner shall ensure the vehicle is tested using one of the vehicle compliance test methods specified as follows:

(1) A certified CC-ROBD device that meets the requirements of California Standards for Heavy-Duty Remote On-board Diagnostic Devices.

(2) A certified NCC-ROBD device that meets the requirements of California Standards for Heavy-Duty Remote On-board Diagnostic Devices that is registered and operated by a HD I/M tester.

(3) Prior to the effective date of the Periodic Vehicle Emission Testing Requirements (section 2196.2) as specified in section 2195(d), submission of vehicle compliance tests shall meet the requirements of title 13, section 2193(f) of the Periodic Smoke Inspection Program and be performed and submitted by a HD I/M tester.

(b) An OBD vehicle compliance test submitted to the electronic reporting system shall meet the requirements of section 2197.2(c).

(c) Criteria for passing a compliance test. The Executive Officer shall determine that an OBD-equipped vehicle has passed a compliance test if none of the following conditions occur:

(1) The vehicle's OBD system reports the MIL as commanded on;

(2) The vehicle's OBD system reports an active or permanent diagnostic trouble code (DTC);

(3) The vehicle's OBD data indicates the OBD system has not yet operated sufficiently to determine the presence or absence of a DTC;

(4) The vehicle's OBD data collected during a compliance test is inconsistent with the OBD data profile from vehicles with the same make, or model year generated using all valid compliance test records submitted to the Executive Officer;

(5) The OBD system data does not match the original equipment manufacturer (OEM) or a CARB-exempted OBD software configuration. The OBD software configuration shall include the specific OBD standard to which the vehicle has been certified, the Calibration Verification Number(s) (CVN), and the Calibration Identification Number(s) (Cal ID); or

(6) The test submission does not meet the requirements specified in section 2196.3(a) or (b).

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#). Reference: [Section 44152, Health and Safety Code](#); and [Section 27153, Vehicle Code](#).

HISTORY

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13 CCR § 2196.4

§ 2196.4. Vehicle Compliance Test Method for Non-OBD-Equipped Vehicles.

[Currentness](#)

(a) An owner of a non-OBD-equipped vehicle or a person under the direction of the vehicle owner shall ensure that a HD I/M tester performs and submits a smoke opacity test performed in accordance with the SAE J1667 test procedure, and a vehicle emissions control equipment inspection as specified in section 2198.

(1) Non-OBD-equipped alternative fuel vehicles shall be exempt from the requirement of a submission of a SAE J1667 opacity test as part of the vehicle compliance test.

(b) Criteria for passing a compliance test. The Executive Officer shall determine that a non-OBD-equipped vehicle has passed the vehicle compliance test if none of the following conditions occur:

(1) The vehicle fails to meet one or more of the requirements of the vehicle emissions control equipment inspection specified in section 2198.

(2) The vehicle exceeds the smoke opacity standards as specified in section 2196.6.

(3) The test submission does not meet the requirements of section 2196.4(a) or the reporting requirements specified in section 2197.2(d) and (e), respectively, for the smoke opacity test and vehicle emissions control inspection.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#). Reference: [Section 44152, Health and Safety Code](#); and [Section 27153, Vehicle Code](#).

HISTORY

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13 CCR § 2196.5

§ 2196.5. Roadside Emissions Monitoring Devices.

Currentness

(a) All heavy-duty vehicles applicable to this HD I/M Regulation operating in California are subject to on-road emissions monitoring through a network of CARB-authorized roadside emissions monitoring devices. For a vehicle passing through a roadside emissions monitoring device, the Executive Officer may issue a Notice to Submit to Testing if one of the following criteria is met:

(1) OBD-Equipped Vehicles.

(A) A roadside emissions monitoring device records an OBD-equipped vehicle with a PM emissions measurement that corresponds to exceeding the equivalent OBD trigger threshold for illuminating the MIL, as described in [title 13, CCR, section 1971.1 \(e\)\(8.2.1\)](#);

(B) A roadside emissions monitoring device records an OBD-equipped vehicle with a NOx emissions measurement that corresponds to exceeding the equivalent OBD trigger threshold for illuminating the MIL, as described in [title 13, CCR, section 1971.1 \(e\)\(6.2.1\)](#);

(2) Non-OBD-Equipped Vehicles.

(A) A roadside emissions monitoring device records a non-OBD-equipped vehicle with a PM emissions measurement that corresponds to exceeding the equivalent smoke opacity standard, as specified in section 2196.6.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#); and [Sections 27153 and 24019, Vehicle Code](#). Reference: [Section 44152, Health and Safety Code](#); and [Sections 27153 and 24019, Vehicle Code](#).

HISTORY

1. New section filed 10-5-2022; operative 1-1-2023 (Register 2022, No. 40).

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13 CCR § 2196.6

§ 2196.6. Smoke Opacity Standards.

[Currentness](#)

(a) When tested using the SAE J1667 smoke opacity test procedure, a vehicle equipped with an on-road engine used for motive power shall not exceed the smoke opacity standards specified below:

- (1) 5% for any heavy-duty vehicle powered by a 2007 or subsequent model-year diesel engine.
- (2) 5% for any heavy-duty vehicle required to be equipped or retrofitted with a Level 3 VDECS, regardless of its diesel engine model-year.
- (3) 20% for any heavy-duty vehicle equipped or retrofitted with a Level 2 VDECS, regardless of its diesel engine model-year.
- (4) 20% for any heavy-duty vehicle powered by a 1997 to 2006 model-year diesel engine.
- (5) 30% for any heavy-duty vehicle powered by a 1991 to 1996 model-year diesel engine.
- (6) 40% for any heavy-duty vehicle powered by a pre-1991 model-year diesel engine.

(b) When tested using the SAE J1667 smoke opacity test procedure, a vehicle equipped with an off-road engine used for motive power shall not exceed the smoke opacity standards specified below:

- (1) 5% for any heavy-duty vehicle powered with an off-road engine certified with a diesel particulate filter.
- (2) 5% for any heavy-duty vehicle powered with an off-road engine retrofitted with a Level 3 VDECS.
- (3) 10% for any heavy-duty vehicle powered with an off-road Tier 4 engine (interim or final) that is not equipped with a diesel particulate filter or is not retrofitted with a Level 3 VDECS.
- (4) 30% for any heavy-duty vehicle powered with an off-road Tier 2 or Tier 3 engine not retrofitted with a Level 3 VDECS.

(5) 40% for any heavy-duty vehicle powered with an off-road Tier 1 engine not retrofitted with a Level 3 VDECS.

Credits

NOTE: Authority cited: Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code; and Section 27153, Vehicle Code. Reference: Sections 43701, 44011.6 and 44152, Health and Safety Code; and Section 27153, Vehicle Code.

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13 CCR § 2196.7

§ 2196.7. Referee Services.

Currentness

(a) This section applies to any heavy-duty vehicle owner whose vehicle is directed for a referee inspection by the Executive Officer due to any of the following circumstances:

- (1) A law enforcement agency requests the Executive Officer to direct a vehicle to referee services.
 - (2) The vehicle owner has submitted OBD data collected during a compliance test that is inconsistent with the OBD data profile from vehicles with the same make, or model year.
 - (3) The Executive Officer has issued the vehicle owner a Notice to Submit to Testing under section 2196.5.
 - (4) The vehicle owner is suspected of operating with tampered emission control components.
 - (5) The vehicle owner has failed to submit required testing data.
 - (6) The vehicle owner has unresolved citations related to this HD I/M Regulation.
 - (7) Services are required for auditing, program validation, or demonstration of compliance purposes.
 - (8) The vehicle condition makes a typical inspection difficult due to design, malfunctioning condition, or inspection incompatibility.
 - (9) CARB requires the verification of a submitted repair invoice, work order, or other proof of compliance documentation.
- (b) If directed by the Executive Officer to the referee, the vehicle owner shall pass a referee-performed vehicle compliance test as specified in section 2196.7(d) prior to the vehicle being deemed compliant with the requirements of this HD I/M Regulation.
- (c) The vehicle owner shall complete a referee inspection under the following circumstances:

- (1) The vehicle owner disputes an inspection result and requests an independent evaluation of a vehicle's compliance status.
 - (2) The vehicle has an engine or emission control configuration that does not meet the original certified configuration required by U. S. EPA or CARB upon installation or initial sale of the vehicle. Such vehicles include the following:
 - (A) Vehicles equipped with an engine change.
 - (B) Vehicles equipped with an alternative fuel retrofit system.
 - (3) The vehicle has been converted to a motor home.
 - (4) The vehicle owner requests a compliance time extension as specified in section 2196.8.
- (d) The referee shall inspect the vehicle for HD I/M compliance and to determine if its emissions control system has been tampered with or is defective. The inspection may include the following:
- (1) A vehicle emissions control equipment inspection as specified in section 2198.
 - (2) An OBD inspection as specified in section 2196.3 on applicable vehicles.
 - (3) A SAE J1667 opacity test as specified in section 2196.4.
 - (4) Verification of compliance with the applicable requirements specified in 2196.1(b).
- (e) The referee shall recommend the Executive Officer deem a vehicle out of compliance with the HD I/M Regulation if a vehicle does not meet the criteria for passing a compliance test as specified in sections 2196.3 and 2196.4, or fails to meet the requirements of 2196.1(b). The referee may recommend the Executive Officer deem a vehicle in compliance if the referee identifies inspection incompatibilities or other technical issues that cannot be resolved.

Credits

NOTE: Authority cited: Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code; and Section 27153, Vehicle Code. Reference: Sections 43701, 44011.6 and 44152, Health and Safety Code; and Sections 24019 and 27153, Vehicle Code.

HISTORY

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13 CCR § 2196.8

§ 2196.8. Parts Unavailability Compliance Time Extension.

Currentness

(a) A vehicle owner may make a request to the Executive Officer for a vehicle compliance time extension through the referee if parts to bring a vehicle back into compliance are not available to complete the needed repairs.

(b) Upon making a compliance time extension request, the vehicle owner shall provide the documentation specified in section 2197.2(i) to demonstrate that a good-faith effort has been made to bring the vehicle into compliance.

(c) The referee shall verify the following owner and vehicle requirements and make a recommendation to the Executive Officer on the issuance of the compliance time extension:

- (1) The vehicle's emissions control systems have not been tampered.
- (2) The vehicle has no outstanding emissions or OBD-related recalls.
- (3) The vehicle owner has no unresolved citations.
- (4) The vehicle owner has made a good-faith effort seeking timely repair for the vehicle as evidenced with proof of an effort to contact at least one repair facility as specified in section 2197.2(i) after the non-compliance issue was first identified.
- (5) Vehicle parts are not available to bring the vehicle back to a compliant state.

(d) Following a recommendation made by the referee, the Executive Officer may grant a compliance time extension to an owner of an eligible vehicle. The Executive Officer shall base their decision on whether the documentation provided by the vehicle owner in subsection (b) and the referee recommendation in subsection (c) demonstrate that the owner has made a good-faith effort to bring the vehicle into compliance and the vehicle parts remain unavailable to do so. Upon approval of a compliance time extension request, the Executive Officer shall allow operation of the vehicle up to the vehicle's next compliance deadline and issue the vehicle owner a provisional HD I/M compliance certificate for the eligible vehicle.

Credits

NOTE: Authority cited: Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code; and Section 27153, Vehicle Code. Reference: Section 44152, Health and Safety Code.

HISTORY

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13 CCR § 2197

§ 2197. Freight Contractor, Broker, and Applicable Freight Facility Requirements.

[Currentness](#)

(a) Any freight contractor shall only contract with compliant vehicles or fleets and comply with the recordkeeping requirements specified in section 2197.3(b). In the case of contracts with intermediary parties where vehicle or fleet wide compliance cannot be verified by the freight contractor, the freight contractor shall comply with the recordkeeping requirements specified in section 2197.3(b)(2).

(b) Any broker shall only arrange transportation within California through motor carriers with compliant vehicles or fleets and maintain records in accordance with the recordkeeping requirements specified in section 2197.3(c).

(c) Any applicable freight facility shall adhere to one of the following requirements each calendar year, and maintain an attestation as outlined in section 2197.3(d)(1):

(1) Ensure that only compliant vehicles will enter and operate on their property. Compliance can be verified for each incoming vehicle at the time of entry by requesting a valid CARB HD I/M compliance certificate or by checking identifiable information through CARB's electronic reporting system; or

(2) Maintain records of all vehicles that enter the applicable freight facility property that are not compliant with this HD I/M Regulation, in accordance with the recordkeeping requirements specified in section 2197.3(d)(2).

(d) In lieu of the requirements specified in section 2197(c), alternative compliance verification terminals may choose to ensure that vehicles entering and operating on their property have demonstrated compliance with the HD I/M Regulation no more than one year prior to the date of entry, and maintain an attestation as outlined in section 2197.3(d)(1).

(e) The requirements detailed in sections 2197(c) and 2197(d) do not apply to applicable freight facilities when vehicles entering their properties are delivering goods or providing services to the facility or a facility employee as the final end-user or consumer of the good or service.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#); and [Section 27153, Vehicle Code](#). Reference: [Section 44152, Health and Safety Code](#).

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13 CCR § 2197.1

§ 2197.1. HD I/M Tester Requirements.

[Currentness](#)

(a) To conduct compliance tests and inspections, and to submit data to the electronic reporting system, as described in sections 2196.3 and 2196.4 of this HD I/M Regulation, individuals shall obtain a HD I/M tester credential. The Executive Officer shall issue the candidate a HD I/M tester credential upon demonstration that the candidate has satisfied (1) through (3) below:

- (1) Successfully completed a training course developed by CARB, as evidenced by a valid certificate of completion.
- (2) Obtained a passing score of 80 percent or greater on the training course exam administered by CARB.
- (3) Has not previously had their HD I/M tester credential revoked under subsection (e) of this section.

(b) The training course may include the following modules:

- (1) Regulatory Module. Training and information on the requirements of the Heavy-Duty Inspection and Maintenance regulation, including periodic submission requirements, vehicle requirements, and violations.
- (2) Opacity Module. Training and information on how to perform a Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel-Powered Vehicles pursuant to SAE J1667.

(A) Prior to the effective date of the Periodic Vehicle Emission Testing Requirements (section 2196.2) as specified in section 2195(d), CARB shall accept one of the following in lieu of the training requirement to complete the Opacity Module:

1. A certificate of completion of the California Council on Diesel Education and Technology HDVIP/PSIP Course (CCDET I); or
2. A certificate of completion from a CARB-approved course as specified by the requirements of [title 13, CCR, section 2193\(g\)](#) of the Periodic Smoke Inspection Program.

(3) OBD Module. Training and information on how to perform an OBD test, required OBD data, DTCs, and acceptable submission formats.

(4) Visual Inspection Methods Module. Training and information on how to properly conduct the vehicle emissions control equipment inspection on vehicles subject to the requirements of this HD I/M Regulation.

(c) A HD I/M tester credential shall be valid for two years from the date of the successful completion of the training course including receipt of a passing score on the CARB administered training exam. To maintain a current and valid HD I/M tester credential, individuals shall retake the training course and pass any required examinations prior to or upon expiration.

(d) Data Reporting and Penalties. The accuracy of any data submitted to CARB is the responsibility of the owner of the vehicle for which tests are being conducted, the HD I/M tester conducting tests and inspections, or any other entity involved in this process. Failure to ensure that the reported data is accurate and correct may result in penalties as specified in section 2198.2(b) for HD I/M testers, vehicle owners, or other entities involved.

(e) Credential Revocation. The Executive Officer may revoke a HD I/M tester credential for violating any provision of this HD I/M Regulation, including the fraudulent submission of data, or not properly adhering to the test, inspection, or data submission procedures. The Executive Officer may prohibit the HD I/M tester or any other entity in coordination with the HD I/M tester from conducting future tests.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#); and [Section 27153, Vehicle Code](#). Reference: [Section 44152, Health and Safety Code](#).

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Title 13. Motor Vehicles (Refs & Annos)
Division 3. Air Resources Board
Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2197.2

§ 2197.2. Reporting Requirements.

Currentness

(a) Various sections of this HD I/M Regulation require affected entities to report information to CARB. Such requirements are described in this section.

(1) Submitting to CARB a false oral or written statement, including a material misstatement or a material omission, in connection with the requirements of this reporting section is a violation of this HD I/M Regulation that may subject the submitter to penalties as described in section 2198.2(d).

(2) The Executive Officer may revoke a vehicle's HD I/M compliant status or refuse to deem a vehicle in compliance with the HD I/M Regulation in response to one or more violations of this reporting section.

(b) Vehicle owners or a designee shall report pertinent owner and vehicle identifying information specified by the Executive Officer to the electronic reporting system, including:

(1) Owner information.

(A) Registered Owner Name.

(B) Entity Name.

(C) Fleet/Secondary Name (if applicable).

(D) Designee (if applicable).

(E) Title of Designee (if applicable).

(F) Contact Email Address.

(G) Contact Mailing Address.

(H) Contact Phone Number.

(I) Entity Physical Address.

(J) United States Department of Transportation (U.S. DOT) number (if applicable).

(K) California Motor Carriers Permit (MCP) ID (if applicable).

(L) Public Utilities Commission (PUC) ID (if applicable).

(2) Vehicle Information.

(A) VIN.

(B) License plate number.

(C) State in which the vehicle is registered with a DMV.

(D) Vehicle make.

(E) Vehicle model.

(F) Vehicle model year.

(G) Engine fuel type.

(H) GVWR.

(3) A vehicle owner or designee shall attest, in the electronic reporting system, to the complete list of vehicles subject to this HD I/M Regulation for which they are responsible.

(A) A vehicle owner or designee shall verify and attest the list of vehicles claimed is true and accurate and updated in accordance with the following requirements:

1. The vehicle owner or designee shall add each vehicle to the list of applicable vehicles within 30 calendar days of purchase.

2. The vehicle owner or designee shall remove each vehicle from the list of applicable vehicles within 30 calendar days of sale.

(B) Upon attesting responsibility for the complete list of vehicles, the Executive Officer shall provide the vehicle owner or designee with an Affirmation of Fleet Wide Compliance within 72 hours, if and when the vehicle owner or designee has demonstrated that each vehicle within the fleet complies with the requirements of this HD I/M Regulation.

(c) Required OBD Testing Data

(1) OBD data as specified in subsection (E)(6.1) of PART II, California Standards for Heavy-Duty Remote On-board Diagnostics Devices shall be submitted via the file format specified in subsection (E)(4) of PART II, California Standards for Heavy-Duty Remote On-board Diagnostic Devices for each OBD vehicle compliance test specified in section 2196.3(a) (1) and (2).

(2) OBD data as specified in section 2193(f)(3) shall be submitted for each OBD vehicle compliance test specified in section 2196.3(a)(3).

(d) Required Smoke Opacity Testing Data.

(1) For each vehicle subject to the smoke opacity testing requirements of section 2196.4, and for each smoke opacity test, the vehicle owner shall cause to be submitted through a HD I/M tester all of the following data and information to CARB.

(A) VIN.

(B) Odometer reading.

(C) The initial smoke test opacity levels (for three successive test readings), the average of the three snap-acceleration test cycles, and the range.

(D) The name and tester identification number of the HD I/M tester who performed the smoke opacity inspection.

(E) Smoke meter brand name, make, model.

(F) The dates of the last calibration of the opacity meter.

(G) Test date.

(e) The vehicle emissions control equipment inspections specified in section 2198 shall be submitted to the electronic reporting system via a file template available on CARB's website (arb.ca.gov).

(f) HD I/M Testers.

(1) HD I/M testers shall provide the following information to CARB prior to performing and submitting compliance test results.

(A) Tester name.

(B) HD I/M tester credential number.

(C) Date accredited.

(D) Tester mailing address.

(E) Tester cellular phone number.

(F) Email address.

(G) Entity name.

(H) Entity physical address.

(I) Entity phone number.

(J) Certified NCC-ROBD device registered to tester (if applicable).

(g) Five-Day Pass. When applying for a Five-Day pass, a vehicle owner shall submit an application form to the electronic reporting system. The owner shall submit the following information:

(1) Request date.

(2) Registered owner's name.

(3) Street address, city, state, zip code of owner.

- (4) Telephone number of owner.
 - (5) Email address of owner (if available).
 - (6) VIN.
 - (7) License plate number and state of registration.
 - (8) Date(s) the vehicle will begin travel, or enter California if traveling from out of state location.
 - (9) Origin and destination travel information.
- (h) ROBD Device Vendors: ROBD device vendors granted certification to use devices to test vehicles for compliance with the requirements of section 2196.3 shall report the data fields specified in California Standards for Heavy-Duty Remote On-board Diagnostic Devices Part III, section E to the electronic reporting system.
- (i) Parts Unavailability Compliance Time Extensions. When applying for a compliance time extension due to an unavailability of parts, a vehicle owner shall submit the following information from at least one repair facility.
- (1) The repair(s) that is needed to correct the vehicle's non-compliance issue.
 - (2) The part(s) needed to repair the compliance issue.
 - (3) What part(s) needed to repair the compliance issue are unavailable.
 - (4) The reason(s) as to why the part(s) are unavailable.
 - (5) An estimate as to when the parts are expected to become available.
 - (6) Repair facility contacted in an effort to complete the needed vehicle repairs.
 - (A) Business name.
 - (B) Business address.
 - (C) Business contact information.

(7) Evidence of an effort to contact repair facilities after the non-compliance issue was first identified.

Credits

NOTE: Authority cited: Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code; and Section 27153, Vehicle Code. Reference: Section 44152, Health and Safety Code.

HISTORY

1. New section filed 10-5-2022; operative 1-1-2023 (Register 2022, No. 40).

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Cal. Admin. Code tit. 13, § 2197.2, 13 CA ADC § 2197.2

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Title 13. Motor Vehicles (Refs & Annos)
Division 3. Air Resources Board
Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2197.3

§ 2197.3. Recordkeeping Requirements.

Currentness

(a) Various sections of this HD I/M Regulation require affected entities to adhere to recordkeeping requirements and provide records to CARB upon request. Such requirements are described in this section. Unless otherwise specified, affected entities shall retain the specified records for a minimum of five years from date of entry, and shall provide them to CARB staff, inspectors, or peace officers within 72 hours of official written or oral request.

(b) Freight contractors shall retain the following records at the business location:

(1) For each heavy-duty vehicle subject to this HD I/M Regulation that is contracted by the freight contractor, the freight contractor shall keep the documentation described below:

(A) A copy of the vehicle's HD I/M compliance certificate, valid at the time of dispatch, for each vehicle dispatched to, from, or within California; or

(B) An Affirmation of Fleet Wide Compliance for the fleet dispatching vehicles to California to which the vehicle belongs. The Affirmation of Fleet Wide Compliance shall be:

1. Obtained prior to any contract requiring dispatch to California; and

2. Dated within 12 months of the date the vehicle is contracted by the freight contractor.

(2) Records of transactions and agreements between shippers, receivers, brokers, and motor carriers requiring the operation of heavy-duty vehicles in California. Documentation shall include all the following information:

(A) The shipper or receiver initiating the transaction requiring transport.

(B) The motor carrier or broker who hired or dispatched the vehicle.

(C) The vehicle dispatched.

(c) Brokers, as specified in section 2197, shall retain the following records for each motor carrier or vehicle owner brokered with, for the purpose of transporting freight to, from, or within California resulting from a contractual agreement with the broker:

(1) Verification of compliance, either in the form of:

(A) A copy of the vehicle's HD I/M compliance certificate, valid at the time of dispatch, for each vehicle dispatched to, from, or within California; or

(B) An Affirmation of Fleet Wide Compliance for a fleet dispatching vehicles to, from, or within California, which shall be:

1. Obtained prior to any contract requiring dispatch to, from, or within California; and,
2. Dated within 12 months of the date the vehicle is contracted by the Broker.

(2) Dispatching motor carrier:

(A) Business name of dispatching motor carrier.

(B) Contact name.

(C) Street address, city, state, zip code of the dispatching motor carrier.

(D) Phone number of the dispatching motor carrier.

(d) Applicable freight facilities shall retain the following records:

(1) For each calendar year, the applicable freight facility must retain a document attesting the following:

(A) The requirement the applicable freight facility intends to comply with, as outlined in section 2197(c)(1), 2197(c)(2), or 2197(d), for the duration of the calendar year.

(B) The date the attestation was made.

(2) For applicable freight facilities choosing the compliance option outlined in section 2197(c)(2), maintain the following records for each vehicle for which compliance has not been verified:

(A) Dispatching motor carrier:

1. Entity name of dispatching motor carrier.
2. Contact name.
3. Street address, city, state, zip code of the dispatching motor carrier.
4. Phone number of the dispatching motor carrier.
5. Bill of lading, load tender, or any other tracking number linked to the specific load.

(B) Heavy-duty vehicle information:

1. Entry date and time.
2. Registered owner's name.
3. Operator's name.
4. License plate number and state of issuance.
5. VIN.

(e) Drivers and vehicle owners of heavy-duty vehicles operating for commercial purposes within California, shall ensure that the following forms of documentation are available in the vehicle. Drivers or vehicle owners shall provide the following forms of documentation to CARB staff, inspectors, or peace officers immediately upon request:

(1) Documentation relating to the current hiring freight contractor or broker, including

- (A) Entity name.
- (B) Contact name.
- (C) Contact phone number and email address.
- (D) Street address, city, state, zip code of the hiring entity.

(E) Copy of contract for the specific load carried by the driver.

(f) Drivers and vehicle owners of heavy-duty vehicles operating under an exemption pursuant to a declared emergency, as specified in section 2195(c) of this HD I/M Regulation, shall retain documentation that establishes that the vehicle is being used in support of emergency operations.

(g) ROBD device vendors granted certification by CARB to use ROBD devices as part of this HD I/M Regulation shall meet the record keeping requirements specified in California Standards for Heavy-Duty Remote On-board Diagnostic Devices Part III, section E.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#); and [Section 27153, Vehicle Code](#). Reference: [Section 44152, Health and Safety Code](#).

HISTORY

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Cal. Admin. Code tit. 13, § 2197.3, 13 CA ADC § 2197.3

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Division 3. Air Resources Board
Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2198

§ 2198. Vehicle Emissions Control Equipment Inspections.

[Currentness](#)

- (a) Vehicle emissions control equipment inspections shall be performed by inspectors, referees, and HD I/M testers.
- (b) The inspection of the vehicle and engine components shall include observation and verification of all of the following:
- (1) The presence and legibility of the emission control label as defined in this HD I/M Regulation to determine compliance with the requirements as specified in section 2196(a)(3).
 - (2) Proper configuration of any emissions-related components for a particular vehicle/engine as specified on the emission control label, determined from the manufacturer's specifications found in certification data, published manufacturer's repair information, and Executive Orders to determine compliance with the requirements as specified in section 2196(a)(4).
 - (3) The proper installation and application of aftermarket parts to determine compliance with the requirements as specified in section 2196(a)(5).
 - (4) The vehicle mileage as indicated by the odometer.
 - (5) The MIL bulb's operational status, if applicable:
 - (A) The following inspection conditions shall result in a failed inspection if one or more occur:
 1. The vehicle's MIL does not illuminate when the ignition is on and the engine is off.
 2. The vehicle's MIL illuminates continuously or flashes with the engine running.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#); and [Sections 24019, 27153, 27158.1 and 27158.2, Vehicle Code](#). Reference: [Section 44152, Health and Safety Code](#); and [Sections 24019, 27153, 27158.1 and 27158.2, Vehicle Code](#).

HISTORY

1. New section filed 10-5-2022; operative 1-1-2023 (Register 2022, No. 40).

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Title 13. Motor Vehicles (Refs & Annos)
Division 3. Air Resources Board
Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2198.1

§ 2198.1. In-person Field Inspection Requirements for Drivers and Inspectors.

Currentness

(a) The driver of a heavy-duty vehicle selected to undergo the in-person field inspection shall do all the following actions, as applicable:

(1) Drive the vehicle to the inspection site upon direction of an officer or inspector.

(2) Show proof of driver's license and vehicle registration to the inspector or officer upon request.

(3) Permit the inspector to perform the inspections and test procedures as specified in this HD I/M Regulation.

(A) All vehicles operating within California will remain subject to inspection requirements regardless of the vehicle's compliance status.

(4) Open the vehicle door so that the inspector may:

(A) Observe the driver depress the accelerator pedal and place the transmission in neutral or park, with the parking brake on or wheel chocks in place, upon request;

(B) Access data link connector to perform an OBD download;

(C) Observe the status of the MIL; and

(D) Observe the vehicle odometer.

(5) Permit a vehicle emissions control equipment inspection and open the engine compartment of the vehicle upon the request of the inspector.

(6) Sign any relevant citation and inspection report(s).

(b) The inspector conducting the in-person field inspection shall do all the following:

- (1) Advise the driver that refusal to submit to the test procedure or inspection is an admission constituting proof of a violation.
- (2) Request driver's license, vehicle registration, and temporary operating permit if applicable.
- (3) Obtain all pertinent vehicle and engine identification information.
- (4) Conduct any necessary and applicable tests and inspection procedures as specified in this HD I/M Regulation.
- (5) Verify that the vehicle is compliant with the requirements specified in this HD I/M Regulation.
- (6) As deemed necessary, issue a citation to the driver of a vehicle that fails to meet the requirements established by this HD I/M Regulation.

Credits

NOTE: Authority cited: Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code; and Sections 24019, 27153, 27158.1 and 27158.2, Vehicle Code. Reference: Section 44152, Health and Safety Code; and Sections 24019, 27153, 27158.1 and 27158.2, Vehicle Code.

HISTORY

1. New section filed 10-5-2022; operative 1-1-2023 (Register 2022, No. 40).

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Division 3. Air Resources Board
Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2198.2

§ 2198.2. Enforcement.

[Currentness](#)

(a) Notice to Submit to Testing. The owner of a vehicle passing through a roadside emissions monitoring device that meets at least one of the criteria specified in section 2196.5(a) shall receive a Notice to Submit to Testing. The owner shall be provided 30 calendar days to submit the applicable demonstration of compliance as specified in section 2198.2(f). Failure to provide the applicable demonstration of compliance by the provided due date may result in a violation.

(b) Violations.

(1) Citations. Any violation of the requirements specified in this HD I/M Regulation may result in the direct issuance of citation and penalties. The registered owner, vehicle operator, freight contractor, or other entity that receives a citation shall have 45 calendar days, or 75 calendar days for owners of agricultural vehicles, to submit the applicable demonstration of compliance as specified in section 2198.2(f) and any applicable penalties. Citation and penalties may also be assessed for the following:

(A) Refusals. The refusal by an owner or driver of a vehicle to do any of the following items shall constitute a failure of the inspection or applicable test procedures conducted during an inspection, and may result in applicable penalties.

1. Refusal to submit to an inspection or any applicable tests during an in-person field inspection as specified in section 2198.1(a).

2. Refusal to submit to a referee inspection as specified in section 2196.7.

(2) Submittal of Fraudulent Data. The submittal of fraudulent data to the electronic reporting system shall be considered a violation of this HD I/M Regulation.

(c) Audits.

(1) Records. Upon request from CARB, entities subject to the recordkeeping requirements specified in section 2197.3 shall make records available for the purposes of auditing.

(2) Inspections. Upon written request from CARB, the owner of a vehicle subject to the requirements of this HD I/M Regulation shall make their vehicle available for inspection at a predetermined date and location.

(d) Penalties. Any person or entity who fails to comply with the requirements of this HD I/M Regulation, who fails to submit any information or report accurately and correctly as required by this HD I/M Regulation, or who submits any false statement or representation in any application, report, statement, or other document filed, maintained, or used for the purposes of compliance with this HD I/M Regulation may be subject to penalties under Health and Safety Code, Division 26, Parts 2 and 5. Evidence of fault on the part of the registered owner, vehicle operator, freight contractor, or other entity shall not be considered a mitigating circumstance for assessing penalties.

(e) Transfer of Ownership. When a heavy-duty vehicle undergoes a bona fide transfer of ownership between non-related persons or entities, the new owner shall not be subject to penalties for any unresolved citations if the previous owner or the new owner submits sufficient evidence to establish that the penalties resulted from citations issued by CARB prior to the transfer of ownership.

(f) Demonstration of Compliance. Upon issuance of a Notice to Submit to Testing or a citation, the Executive Officer may request additional documentation to serve as evidence to prove compliance. The requested documentation may include one or more of the following items:

(1) Documentation of a successful OBD test pursuant to a testing method specified in section 2196.3(a).

(2) Documentation of a successful SAE J1667 smoke test pursuant to section 2196.4(a).

(3) Documentation of a completed vehicle emissions control equipment inspection specified in section 2198.

(4) If a repair facility repaired the vehicle at issue, a repair invoice or a completed work order that contains the following information:

(A) Name, address, and phone number of the facility.

(B) Name of mechanic or technician.

(C) Date of the repair.

(D) Description of component replacement(s), repair(s), or adjustment(s).

(E) Itemized list of replaced component(s), including description of part, part number, and cost.

(F) Vehicle information including the vehicle's engine serial number, vehicle identification number, or vehicle license plate.

(5) If the owner made their own repairs to the vehicle at issue:

(A) An itemized receipt for the parts used in the repair.

(B) A statement identifying the date, nature of the repairs made, and vehicle information including vehicle's engine serial number, vehicle identification number, and vehicle license plate.

(6) Proof of reporting or a valid HD I/M compliance certificate.

(7) Statement of Correctness. Statement attesting that submission of data is true and correct.

(g) Vehicles Removed from Service.

(1) Vehicles found to be in violation of this HD I/M Regulation are subject to removal from service by the Department of the California Highway Patrol pursuant to [California Vehicle Code section 27159](#) if requested by a CARB inspector, and if one or more unresolved citations issued under section 2198.2(b)(1) exist at the time of inspection.

(2) Upon payment of all unpaid penalties for a vehicle that has been removed from service, CARB shall provide the owner, or designee, a release form for presentation to the Department of the California Highway Patrol.

(3) The release of the vehicle shall be subject to the condition that it be repaired and post-repair tested or inspected within 15 calendar days.

(h) Administrative Remedies.

(1) The owner or operator of a vehicle cited for a violation of this HD I/M Regulation may request an administrative hearing.

(2) If the owner or operator requests an administrative hearing, CARB shall determine, based on the issues and the amount at issue, as applicable, whether the hearing shall be conducted pursuant to [California Code of Regulations, title 17, sections 60055.1 et seq., 60065.1 et seq., or 60075.1 et seq.](#) The owner and operator shall follow the designated administrative process.

(i) Right of Entry. CARB staff, persons acting at the direction of CARB, and peace officers shall have the right to enter or request information from facilities or sites when CARB determines it necessary to verify compliance with the requirements specified in this HD I/M Regulation where:

(1) ROBD devices subject to the requirements of this HD I/M Regulation are located or ROBD device records subject to the requirements of this HD I/M Regulation are located for the purpose of inspections of the ROBD devices themselves or their records.

(2) Vehicles subject to this HD I/M Regulation are operated, stored, tested, or repaired for the purpose of performing vehicle inspections.

(3) Maintenance or test records are kept for vehicles that are subject to the requirements of this HD I/M Regulation for the purpose of performing audits and investigations.

(4) Freight contractor and broker records are kept, pursuant to section 2197.3(b), for the purpose of verification of proper recordkeeping on behalf of the freight contractor or broker.

(5) Applicable freight facility records are kept, pursuant to section 2197.3(d), for the purpose of verification of proper recordkeeping on behalf of the applicable freight facility.

Credits

NOTE: Authority cited: Sections 39002, 39003, 39600, 39601, 43000, 43008.6, 43013, 43016, 43018, 43701, 44011.6 and 44152, Health and Safety Code; and Sections 2813, 24019, 27153, 27158.1, 21758.2 and 27159, Vehicle Code. Reference: Sections 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42400.3.5, 42410, 43008.6, 43016 and 44152, Health and Safety Code; and Sections 2813, 24019, 27153, 27156, 27158.1, 21758.2 and 27159, Vehicle Code.

HISTORY

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Division 3. Air Resources Board
Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2199

§ 2199. Severability of Provisions.

[Currentness](#)

If any subsection, paragraph, subparagraph, sentence, clause, phrase, or portion of this HD I/M Regulation is, for any reason, held invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the chapter.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#); and [Section 27153, Vehicle Code](#). Reference: [Section 44152, Health and Safety Code](#).

HISTORY

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Chapter 3.7. Heavy-Duty Vehicle Inspection and Maintenance Program

13 CCR § 2199.1

§ 2199.1. Sunset of the Requirements of the Heavy-Duty Vehicle
Inspection Program and the Periodic Smoke Inspection Program.

[Currentness](#)

The requirements established by title 13, Division 3, Chapter 3.5, sections 2180 to 2189 shall be superseded by the requirements established by title 13, Division 3, Chapter 3.7, sections 2195 to 2199 upon the effective date of this HD I/M Regulation, which is January 1, 2023. Any enforcement actions resulting from a violation of sections 2180 to 2189 prior to the effective date of sections 2195 to 2199 shall remain valid.

The requirements established by title 13, Division 3, Chapter 3.6, sections 2190 to 2194 shall also be superseded by the requirements established by title 13, Division 3, Chapter 3.7, sections 2195 to 2199, but only upon implementation of the requirements established in section 2196.2 on or after January 1, 2024. The Executive Officer shall notify regulated entities of the effective date by publishing the effective date in the California Regulatory Notice register and on CARB's website at least 90 calendar days prior to the effective date. Any enforcement actions resulting from a violation of the sections 2190 to 2194 prior to the implementation of section 2196.2 shall remain valid.

If any portion of title 13, Division 3, Chapter 3.7, sections 2195 to 2199 is held invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, the requirements of sections 2180 to 2189 or 2190 to 2194 shall be reinstated alongside the remaining enforceable sections of 2195 through 2199.

Credits

NOTE: Authority cited: [Sections 39002, 39003, 39600, 39601, 43000, 43013, 43018, 43701, 44011.6 and 44152, Health and Safety Code](#); and [Section 27153, Vehicle Code](#). Reference: [Section 44152, Health and Safety Code](#).

HISTORY

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This database is current through 10/28/22 Register 2022, No. 43.

Cal. Admin. Code tit. 13, § 2199.1, 13 CA ADC § 2199.1

Attachment B

State of California
California Air Resources Board

California Standards for Heavy-Duty Remote On-Board Diagnostic Devices

Adopted: August 22, 2022

NOTE: This document is incorporated by reference in sections 2195 through 2199, Title 13, California Code of Regulations and is being adopted with this rulemaking, the proposed text is shown without underline for ease of readability. It contains the device specifications and certification requirements necessary for the implementation of vehicle compliance testing for OBD-equipped heavy-duty vehicles as part of the California's Heavy-duty Inspection and Maintenance Program. On page 19, Table 4, item 16 references 13 CCR 1971.1 (h)(4.12), which is from the proposed revisions to the On-board Diagnostic system requirements and associated enforcement provisions for passenger cars, light-duty trucks, medium-duty vehicles and engines, and heavy-duty engines, that was approved by the Board on July 22, 2021, as part of the heavy-duty OBD and OBD II rulemaking, but which has not yet been approved by the Office of Administrative Law.

PART I: Definitions.

For the purposes of this document, the following definitions shall apply:

“Authorized representative” means a person who takes responsibility for all the information submitted for remote on-board diagnostic (ROBD) device certification and who signs the device certification application.

“Baud rate” means the rate at which data is transmitted on a vehicle internal communications network.

“Certification” means the process of obtaining an Executive Order with respect to an ROBD device, complying with the device certification requirements specified in Part III of this document.

“Controller Area Network (CAN bus)” is an International Organization for Standardization (ISO) standard (ISO 11898) for vehicle internal communications system (i.e., bus), designed to allow onboard controllers and external devices to communicate with one another.

“Device model” means a grouping of similar ROBD devices made by one manufacturer, vendor, or service provider (e.g., CC-ROBD), that are applicable to the same vehicle makes and models, and OBD protocol(s).

“Device serial number” means a device unique serial number that the vendor permanently assigned to a ROBD device.

“DM5” is a standardized diagnostic message in the SAE J1939 onboard diagnostics communication protocol that reports information related to the diagnostics readiness of vehicle’s onboard diagnostics system, as defined by parameter definition 5.7.5 of SAE J1939-73 “Application Layer – Diagnostics”, June 2020.

“DM24” is a standardized diagnostic message in the SAE J1939 onboard diagnostics communication protocol that reports detailed information about the data supported by vehicle’s OBD system, as defined by parameter definition 5.7.24 of SAE J1939-73 “Application Layer – Diagnostics”, June 2020.

“Electronic Control Unit (ECU),” also known as electronic control module, is responsible for controlling one or multiple electrical system(s) in a vehicle.

“InfoType” means the vehicle-specific vehicle information available via Mode \$09, as defined by parameter definition 8.9 of SAE J1979 “E/E Diagnostic Test Modes”, February 2017.

“Mode \$06” also known as “Service \$06” is the SAE J1979 service that allows access to the results of the on-board diagnostic monitoring tests for specific components and

systems, as defined by parameter definition 8.6 of SAE J1979 "E/E Diagnostic Test Modes", February 2017.

"Mode \$09" also known as "Service \$09" is the SAE J1979 service that provides vehicle-specific information (e.g., Vehicle Identification Number, Engine Serial Number), as defined by parameter definition 8.9 of SAE J1979 "E/E Diagnostic Test Modes", February 2017.

"Monitor ID" identifies an individual diagnostic test for a Mode \$06 component/system, as defined by parameter definition 8.6 of SAE J1979 "E/E Diagnostic Test Modes", February 2017.

"OBD data test vehicle" means a vehicle that is used for purposes of testing a potential ROBD device during the certification process.

"OBD protocol group" means the vehicle's OBD communication protocol such as SAE J1939, SAE J1979, or SAE J1979-2.

"Original purchaser" means the first person who purchases and uses a new ROBD device.

"Owner's manual" means a document or collection of documents prepared by the manufacturer of a product for the owners or operators to describe appropriate maintenance, applicable warranties, and similar information related to operating or keeping the product. The owner's manual is typically provided to the original purchaser at the time of sale. The owner's manual may be in paper or electronic format.

"Standardized data link connector" means an OBD device connector incorporated in each heavy-duty vehicle according to the specifications in section h(2) of the CARB heavy-duty OBD regulation (section 1971.1, title 13, CCR).

PART II: Device Requirements.

A. Purpose

1. The purpose of Part II is to establish CARB's requirements for remote OBD devices in order to be used by OBD-equipped heavy-duty vehicles as a means of demonstrating compliance with the HD I/M Regulation.

B. Reference Documents: The following sections of the California Code of Regulations (CCR) are incorporated into this regulation:

1. Section 1968.2, title 13, CCR, "Malfunction and Diagnostic System Requirements--2004 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles and Engines", as last amended October 3, 2019; and

2. Section 1971.1, title 13, CCR, "On-Board Diagnostic System Requirements - 2010 and Subsequent Model-Year Heavy-Duty Engines", as last amended October 3, 2019.

C. Documents Incorporated by Reference: The following documents are incorporated by reference into this regulation:

1. Section 86.010-18, title 40, Code of Federal Regulations, "On-board Diagnostics for engines used in applications greater than 14,000 pounds GVWR", 2009;
2. ISO 11898-1 "Road vehicles – Controller area network (CAN) – Part 1: Data link layer and physical signaling", 2015;
3. ISO 11898-2 "Road vehicles – Controller area network (CAN) – Part 2: High-speed medium access unit", 2016;
4. ISO 15031-4 "Road vehicles — Communication between vehicle and external equipment for emissions-related diagnostics — Part 4: External test equipment", 2014;
5. SAE J1699-2 "Test Cases for OBD-II Scan Tools and I/M Test Equipment", 2017;
6. SAE J1962 "Diagnostic Connector", July 2016;
7. SAE J1978 "OBD II Scan Tool – Equivalent to ISO/DIS 15031-4", April 2002;
8. SAE J1979 "E/E Diagnostic Test Modes", February 2017;
9. SAE J1979-DA "Digital Annex of E/E Diagnostic Test Modes", May 2019;
10. ISO 15765-4 "Road Vehicles-Diagnostics Communication over Controller Area Network (DoCAN) - Part 4: Requirements for emission-related systems", April 2021;
11. SAE J1939 "Recommended Practice for a Serial Control and Communications Heavy Duty Vehicle Network – Top Level Document", August 2018;
12. SAE J1939-DA "Digital Annex of Serial Control and Communication Heavy Duty Vehicle Network Data," March 2020;
13. SAE J1939-3 "On Board Diagnostics Implementation Guide", 2015;
14. SAE J1939-13 "Off-Board Diagnostic Connector", October 2016;
15. SAE J1939-21 "Data Link Layer", October 2018;

16. SAE J1939-73 "Application Layer – Diagnostics", June 2019;
17. SAE J1939-81 "Network Management", March 2017;
18. SAE J3005-1 "Permanently or Semi-Permanently Installed Diagnostic Communication Devices", February 2019;
19. SAE J3005-2 "Permanently or Semi-Permanently Installed Diagnostic Communication Devices, Security Guidelines", March 2020;
20. SAE J1979-2 "E/E Diagnostic Test Modes: OBD on UDS", April 2021.

D. General Device Requirements.

1. The ROBD device shall not interfere with the normal operation of the vehicle or any manufacturer- or third party-installed device in communication with the vehicle's OBD system.
2. Any ROBD device used for compliance purposes shall be capable of performing the following tasks as further specified in the requirements provided in section E of this Part.
 - 2.1. Establishing connection with the vehicle and verifying vehicle's support of OBD at the individual ECU level;
 - 2.2. Collecting the OBD data required to be submitted as part of the HD I/M Regulation specified in this Part; and
 - 2.3. Submitting data securely via the standardized data submission format to the electronic reporting system.
3. The ROBD device shall request data from the onboard ECUs indicating OBD support, as specified in subsection E.2 of this Part.
4. The ROBD device shall timestamp each sent request and received response from the CAN bus in the submitted data file, as specified in subsection E.4 of this Part.
5. The ROBD device shall be capable of receiving multiple responses when requesting information (either multiple controllers responding to a request or a controller responding multiple times to a request).
6. The ROBD device shall support at least one OBD protocol, however it may support multiple OBD protocols.
7. The ROBD device shall support at least one heavy-duty engine model, however it may support multiple heavy-duty engine or vehicle models.

8. The ROBD device shall be functional in standard working and vehicle environments and thus be resistant to shock, vibration, and environmental exposure.
9. The ROBD device shall be tamper-resistant to make sure no alteration or erasure can be made on the data collected.
10. The ROBD device shall have a device unique serial number that is affixed, engraved, or stamped in a legible manner. This unique serial number shall be displayed externally and shall match the device's electronic unique serial number.
11. The vendor shall warrant to the purchaser and each subsequent purchaser that the device is designed and built free from defects in materials and workmanship. Further, the vendor shall ensure that the devices sold for this program shall be identical in all material respects to the part as described in the application for device certification for a minimum of one (1) year from the date of delivery. If a subsequent purchaser obtains the device prior to the end of the warranty period, the warranty shall extend to the new purchaser through the required one-year period.
12. The vendor shall ensure proper and functioning communication between the ROBD device and the electronic reporting system.
13. Broken ROBD devices no longer meeting the requirements of this Appendix shall not be allowed to submit vehicle compliance data to the electronic reporting system.

E. Specific Device Requirements.

This section provides detailed specifications for ROBD devices that meet CARB HD I/M Regulation requirements. The specifications apply to both CC-ROBD and NCC-ROBD devices, unless indicated otherwise.

1. Diagnostics Connector.

- 1.1. The ROBD device shall be compliant with SAE J3005-1, J3005-2, and ISO 15765-4.
- 1.2. Plug-in ROBD devices (i.e., NCC-ROBD and semi-permanently CC-ROBD device) developed to meet both SAE J1939, SAE J1979, or SAE J1979-2 OBD protocols, whichever applicable, shall be capable of mating to both the connectors defined in SAE J1962/ISO 15031-3 and SAE J1939-13.
- 1.3. All plug-in ROBD devices shall be capable of connecting to the standardized data link connector, as specified in subsection E.1.2

of this Part, as an alternative to any other type of connection that may be used as the primary connection option.

- 1.4. The SAE J1979, or SAE J1979-2 ROBD device, whichever applicable, shall meet the specified requirements in ISO 15765-4 for CAN on heavy-duty vehicles using these protocols.
- 1.5. The ROBD device shall meet the same requirements for baud rate, as specified for the standard OBD connector, in section (h)(2) of CARB HD OBD regulation (Section 1971.1, Title 13, CCR).
- 1.6. The J1939 ROBD device shall meet the requirements and guidelines in SAE J1939-3 for the implementation of OBD on heavy-duty vehicles using this protocol.

2. Communication with the Vehicle.

2.1. SAE J1939 device.

- 2.1.1. The ROBD device shall comply with SAE J1939-21 and SAE J1939-71 when connected to a SAE J1939 vehicle.
- 2.1.2. The ROBD device shall meet all the requirements in section 4, SAE J1939-3.
- 2.1.3. The ROBD device shall act as a client for diagnostics services provided by the vehicle network, including those specified in Table 1, SAE J1939-73.
- 2.1.4. The ROBD device initialization shall be performed prior to requesting diagnostic services from any ECU. Failure to complete any of the steps in 2.1.4.1 to 2.1.4.3 shall be defined as an initialization failure.
 - 2.1.4.1. Address claim: The ROBD device shall meet address claim and dynamic addressing requirements in SAE J1939-81. The ROBD device shall only claim address 249 or address 250.
 - 2.1.4.2. Verifying OBD compliance: The ROBD device shall send a global DM5 request as outlined in SAE J1939-3.
 - 2.1.4.3. The ROBD device shall confirm OBD compliance (i.e., at least one of the vehicle's onboard ECUs supports CARB's, U.S. EPA's (title 40, CFR, section 86.010-18), or equivalent OBD requirements) after successful

completion of the address claim process and receiving DM5 support response(s) from one or more onboard ECUs.

2.1.5. Identifying the available data: The ROBD device shall send destination-specific requests for DM24 to all OBD compliant ECUs identified, as described in subsection E.2.1.4.3 of this Part and record all the received responses.

2.1.5.1. As described in SAE J1939-71, the ROBD device shall refrain from requesting data that is routinely broadcast on the network.

2.2. SAE J1979 device.

2.2.1. The ROBD device shall be compliant with SAE J1979.

2.2.2. The ROBD device shall communicate with the vehicle OBD system using the signaling standard, and meeting the timing requirements, of ISO 15765-4.

2.2.3. The ROBD device shall meet the standardized communication requirements for scan devices as illustrated in SAE J1699-2.

2.2.4. The ROBD device shall meet the requirements in SAE J1978/ISO 15031-4 and SAE 1699/2 to avoid disturbing the in-vehicle communication.

2.2.5. The ROBD device shall meet the requirements in SAE J3005-1 and J3005-2.

2.2.6. The ROBD device shall utilize the initialization sequence of ISO 15765-4 in order to establish communication before sending diagnostic requests.

2.2.7. Identifying the available data: The ROBD device shall record all responses, including CAN source (i.e., specific ECU), to Parameter ID (PID) availability requests in Mode \$01 sent during initialization

2.2.8. The ROBD device shall conduct an analogous scan for available Monitor IDs (MIDs) in Mode \$06.

2.2.9. The ROBD device shall conduct an analogous scan for available InfoTypes in Mode \$09.

2.3. SAE J1979-2 device.

- 2.3.1. The ROBD device shall be compliant with SAE J1979-2.
- 2.3.2. The ROBD device shall communicate with the vehicle OBD system using the signaling standard, and meeting the timing requirements, of ISO 15765-4.
- 2.3.3. The ROBD device shall meet the standardized communication requirements for scan devices as illustrated in SAE J1699-2 or later version, whichever is applicable for vehicles using SAE J1979-2.
- 2.3.4. The ROBD device shall meet the requirements in SAE J1978/ISO 15031-4 and SAE 1699-2 for vehicles using SAE J1979-2, to avoid disturbing the in-vehicle communication.
- 2.3.5. The ROBD device shall meet the requirements in SAE J3005-1 and J3005-2.
- 2.3.6. The ROBD device shall utilize the initialization sequence of ISO 15765-4 in order to establish communication before sending diagnostic requests.
- 2.3.7. Identifying the available data: The ROBD device shall record all responses, including CAN source (i.e., specific ECU), to Service \$22 Parameter ID (PID) availability requests sent during initialization.
- 2.3.8. The ROBD device shall conduct an analogous scan for supported monitor test results using Service \$19, subfunction 1A.
- 2.4. The ROBD device shall not communicate with the CAN Bus while the device is loading, initializing the operating system, or undergoing firmware or software updates.
- 2.5. In the case of failed initialization (i.e., vehicle not responding to the ROBD device within the required duration), the ROBD device shall repeat the initialization sequence, up to three times.
 - 2.5.1. The ROBD device shall meet the response time requirements as outlined in SAE J1939-21 and SAE J1979 or SAE J1979-2, as applicable.
 - 2.5.2. After the third failed initialization attempt, the vendor shall notify the vehicle owner of the failed communication between the ROBD device and the vehicle.

2.5.3. The ROBD device shall submit a "Failed Communication" message to the electronic reporting system.

2.6. In the case of a vehicle not supporting the relevant OBD requirement following an initialization sequence, the ROBD device shall repeat the initialization sequence, up to three times.

2.6.1. If all initialization attempts confirm the initial results, the vendor shall notify the vehicle owner, as specified in subsection E.2.5.2 of this Part.

2.6.2. The ROBD device shall submit a "Vehicle not OBD compliant" message to the electronic reporting system.

3. Collecting the Required OBD Data from the Vehicle.

3.1. The ROBD device shall be capable of collecting all the data, as specified in sections (h)(4) and (h)(5) of the CARB heavy-duty OBD regulation (section 1971.1, title 13, CCR) (see Table 4 in subsection E.6 of this Part for more detail).

3.2. The CC-ROBD device shall collect data, as specified in subsection E.3.1 of this Part, once every 7 days or at the first engine key ON past the 7th day, as separate data logs.

3.3. The CC-ROBD device shall collect data only when the vehicle is stationary and in key ON, engine running status.

4. Formatting the Collected OBD Data. The ROBD device shall meet the following data format specification for submitting the collected data.

4.1. File Structure. The file shall consist of two sections: the data header, and the CAN Bus data in hexadecimal format.

4.1.1. Data Header. The data header shall be in ASCII text format and contain the fields listed in Table 1.

Table 1: Contents of the header section of the submission file

| Data Field Name | Description of Data | Data Type (length) |
|-----------------|--|--------------------|
| VIN | Vehicle identification number located on the tested vehicle in CARB-specified format | String (17) |

| | | |
|-------------------------------|---|--------------|
| SAE Protocol | Vehicle's OBD communication protocol (SAE J1939/J1979/J1979-2) | String (10) |
| Odometer* | Odometer reading of the vehicle at the time the OBD data is downloaded from the vehicle OBD system (required if supported) | Integer (7) |
| Engine Total Runtime | Accumulated engine runtime over the lifetime of the vehicle, as specified in subsection h(5.2.1.A) of the CARB HD OBD regulation (section 1971.1, title 13, CCR) | Integer (10) |
| Device Name | The model of the ROBD device | String (50) |
| Device Manufacturer | Name of the ROBD device manufacturer | String (50) |
| Device Serial Number | The serial number of the ROBD device assigned by the vendor | String (50) |
| Device Firmware Number | The firmware/version number of the software in the ROBD device | String (20) |
| Firmware Verification Number | A number derived from the ROBD device firmware that verifies the firmware has not been altered | String (20) |
| Record ID | A unique value from an ascending numerical sequence assigned by the ROBD device to each submission | Integer (7) |
| Data Collection Date and Time | The timestamp at the time the ROBD device starts downloading OBD data from the vehicle OBD system. The timestamp is in coordinated universal time (UTC) and in the format of YYYY-MM-DD hh:mm:ss.mmm. | Datetime |

* PID \$7F for SAE J1979, PID \$F47F for J1979-2. See SAE J1939DA for PGNs and SPNs.

4.1.2. CAN Bus Data.

4.1.2.1. The J1979 or J1979-2, as applicable, ROBD device shall follow the formatting specification in Table 2 for the CAN Bus data section of the submission file.

4.1.2.2. The J1939 ROBD device shall follow the formatting specification in Table 3 for the CAN Bus data section of the submission file.

Table 2: CAN Bus data formatting requirements for the J1979 or J1979-2, as applicable, ROBD device

| Data Field Name | Description of Data | Data Type (length) |
|-----------------|--|--------------------|
| Timestamp | The time that a message is sent from the ROBD device to the vehicle or received from the vehicle. The timestamp is in UTC and has millisecond precision. The timestamp is in the format of YYYY-MM-DD hh:mm:ss.mmm. | Datetime |
| Message Type | The message type of the data line indicates if the message was sent from the OBD device to the vehicle or received from the vehicle. "REQ" is the request messages sending to the vehicle, and "RSP" is the response messages received from the vehicle. | String (3) |
| ECU Address | The hexadecimal address of the ECUs that respond to the request. The REQ messages will not have an ECU address. The RSP messages will have the hexadecimal address of the responding ECUs. | String (15) |
| Message Data | The data portion of the CAN message sent to or received from the vehicle's OBD system. The data shall be ASCII text that represents the hexadecimal values. | String |

Table 3: CAN Bus data formatting requirements for the J1939 ROBD tool

| Data Field Name | Description of Data | Data Type (length) |
|-----------------|---|--------------------|
| Timestamp | The time that a message is sent from the ROBD device to the vehicle or received from the vehicle. The timestamp is in UTC and has millisecond precision. The timestamp is in the format of YYYY-MM-DD hh:mm:ss.mmm. | Datetime |
| Message Type | The message type of the data line indicates if the message was sent from the ROBD device to the vehicle or received from the vehicle. "REQ" is the request messages sending to the vehicle, and "RSP" is the response messages received from the vehicle. | String (3) |
| CAN ID | CAN ID | String (15) |
| Message Data | The data portion of the CAN message sent to or received from the vehicle's OBD system. The data shall be ASCII text that represents the hexadecimal values. | String |

5. Transmitting the Collected Data to the CARB Electronic Reporting System.

- 5.1. Connection and Authentication: The vendor shall register the ROBD device in the electronic reporting system as a valid testing device in order to receive authentication to submit data as part of the HD I/M Regulation.
- 5.2. All OBD data submissions to CARB must emanate from a centralized database maintained by the vendor.
- 5.3. Data Integrity and Transmission.
 - 5.3.1. Subsequent to formatting the collected data, as specified in subsection E.4 of this Part, the ROBD device shall encrypt the data file.
 - 5.3.2. The data shall not be altered or tampered with during or prior to electronically submitting to the electronic reporting system.

- 5.3.3. The data file shall be transmitted securely from the ROBD device to the electronic reporting system once available.
- 5.3.4. The CC-ROBD device shall transmit at least one and up to the 15 most recent unsubmitted data logs collected when submitting to the electronic reporting system.

5.4. Data Storage.

- 5.4.1. The ROBD device shall have enough internal storage capacity to store, at minimum, 15 encrypted data files that have not been submitted.
- 5.4.2. The collected OBD data shall be retained securely for at least seven days following a successful submission to the electronic reporting system.

6. Data Fields.

- 6.1. Table 4 specifies the OBD data required to be collected by a ROBD device.

Table 4: Specifications of the OBD data required to be collected by a ROBD device

| Item | Data Type | Corresponding Section in CARB HD OBD Regulation (CCR Title 13, Section 1971.1) | Diagnostic Message(s) in SAE J1939 OBD Protocol | Diagnostic Message(s) in SAE J1979 OBD Protocol | Diagnostic Message(s) in SAE J1979-2 OBD Protocol | Comments |
|------|--|--|--|---|--|----------|
| 1 | Readiness status of all OBD monitors listed in sections (e) and (g) of the heavy-duty OBD Regulation | (h)(4.1) | DM5 | Mode \$01 PID \$01 | Service \$22 DID \$F501 | |
| 2 | All data stream parameters | (h)(4.2.2) (h)(4.2.3) | See SAE J1939DA for PGNs and SPNs (include DM21, DM26, and DM34) | Mode \$01, see SAE J1979DA for PIDs | Service \$22, see SAE J1979DA for \$F400 - \$F5FF DIDs | |

| Item | Data Type | Corresponding Section in CARB HD OBD Regulation (CCR Title 13, Section 1971.1) | Diagnostic Message(s) in SAE J1939 OBD Protocol | Diagnostic Message(s) in SAE J1979 OBD Protocol | Diagnostic Message(s) in SAE J1979-2 OBD Protocol | Comments |
|------|--|--|---|---|--|---|
| 3 | Freeze frame data | (h)(4.3) | DM25 | Mode \$02 | Service \$19 \$04 DTCMREC DTC Snapshot Record Number = \$00 (first occurrence) or \$F0 (latest occurrence) | DM24 is necessary to interpret DM25 data. |
| 4 | Fault codes including active, pending, and permanent | (h)(4.4) | DM1, DM6, DM12, DM23, DM28, DM29 | Modes \$03, \$07, \$0A | Service \$19 \$42 \$33 \$08 \$02, Service \$19 \$42 \$33 \$04 \$02, Service \$19 \$55 \$33 | The union of fault codes returned by DM12 and DM23 meet the J1979 definition for confirmed fault codes. |

| Item | Data Type | Corresponding Section in CARB HD OBD Regulation (CCR Title 13, Section 1971.1) | Diagnostic Message(s) in SAE J1939 OBD Protocol | Diagnostic Message(s) in SAE J1979 OBD Protocol | Diagnostic Message(s) in SAE J1979-2 OBD Protocol | Comments |
|------|----------------------------------|--|---|---|---|--|
| 5 | Test results | (h)(4.5) | DM30 | Mode \$06 | Service \$19 \$06 DTCMREC \$92 | Use DM24 to create ECU-specific list of supported SPNs for test results. Use DM7 with a Test ID value of 247 and Failure Mode Indicator of 31 to obtain test results (DM30 responses) for SPNs listed in DM24. |
| 6 | Software calibration ID (Cal-ID) | (h)(4.6) (h)(4.7) | DM19 | Mode \$09 InfoType \$04 | Service \$22 InfoType \$F804 | |

| Item | Data Type | Corresponding Section in CARB HD OBD Regulation (CCR Title 13, Section 1971.1) | Diagnostic Message(s) in SAE J1939 OBD Protocol | Diagnostic Message(s) in SAE J1979 OBD Protocol | Diagnostic Message(s) in SAE J1979-2 OBD Protocol | Comments |
|------|---------------------------------------|--|---|---|---|---|
| 7 | Calibration Verification Number (CVN) | (h)(4.6) (h)(4.7) | DM19 | Mode\$09 InfoType \$06 | Service \$22 InfoType \$F806 | |
| 8 | VIN | (h)(4.8) | PGN: 65260 SPN: 237 | Mode\$09 InfoType \$02 | Service \$22 InfoType \$F802 | |
| 9 | Engine serial number | (h)(4.8) | PGN: 65259 SPN: 588 | Mode \$09 InfoType \$0D | Service \$22 InfoType \$F80D | |
| 10 | Engine family | (h)(4.2) | DM56 | Mode \$09 InfoType \$13 | Mode \$09 InfoType \$F813 | Applies to 2024 and subsequent model year engines |
| 11 | ECU name | (h)(4.9) | PGN: 60928 SPN:2848 | Mode \$09 InfoType \$0A | Service \$22 InfoType \$F80A | |
| 12 | Monitor in-use performance ratio | (h)(5.1) | DM20 | Mode \$09 InfoType \$0B | Service \$19 \$06 DTCMREC \$91 | |
| 13 | Engine run time tracking data | (h)(5.2) | See SAE J1939DA for PGNs and SPNs | Mode \$01, see SAE J1979DA for PIDs | Service \$22, see SAE J1979DA for DIDs | |

| Item | Data Type | Corresponding Section in CARB HD OBD Regulation (CCR Title 13, Section 1971.1) | Diagnostic Message(s) in SAE J1939 OBD Protocol | Diagnostic Message(s) in SAE J1979 OBD Protocol | Diagnostic Message(s) in SAE J1979-2 OBD Protocol | Comments |
|------|-----------------------------------|--|---|---|--|---|
| 14 | NOx emissions tracking data | (h)(5.3) | PGNs: 64258 thru 64279 | Mode \$09 InfoTypes \$61 - \$76 | Service \$22 InfoTypes \$F861 - \$F876 | Applies to all OBD systems in 2022 and subsequent model year diesel engines |
| 15 | GHG tracking data | (h)(5.4) thru (h)(5.6) | PGNs: 64252 thru 64257 | Mode \$09 InfoTypes \$41 - \$49, \$50 - \$5B | Service \$22 InfoTypes \$F841 - \$F849, \$F850 - \$F85B | Applies to all OBD systems in 2022 and subsequent model year diesel engines |
| 16 | PM filter regeneration event data | (h)(5.8) | See SAE J1939DA for PGNs and SPNs | Mode \$01 PID \$8B | Service \$22 DID \$F48B | Applies to 2024 and subsequent model year engines |

| Item | Data Type | Corresponding Section in CARB HD OBD Regulation (CCR Title 13, Section 1971.1) | Diagnostic Message(s) in SAE J1939 OBD Protocol | Diagnostic Message(s) in SAE J1979 OBD Protocol | Diagnostic Message(s) in SAE J1979-2 OBD Protocol | Comments |
|------|---|--|---|---|---|--|
| 17 | Readiness status of each monitor within a readiness group | N/A | N/A | N/A | Service \$19 \$56 \$33 RGID | Data available for every OBD monitor tied to a readiness group |

Part III: Requirements for Vendors.

A. Overview and Applicability.

The Executive Officer shall certify devices and provide an Executive Order for the device to the vendor if the vendor meets the requirements specified in this appendix. A vendor submitting a device for certification shall submit the full, complete, and current configuration proposed for sale and consumer use and have design control of the device.

B. Certification Application.

1. Prior to submitting a certification application, a vendor shall submit a test plan detailing the vendor initial validation testing methodology described in subsection C.1 of this Part. Prior to conducting testing, the vendor shall ensure the test plan is approved by the Executive Officer.
2. A vendor shall complete and submit device certification application forms approved by the Executive Officer and other required information for evaluation of the application. Applications shall be submitted during a one (1) month open collection period per year, as designated by Executive Officer.
 - 2.1. All information included as part of an application package shall be true, accurate, and include complete statements and information. The application package shall not omit information relevant to the requirements specified in this appendix.
 - 2.2. An authorized representative of the company shall attest to the information included in the application and approve and sign the application.
 - 2.3. The application shall include the following information and shall be approved by the Executive Officer prior to CARB staff performing any verification testing specified in subsection C.2 of this Part:
 - 2.3.1. A detailed description of the design of the device and how the device is consistent with and meets the requirements specified in Part II of this document.
 - 2.3.2. Device manufacturer, if vendor is not the manufacturer of the device.
 - 2.3.3. Device Model.
 - 2.3.4. Method used for vendor initial validation testing, e.g. OBD data test vehicles that include model year, make, model, etc.

- 2.3.5. Engine Original Equipment Manufacturer (OEM), engine family and engine model year(s), vehicle makes and models that the device can be used on.
 - 2.3.6. Applicable OBD protocol(s) of the device.
 - 2.3.7. Vendor shall identify if they plan to update devices already in use in existing vehicle(s).
 - 2.3.8. Vendor documentation of initial validation testing meeting the requirements specified in subsection C.1 of this Part.
 - 2.3.9. A detailed proposal for finding applicable fleets/vehicles to test devices in the field to meet the vendor field testing requirements specified in subsection C.3 of this Part, including expected testing locations and the estimated number of vehicles broken down by fleet, engine OEM, engine model year, vehicle make and model, fuel type, and OBD protocol. After the Executive Officer approves the detailed proposal, any changes or deviations from the plan shall be reviewed and approved by CARB.
 - 2.3.10. A proposed timeline for completing the field testing requirements specified in subsection C.3 of this Part.
 - 2.3.11. Any additional information that may be necessary to help verify that the device meets the requirements of this Part.
3. Vendor shall provide a copy of the warranty statement that will be provided to the original purchaser of the device as specified in Part II subsection D.11.
4. Vendor shall provide a Statement of Compliance to unconditionally certify that all the devices are designed with tamper-resistant components, built as described in the certification application, and comply with the requirements of this Part.
5. Vendor shall provide a statement to the original purchaser of a certified device to provide assurance that the device is valid for use in the HD I/M program from the date indicated in the Executive Order until the end of the calendar year, that it must be recertified annually, and may be decertified by CARB at any time if deviations are identified.
6. Vendor shall provide a written document to describe the process and provide a set schedule of performing updates to the hardware, firmware, or software.
7. Vendor shall provide a name of an agent for service located in the United States. Service on this agent constitutes service on the vendor for any action by CARB or otherwise by the United States related to the requirements of this Part.

C. Testing Requirements for Certification.

The following certification testing shall be performed to demonstrate that the device meets the program requirements and shall be completed in the following phases:

1. Vendor Initial Validation Testing. Testing shall be completed by the vendor following the required specifications and test conditions described below prior to submitting their application package and shall be consistent with the requirements in Part II.
 - 1.1. Vendor shall test their device(s) using the specified test conditions below.
 - 1.1.1. Test at least one vehicle from every OBD protocol group applicable to the device and provide three consecutive ROBD submission files from each vehicle that demonstrates that the engine revolutions per minute (RPM) is greater than zero and the vehicle speed is equal to zero.
 - 1.1.2. Test at least one vehicle from every OBD protocol group applicable to the device and provide three consecutive ROBD submission files from each vehicle where the MIL is commanded OFF, there are no pending, active, or permanent trouble codes, and all vehicle supported readiness monitors are in a ready state.
 - 1.1.3. Test at least one vehicle from every OBD protocol group applicable to the device and provide three consecutive ROBD submission files from each vehicle where the MIL is commanded ON, and there is at least one stored active diagnostic trouble code and at least one pending diagnostic trouble code.
 - 1.1.4. Test at least one vehicle from every OBD protocol group applicable to the device and provide three consecutive ROBD submission files from each vehicle where the MIL is commanded ON and there is at least one permanent diagnostic trouble code.
 - 1.1.5. Test at least one vehicle from every OBD protocol group applicable to the device and provide three consecutive ROBD submission files from each vehicle where the MIL is commanded OFF, there are no diagnostic trouble codes, and at least one monitor is not ready.
 - 1.1.6. Test at least one vehicle from every OBD protocol group applicable to the device and provide three consecutive ROBD

submission files from each vehicle showing that the electronic VIN is received from the vehicle and is not a user inputted VIN.

1.1.7. Test at least one hybrid vehicle from every OBD protocol group applicable to the device and provide three consecutive ROBD submission files where the MIL is commanded OFF, there are no pending, current, or permanent diagnostic trouble codes, and all vehicle supported readiness monitors are in a ready state.

1.1.8. Test at least one alternative fuel vehicle from every OBD protocol group applicable to the device and provide three consecutive ROBD submission files from each vehicle where the MIL is commanded OFF, there are no pending current, or permanent diagnostic trouble codes, and all vehicle supported readiness monitors are in a ready state.

1.1.9. Test at least one vehicle from every OBD protocol group applicable to the device and provide three consecutive ROBD submission files from the different communication baud rates (i.e. 250/500 kilobits per second (kbps)) supported by the protocols.

1.1.10. Specifically for CC-ROBD devices, test at least one vehicle from every OBD protocol group applicable to the device and provide three submission files that contain multiple data logs that were collected and stored every seven days as specified in Part II subsection E.3.2.

1.2. In addition to the ROBD submission files that are submitted with the initial validation testing, the vendor shall include the following additional information in an organized format:

1.2.1. OBD data test vehicle(s): Year, Make, Model, VIN (or OBD simulator)

1.2.2. The OBD protocol of the vehicle(s)

1.2.3. Engine and engine family of test vehicles

1.2.4. Additional test data or engineering evaluations if the Executive Officer or the vendor deems it necessary to validate the testing accuracy of the device.

2. CARB Device Verification Testing. The Executive Officer shall perform device verification testing or review testing results to ensure the device meets all

specifications, to verify if the device successfully communicates with and collects the requested data, or to validate the device's ability to meet the required testing specifications.

- 2.1. Vendor shall submit at least two (2) production ready devices that have valid unique device serial numbers, as well as any equipment that would be packaged with the devices including extension cables, splitting cables, installation kits, or the owner's manual, to the Executive Officer for verification and certification.
 - 2.2. Each device provided shall be in a configuration that is suitable for testing. It shall have all the necessary equipment, instrumentation, and set up information that was used for vendor initial validation testing.
 - 2.3. The Executive Officer shall issue results to the vendor. If the device passes all of CARB's verification testing, the device shall be allowed to advance to the certification requirements specified in subsection C.3.
 - 2.4. If the device fails any portion of CARB's verification testing, the devices may be returned to the vendor. After addressing the device deficiencies, if the vendor testing results show remediation, the vendor may resubmit a new certification package to the Executive Officer.
3. Vendor Field Testing. Testing shall be completed by the vendor using devices in the exact same configuration as those that completed the CARB device verification testing.
- 3.1. Vendor shall perform real-world testing by collecting data from an applicable heavy-duty vehicle population (non-gasoline with GVWR greater than 14,000 lbs.) and complete within 90 days from the start of field testing.
 - 3.1.1. Vendor shall include a representative sample of vehicle makes, engine families, and fuel types within the tested vehicle population that the device may be used on once certified.
 - 3.1.2. Vendor shall use a minimum of 10 devices with the configuration that completed CARB verification testing.
 - 3.1.3. For NCC-ROBD devices, a minimum of 100 OBD data submissions shall be obtained from a minimum of 100 vehicles per OBD protocol that a device is certifying to.

- 3.1.4. For CC-ROBD devices, a minimum of 100 data submissions shall be obtained from a minimum of 30 vehicles per OBD protocol that device is certifying to.
 - 3.1.4.1. For CC-ROBD devices specific to vehicles for one vehicle make, a minimum of 50 data submissions shall be obtained from a minimum of 10 vehicles.
- 3.2. Vendor shall electronically submit required testing data through the electronic reporting system.
- 3.3. Vendor shall ensure successful communication between the device and the vehicle.
- 3.4. Vendor shall obtain a successful connectivity rate of 99.9 percent for all data supported by a vehicle's OBD system as listed in Table 4.
- 3.5. The Executive Officer may adjust the connectivity rate in 0.10 percent increments for the following reasons:
 - 3.5.1. If it is determined through an engineering evaluation that the stringency of the required connectivity rates needs to be loosened or tightened
 - 3.5.2. If it is determined that a technical or engineering issue inhibits the ability to meet the required connectivity rates
- 3.6. Vendor shall ensure that the device is continuously in compliance with the configuration that completed CARB verification testing.
- 3.7. If the vendor would like to exempt a vehicle(s), a request shall be made to CARB. The request shall contain the technical reasons and supporting data that explains why the vehicle should be exempted from the calculation. The request shall be approved by the Executive Officer prior to submitting the test results.
- 3.8. If vendor cannot complete the field testing at the end of 90 days, vendor shall contact CARB by the 60th day and provide the reason(s) why the field testing may not be completed on time.
 - 3.8.1. The Executive Officer will evaluate whether the vendor shall be allowed to continue with the testing or shall be required to resubmit a new application and restart the certification process. The criteria used to make this determination shall include:

- 3.8.1.1. Vendor's reasoning as to why the field testing is not able to be completed on time;
 - 3.8.1.2. Whether unavoidable and unexpected issues occurred during the allotted testing period that made meeting the required deadline infeasible;
 - 3.8.1.3. Whether the current testing completed to this point is consistent with the requirements that devices must meet to obtain certification; and
 - 3.8.1.4. Additional test data may be requested by the Executive Officer to make this determination.
- 3.9. If the device fails to meet the requirements during field testing, the vendor shall determine the reason(s) for device failure.
- 3.9.1. The Executive Officer shall evaluate whether the vendor shall be allowed to retest their device in this phase after addressing the deficiencies or shall be required to resubmit a new application and restart the certification process. The criteria to be used to make this determination shall include:
 - 3.9.1.1. Vendor's provided explanation explaining for the cause(s) of their device failure, with supporting information, and modifications needed to fix the issue(s);
 - 3.9.1.2. Whether unavoidable and unexpected issues occurred during the allotted testing period that made meeting the required deadline infeasible;
 - 3.9.1.3. Whether the technical reasons the device failed and the recommended solution require further laboratory testing to confirm that the issue was remedied;
 - 3.9.1.4. How close the testing device is from being approved for certification; and
 - 3.9.1.5. Additional test data requested by the Executive Officer to make this determination.
 - 3.9.2. If the device fails a second attempt of field testing, the vendor shall be determined to have failed the certification process. The vendor may resubmit a new certification application after addressing any deficiencies.

D. Post-Certification Requirements.

1. Once the device meets the certification testing requirements, the Executive Officer shall issue the vendor an Executive Order. The vendor may sell the device and use the device for compliance purposes with this HD I/M Regulation only if the vendor possesses a valid Executive Order. An Executive Order is valid from the indicated effective date until the end of the calendar year for which it is issued. The vendor may renew annually the certification for the device by following the procedure described in section F of this Part.
2. With CARB approval, the vendor shall provide necessary device updates as provided in the set schedule that was approved by CARB as specified in subsection B.6 of this Part. The Executive Officer may waive the set schedule update if a problem is detected with the device that critically impacts the compliance with the certified configuration. Upon CARB's request, the vendor shall provide an approved emergency update.
3. Vendor shall notify user(s) of any changes in the certified device.
4. Vendor shall resubmit a certification application for any changes that modify the device's certified configuration.

E. Reporting and Recordkeeping Requirements.

1. The vendor shall electronically report certified devices via the electronic reporting system and keep this information up to date.
2. Organize and maintain the following records:
 - 2.1. A copy of all application documents as specified in sections B through D of this Part, including, the test plan, application forms, test results, warranty statement, statement of compliance, and any other information provided to CARB such as device updates.
 - 2.2. A list of device unique serial numbers for all devices produced and sold including the original purchaser or user company name, original purchaser or user contact information, and device model under each Executive Order.
3. Keep required test data and all other information specified in this Part for five years after CARB issues the Executive Order.
4. Records shall be readily available and stored in the same format as the submitted certification application and on any media, as long as the vendor can promptly send organized records in English to the Executive Officer if requested within 72 hours.

F. Recertifying Annually.

1. Prior to the conclusion of the certification period, the vendor shall submit a recertification application for a new Executive Order provided the device continues to meet the required specifications.
 - 1.1. If the Executive Officer determines that the device still meets the required specifications, the device shall be recertified for another one (1) year period.
 - 1.2. Devices determined not to continually fulfill the required specifications shall not be recertified and shall be removed from use for compliance determination for this Part.
 - 1.2.1. After addressing the device deficiencies, the vendor may resubmit a new certification application package to the Executive Officer for approval.

G. Decertifying Devices.

If CARB finds that a certified vendor fails to furnish or install required software updates to the device or fails to meet the specifications and requirements as stated in this Part, the Executive Officer shall decertify the device in writing or by electronic mail with a specified effective date of the decertification. After the device is decertified, the device is considered noncompliant and shall no longer be used in the program for compliance determination purposes. The vendor shall notify the user(s) of the change in the device certification status.

H. Other Provisions.

1. Any person who fails to comply with these requirements or fails to submit information, reports, or statements required by this Part may be subject to citation as specified in section 2198.2 and their device or devices may be subject to decertification under section G of this Part.
2. Any person who knowingly submits any false statement or representation in any application, report, statement, or other document filed, maintained, or used for the purposes of compliance with this chapter may be subject to citation as specified in section 2198.2 and their device or devices may be subject to decertification under section G of this Part.