

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

INITIAL STATEMENT OF REASONS

TITLE 13, CALIFORNIA CODE OF REGULATIONS,
DIVISION 2, CHAPTER 4, AMEND ARTICLE 10, SECTIONS 1041 AND 1046

Vehicle Sound Measurement (CHP-R-2019-06211)

PURPOSE OF REGULATORY ACTION

The California Highway Patrol (CHP) proposes to amend regulations in Title 13 of the California Code of Regulations (CCR), Division 2, Chapter 4, Article 10, Section 1041, Definitions, and Section 1046, Measurement Procedures for New Motor Vehicles.

Pursuant to Division 12, Equipment of Vehicles, commencing with Section 27200 of the California Vehicle Code (CVC), the CHP shall establish test procedures for new motor vehicle noise emissions, taking into consideration procedures published by Society of Automotive Engineers (SAE) International. The SAE International Surface Vehicle Standard establishes test procedures for measuring the sound-level emitted by new motor vehicles. The currently referenced SAE standards in the CCR have become obsolete and are no longer recognized by SAE International, and have thus become impractical and difficult for industry to utilize.

This amendment will ensure California sound-level measurement procedures for new motor vehicles align with current SAE standards. This amendment will adopt criteria which defines and establishes test procedures for sound-level limits for new motor vehicles. This amendment to Title 13, CCR, Section 1041, Definitions, will establish consistency throughout regulation and remove the repealed CVC sections listed as authority and references cited. This amendment will repeal obsolete and defunct SAE testing procedures presently adopted in Title 13, CCR, Section 1046, and adopt the most currently recognized SAE standards.

SECTION OVERVIEW

The proposed amendment to Title 13, CCR, Section 1041, was made for consistency in language for the terms “noise” and “sound,” pursuant to Section 27200 CVC.

Section 1041. Definitions

Subsection (d) is added to for ensuring consistency of language in the applicability of regulations and to clarify the terms “sound” and “noise” as synonymous for the purposes of this article.

Note, the authority and references were amended to delete the references to repealed Sections 23130 and 23130.5 CVC.

Section 1046. Measurement Procedures for New Motor Vehicles

Subsection (b) is amended to clarify language and update outdated SAE testing standards for new, heavy motor vehicles with a manufacturer's Gross Vehicle Weight Rating (GVWR) of more than 4,537 kilograms (kg) (10,000 pounds) that are not subject to Title 40, Code of Federal Regulations (CFR), Part 205. The currently referenced SAE standards are no longer recognized; SAE J366, September 2011, supersedes SAE J366b, July 1978, and SAE J2805, May 2020, is an equivalent alternate of SAE J366, September 2011. This amendment also incorporates by reference the current SAE standards. The reference to Section 4.1 is amended to correspond with the section reordered in the newer SAE standard. The realignment was nonsubstantive.

Subsection (b)(1) is amended to correspond with the section reordered in the newest SAE standard. The realignment was nonsubstantive.

Subsection (c) is amended to clarify language and update outdated SAE testing standards for new light-duty vehicles with a manufacturer's GVWR of 4,537 kg (10,000 pounds) or less. The currently referenced SAE standards are no longer recognized, as SAE J986, November 1981; is no longer recognized; SAE J1470, August 2018, supersedes SAE J1470, March 1992; and SAE J2805, May 2020, is an equivalent alternate of SAE J1470, August 2018. This amendment also incorporates by reference the current SAE standards. The reference to Section 6.5 is amended to correspond with the section reordered in the newest SAE standards. The realignment was nonsubstantive.

Subsection (d) is amended to clarify language and update outdated SAE testing standards for new motorcycles not subject to Title 40, CFR, Part 205. The currently referenced SAE standard is no longer recognized; SAE J331, July 2020, supersedes SAE J331a, July 1978. This amendment also incorporates by reference the current SAE standards.

Subsection (e) is amended to clarify language and update outdated SAE testing standards for new snowmobiles. The currently referenced SAE standard is no longer recognized; SAE J192, March 2021, supersedes SAE J192, April 1980. This amendment also incorporates by reference the current SAE standards. The reference to Section 6.4 is amended to correspond with the section reordered in the newer SAE standard. The realignment was nonsubstantive.

STUDIES/RELATED FACTS

The SAE standards J1470, August 2018; J366, September 2011; J331, July 2020; J192, March 2021; and J2805, May 2020, are supporting documents to this proposed rulemaking, and are hereby incorporated by reference. These documents are copyrighted by SAE International. Consequently, a copy is not available for public distribution by the CHP. These standards may be viewed, by appointment only, at the CHP, Commercial Vehicle Section (CVS). To make an appointment for viewing these SAE standards, please contact CHP, CVS, at (916) 843-3400, (800) 735-2929 (TTY/TDD), or (800) 735-2922 (Voice), or via facsimile at (916) 322-3154. A copy may also be

obtained from the SAE. The SAE may be contacted at (877) 606-7323 to request the purchase of SAE publications J1470, August 2018; J366, September 2011; J331, July 2020; J192, March 2021; and J2805, May 2020.

LOCAL MANDATE

This mandate does not impose any new mandate on local agencies or school districts.

IMPACT ON BUSINESS

The CHP has not identified any significant adverse impacts to businesses, since these changes simply clarify regulations and update the referenced documents.

ALTERNATIVES

The CHP has not identified any alternatives, including the “no action” alternative, that would be more effective and less burdensome for the purpose for which this action is proposed.

Additionally, the CHP has not identified any alternative which would be as effective and less burdensome to affected persons other than the action being proposed.

Alternatives Identified and Reviewed

Make no changes to the existing regulation. This alternative was rejected because it retains an outdated and obsolete SAE standard in current regulation.

ECONOMIC IMPACT

The CHP has determined these regulatory amendments will result in:

- No increased cost for testing sound-level limits on newly manufactured motor vehicles. Sound-level limits for new motor vehicle manufacturers are currently required to be measured using Title 13, CCR, Section 1046, referenced SAE standards.
- No significant compliance cost for persons or businesses directly affected.
- No discernible adverse impact on the quantity and distribution of goods and services to large and small businesses or the public.
- No impact on the level of employment in the state.
- No adverse impact on the competitiveness of this state to retain business.