

## Emergency Action

**Reason for Emergency Status:** The EPA's national GHG emission standards for light-duty vehicles apply to the same types of vehicles under 40 CFR Parts 85, 86, and 600. The California standards are currently equivalent to and aligned with the federal program. California and the other Section 177 States, including Maryland, adopted a compliance provision to allow vehicle manufactures to meet the California Clean Cars GHG requirements by complying with the EPA GHG requirements. However, EPA has proposed to alter the national GHG standards. The Maryland proposed amendments incorporate the current compliance provision requirements as codified by California and removes conflict if EPA's national GHG standards are altered as proposed. MDE is proposing a 180-day emergency action followed by a replacement NPA for permanent adoption.

## Title 26 DEPARTMENT OF THE ENVIRONMENT

### Subtitle 11 AIR QUALITY

#### Chapter 34 Low Emissions Vehicle Program

Authority: Environment Article, §§1-404, 2-102, 2-103, 2-301, 2-1102, and 2-1103, Annotated Code of Maryland

##### **.02 Incorporation by Reference.**

A. In this chapter, the following documents are incorporated by reference.

B. Documents Incorporated.

(1)–(5) (text unchanged)

(6) Title 13, California Code of Regulations (CCR), Division 3, Chapter 1, Article 2, §1961.2 Exhaust Emission Standards and Test Procedures-2015 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, as effective October 8, 2015, *with amendments to §1961.2(d) adopted on September 28, 2018 by the California Air Resources Board.*

(7) Title 13, California Code of Regulations (CCR), Division 3, Chapter 1, Article 2, §1961.3 Greenhouse Gas Exhaust Emission Standards and Test Procedures – 2017 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, as effective December 31, 2012, *with amendments to §1961.3(a)(1)(A)1. and 2.; (B)(1); (c); (f)(25); and “Note: Authority Cited” adopted on September 28, 2018 by the California Air Resources Board.*

(8)–(79) (text unchanged)

**Emergency status request to begin: December 31, 2018**

**Emergency status request to expire expires: June 29, 2019**

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Incorporation by Reference  
APPROVAL FORM

Date: November 29, 2018

COMAR: 26.11.34.02

Carolyn Jones  
Maryland Department of the Environment

ARMA  
1800 Washington Boulevard  
Baltimore, MD 21230

Dear Carolyn:

The following documents are approved for incorporation by reference:

1. Title 13, California Code of Regulations (CCR), Division 3, Chapter 1, Article 2, §1961.2 Exhaust Emission Standards and Test Procedures—2015 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, as effective October 8, 2015, with amendments to §1961.2(d) adopted on September 28, 2018 by the California Air Resources Board; and

2. Title 13, California Code of Regulations (CCR), Division 3, Chapter 1, Article 2, §1961.3 Greenhouse Gas Exhaust Emission Standards and Test Procedures—2017 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, as effective December 31, 2012, with amendments to §1961.3(a)(1)(A)1. and 2.; (B)(1); (c); (f)(25); and “Note: Authority Cited” adopted on September 28, 2018 by the California Air Resources Board.

Please note the following special instructions: Place in ACCO-press binder

Attach a copy of this approval form when submitting an emergency or proposed regulation to the AELR Committee and when submitting a proposed regulation to DSD for publication in the Maryland Register. If submitting through ELF, include as part of the attachment.

Any future changes to the incorporated documents do not automatically become part of the regulation. If there are subsequent changes to the incorporated documents, and the agency wishes those changes to become a part of its regulations, the agency must amend the regulation incorporating the documents.

Please call us if you have any questions.

Sincerely,  
Gail S. Klakring  
Administrator

Office of the Secretary of State, Division of State Documents, State House, Annapolis, MD 21401  
410-974-2486, 800-633-9657; Fax 410-280-5647; email [statedocs@sos.state.md.us](mailto:statedocs@sos.state.md.us)