



What's the Big Deal About CARB Withdrawing its On-Road MC Emissions & ZEM Regulation?

In the Winter Issue of our last *CMDA Update* newsletter, the CMDA reported, in depth, about the surprise withdrawal, on December 5, of the California Air Resources Board's (CARB) withdrawal and termination of its "Proposed Amendments to On-Road Motorcycle Emission Standards and Test Procedures and Adoption of New On-Board Diagnostics and Zero-Emission Motorcycle Requirements."

It took CARB seven years to finalize this omnibus amendment to California's street bike engine emission standard that was last established in 1998, at the same time that the Red Sticker Program for off-road OHVs was codified.

The CMDA was largely responsible for the creation of that program that has allowed the sale by our members, and prescribed use, of more than a hundred thousand mostly 2-stroke performance motorcycles, that did not meet CARB's 1997 strict off-road OHV engine emission standard.

That's 26 years ago. CARB staff has been grouching for more than a decade that motor vehicle engine emission standards should be reviewed, at least, every 10 years with the intention of lowering them substantially, in the name of "Clean Air."

From 2018 until 2022, the CMDA, as a recognized stakeholder, took part in CARB public meetings and workshops while its staff started to craft the outline of the first draft to the California on-road motorcycle engine standard change in 2 decades.

And then, in 2022, at a stakeholder workshop, CARB announced that it would be proceeding with an omnibus regulatory motorcycle engine emission amendment that included the following:

- Hydrocarbons (HC) and nitrogen oxides (NOx) go from the current CARB standards of 0.8g/km HC+NOx to the 0.1g/km HC and 0.06g/km NOx Euro 5 standard — a whopping 80% decrease!

- Carbon Monoxide (CO) will be reduced 92% from 12g/km to 1g/km.

- (NMHC) Nonmethane Hydrocarbons (a new mandate), the sum of all hydrocarbon air pollutants, except methane, is set at 0.068g/km, where none is currently regulated by CARB.

- Use of the World Motorcycle Test Cycle (WMTC) instead of the current Federal Test Procedure (FTP) that results in higher emission levels because the WMTC test cycle more accurately resembles typical operating conditions than the FTP does.

- On-Board Diagnostics will be required on post-2028 models, with all that entails, since few, if any, motorcycles come with OBD, currently.

- Beginning in 2028, the proposal will also require that manufacturers meet a new evaporative standard and

test procedures. Evaporative emissions occur when a motorcycle is standing or garaged, and CARB estimates that those emissions are similar in extra emission amounts to cleaner on-road motorcycles. The current highway motorcycle evaporative standard was approved in 1987.

- Starting in MY 2028, % of New Motorcycle Sales in California must be Zero Emission Motorcycles (ZEM) —

2028 — 10%	2032 — 31%
2029 — 15%	2033 — 37%
2030 — 20%	2034 — 43%
2031 — 25%	2035 — 50%

After this plan was announced, the only meetings that CARB held regarding this new standard was with the motorcycle manufacturers; stakeholders were deliberately not invited to attend the finalization of the amendment that would be presented to the CARB Board for approval.

The rest is history — The first attempt to approve the regulatory change was suddenly postponed on January 25, 2024. Then, the November 7 hearing

was also postponed after the CMDA met with staff and presented its detailed opposition to the proposed engine emission standard and to the ZEM mandatory annually-increasing sales mandates for a vehicle type whose sales acceptance has not been proven.

Then on December 5, the 900-page proposed regulation amendment that reportedly cost more than a \$1 million was withdrawn and terminated.

The CMDA has opposed the extremeness of the proposed on-road motorcycle engine emission standards because of their complexity and cost to redesign engines and ancillary equipment across the OEM product lines that are now sold by our members.

That, we feared, would have lead to only a few CARB-complying models that would be shipped to dealers in a short 4 years. Also, OBD may be the precursor to motorcycle smog inspections. If CARB insisted on going through with ZEM rules, the CMDA suggested that point-of-purchase tax credits be introduced to motivate sluggish sales.

The CMDA will now turn its efforts to monitor what CARB will try to introduce to regulate motorcycles, without having to go through the federal EPA waiver process in order to get any motorcycle standards that are in excess of EPA standards. Reportedly, the new Administration will not approve any new waivers and may try and claw back every recently approved CARB waiver including the one for electric autos and light trucks.

In conclusion, California motorcycle dealers are free from new business-busting CARB engine emission regulations for, at least, the next 4 years and longer if the new Administration continues to govern into the future, and refuses waivers without congressional approval. ♦

