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13 CA ADC § 2140

Term 

13 CCR s 2140

Cal. Admin. Code tit. 13, s 2140

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
TITLE 13. MOTOR VEHICLES
DIVISION 3. AIR RESOURCES BOARD
CHAPTER 2. ENFORCEMENT OF VEHICLE EMISSION STANDARDS AND SURVEILLANCE
TESTING

ARTICLE 2.3. IN-USE VEHICLE ENFORCEMENT TEST PROCEDURES

This database is current through 6/08/07, Register 2007, No. 23
s 2140. Notification and Use of Test Results.

(a) The Executive Officer shall notify the manufacturer in writing if the in-use vehicle enforcement test results indicate that the test fleet contains three or more failures of the same emission-related component. Upon receipt of the notification, the manufacturer shall submit an emissions information report in accordance with Title 13, California Code of Regulations, Sections 2146 and 2147. The engine family, test group or sub-group manufacturer shall be subject to recall when a specific emission-related failure occurred in three or more test vehicles, unless the Executive Officer determines from the emissions information report that a recall is unnecessary.

(b) If the results of the in-use vehicle emission tests conducted pursuant to Section 2139 indicate that the average emissions of the test vehicles for any pollutant exceed the applicable emission standards specified in Title 13, California Code of Regulations, Sections 1960.1, 1961, 1956.8, 1958, 2412, 2423 or 2442, the entire vehicle population so represented shall be deemed to exceed such standards. The Executive Officer shall notify the manufacturer of the test results and upon receipt of the notification, the manufacturer shall have 45 days to submit an influenced recall plan in accordance with Sections 2113 through 2121, Title 13, California Code of Regulations. If no such recall plan is submitted, the Executive Officer may order corrective action including recall of the affected vehicles in accordance with Sections 2122 through 2135, Title 13, California Code of Regulations.

<General Materials (GM) - References, Annotations, or Tables>

Note: Authority cited: Sections 39600, 39601, 43013, 43018 and 43105, Health and Safety Code.
Reference: Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107, 43204-43205.5 and 43211-43213, Health and Safety Code.

HISTORY

1. Renumbering and amendment of text previously incorporated by reference in Section 2112 to Section 2140 filed 1-24-90; operative 2-23-90 (Register 90, No. 8). For prior history, see Registers 86, No. 38 and 83, No. 17.

2. Amendment of subsection (b) and Notefiled 1-26-95; operative 1-26-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 4). Note: Under section 209(e)(2) of the Federal Clean Air Act (42 U.S.C. s 7543(e)(2)), California is required to receive authorization from the Administrator of the U.S. Environmental Protection Agency (U.S. EPA) prior to enforcing its regulations regarding new off-road vehicles and engines. Accordingly, the Air Resources Board will not seek to enforce the off-highway recreational vehicle regulations until such time as it receives authorization from the U.S. EPA.

3. Amendment filed 10-28-99; operative 11-27-99 (Register 99, No. 44).

4. Amendment of subsection (b) filed 12-28-2000; operative 12-28-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 52).

5. Amendment of subsection (b) filed 7-22-2002; operative 8-21-2002 (Register 2002, No. 30).

13 CCR s 2140, **←13 CA ADC s 2140→**
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←13 CA ADC s 2140→

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