

**Agency:** Department of Ecology  AO # 18-11

**Effective date of rule:**
- Permanent Rules
  - ☒ 31 days after filing.
  - ☐ Other (specify) ______ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**
- ☒ Yes  ☐ No  
  If Yes, explain: California needed to adopt amendments to Sections 1961.2 and 1961.3, Title 13 of the California Code of Regulations before we could update our adoption by reference of those changes. California's has adopted their rule and it becomes effective on Dec. 12, 2018.

**Purpose:**
We updated our rule to match revisions to California’s motor vehicle emission standards for greenhouse gases approved by the California Air Resources Board on Sept. 28, 2018. The changes we are adopting:
- Clarify that automobile makers who want to sell cars and light-duty trucks in California (and by extension in Washington) for model years 2021 through 2025 would need to meet the existing standards agreed to by California, the federal government, and automakers in 2012; and
- Update requirements and test procedures for certifying compliance with the vehicle emission standards.

**Other changes**
- Updated requirements in Washington’s rule for on-board diagnostic systems to match California’s 2015 rulemaking in Section 1968.2 and Section 1968.5.
- Updated the reference to California effective date for two sections to reflect the current date rather than the revision date for that citation:
  - Section 1956.8 (g) and (h): California revisions to Section 1956.8 did not change the content in (g) and (h); and
  - Appendix A to Article 2.1: Appendix A is part of Section 2112 so the effective date should be the effective date for Section 2112 not the date Appendix A was last revised.
- Corrected that ten sections adopted in Washington’s rule are located in California’s Article 2 not Article 1: Section 1956.8 (g) and (h), Section 1960.1, Section 1961, Section 1961.1, Section 1961.2, Section 1961.3, Section 1965, Section 1968.2, Section 1968.5, Section 1976, and Section 1978.

**Citation of rules affected by this order:**
- New:  
- Repealed:  
- Amended: WAC 173-423-070  
- Suspended:  

**Statutory authority for adoption:** RCW 70.120A.010

**Other authority:** N/A

**PERMANENT RULE (Including Expedited Rule Making)**
Adopted under notice filed as WSR 18-22-123 on Nov. 7, 2018 (date).  
Describe any changes other than editing from proposed to adopted version:

We made the same change in two locations. We inserted “12/12/18” (the effective date of California’s rule) in the “California Effective Date” column for Sections 1961.2 and 1961.3, and removed the sentence that stated our intent to update our adoption of these sections based on the effective date of the rule changes approved by the California Air Resources Board on Sept. 28, 2018.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:
Name: An analysis was not prepared.
Address: 
Phone: 
Fax: 
TTY: ) 
Email: 
Web site: N/A
Other: N/A

**Note:** If any category is left blank, it will be calculated as zero.
No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

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<th>Amended</th>
<th>Repealed</th>
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<td>Federal rules or standards</td>
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<td>Recently enacted state statutes</td>
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The number of sections adopted at the request of a nongovernmental entity:

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The number of sections adopted on the agency's own initiative:

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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

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The number of sections adopted using:

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<tr>
<td>Pilot rule making</td>
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<tr>
<td>Other alternative rule making</td>
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**Date Adopted:** December 27, 2018

**Signature:**

**Name:** Maia D. Bellon

**Title:** Director