

*Article 3. Certification of exhaust emission control devices for controlling oxides of nitrogen*

2200. *Requirements.*—Exhaust emission control devices for controlling oxides of nitrogen will be certified for approval pursuant to Health and Safety Code Section 24386(4) only if such devices operate within the Standards for said pollutants set by the State Department of Public Health pursuant to Section 426.5 Health and Safety Code, and meet the criteria adopted by the Motor Vehicle Pollution Control Board pursuant to Health and Safety Code Section 24386(3).

2201. *Plans Submitted.*—Any person seeking a certificate of approval by the Board for any device to control exhaust emissions from motor vehicle shall submit plans thereof to the Board at its office in the Subway Terminal Building, 417 South Hill Street, Los Angeles. Such plans shall be accompanied by reliable test data indicating compliance with the California Standards for Motor Vehicle Exhaust Emissions adopted by the State Department of Public Health pursuant to Section 426.5 of the Health and Safety Code, and with criteria as established by the Board as contained in this article.

2202. *State Standards.*—Every device controlling exhaust emissions from motor vehicles receiving a certificate of approval from the Motor Vehicle Pollution Control Board shall meet the Standards for specified pollutants as established by the State Department of Public Health in Title 17 of the California Administrative Code, Chapter 5, Subchapter 5, Article 1, Section 30520.

2203. *Other Criteria.*—No device controlling exhaust emissions from motor vehicles shall receive a certificate of approval from the Motor Vehicle Pollution Control Board unless it meets the following criteria:

(a) The purchase or cost of installation of such device shall not constitute an undue cost burden to the motorist.

(b) Such device shall operate on a designated classification of motor vehicle, as specified in Section 2104, so that with vehicle maintenance which is characteristic of general usage by the motoring public, its average emissions are within the limits established by the State Standards.

(c) Such device shall operate in a safe manner and so that the device will not result in any unsafe condition resulting from excessive heat applied to the floorboard, hydraulic brake cylinders, brake lines, gasoline tank, fuel pump, fuel lines, transmission or other components of the motor vehicle or otherwise result in an unsafe motor vehicle.

(d) Malfunction or failure of the device shall not endanger life or property.

(e) Such device shall not malfunction or fail under the stress of backfire in the exhaust system.

(f) Such device shall not allow exhaust products of the motor vehicle to enter the passenger compartment in a volume beyond the volume characteristic of the motor vehicle without such a device.

(g) Heat emanating from an operating device shall not create a hazard to persons or property who are in close proximity to the motor vehicle.

(h) Such device shall not cause an increase in fuel consumption or a decrease in vehicle performance beyond the limits established in the Fleet & Life Testing Procedures of the Motor Vehicle Pollution Control Board.

(i) Such device shall not be permanently impaired by the variety of severe motor vehicle operating conditions frequently encountered in California including heavy rains, mountain and desert driving, and other severe operating conditions.

(j) Such device shall operate in a manner so as not to create excessive noise or odor beyond the standard characteristics of the motor vehicle equipped with a standard exhaust system; nor should the installation of such device create or contribute to a noxious or toxic effect in the ambient air, including emissions of hydrocarbons and carbon monoxide which shall not be beyond the emissions of said pollutants from a certifiable exhaust emission control device for controlling said pollutants.

(k) Such device shall be so designed as to have no adverse effect on engine operation or vehicle performance.

(l) The adequacy of methods of distribution, the financial responsibility of the applicant, and other factors affecting the economic interest of the motoring public shall be evaluated and determined satisfactory to protect the motorists.