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> Division 3 - Air Resources Board > Chapter 1 - Motor Vehicle Pollution Control Devices
> Article 6 - Emission Control System Warranty
> **Cal. Code Regs. Tit. 13, § 2035 - Purpose, Applicability, and Definitions**

Cal. Code Regs. Tit. 13, § 2035 - Purpose, Applicability, and Definitions

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(a) Purpose.

The purpose of this article is to interpret and make specific the statutory emissions warranty set forth in Health and Safety Code sections 43205 and 43205.5 by clarifying the rights and responsibilities of individual motor vehicle, motor vehicle engine, and trailer owners; motor vehicle, motor vehicle engine, trailer manufacturers, and optionally certified hybrid powertrain manufacturers; and the service industry.

(b) Applicability.

This article shall apply to:

(1)

(A) California-certified 1979 and subsequent model motorcycles, passenger cars, light-duty trucks, and medium-duty vehicles, registered in California, regardless of their original point of registration;

(B) California-certified 1979 through 2026 model heavy-duty vehicles registered in California, regardless of their original point of registration;

(C) California-certified 2027 and subsequent model heavy-duty vehicles, regardless of whether they are registered in California

(D) California-certified 2022 through 2026 model heavy-duty hybrid vehicles greater than 14,000 pounds GVWR, or 2022 through 2026 model incomplete hybrid vehicles from 10,001 to 14,000 pounds GVWR, which are equipped with hybrid powertrains optionally certified pursuant to 13 CCR § [1956.8](#), registered in California, regardless of their original point of registration; and

(E) California-certified 2027 and subsequent model heavy-duty hybrid vehicles greater than 14,000 pounds GVWR, or 2027 and subsequent model incomplete hybrid vehicles from 10,001 to 14,000 pounds GVWR, which are equipped with hybrid powertrains optionally certified pursuant to 13 CCR § [1956.8](#), regardless of whether they are registered in California, and

(2) California-certified motor vehicle engines used in such vehicles; and

(3) California-certified 2020 and subsequent model trailers certified in accordance with the provisions of section 95663(c), title 17, California Code of Regulations, regardless of whether they are registered in California.

(c) *Definitions.*

For the purposes of this article, the following definitions shall apply:

(1) "*Trailer*" means the same definition as that in section 95662(a), title 17, California Code of Regulations.

(2) "*Warrantable condition*" means any condition of a vehicle, engine, or trailer which triggers the responsibility of the manufacturer to take corrective action pursuant to sections [2036](#), [2037](#), or [2038](#).

(3) "*Warranted Part*" means:

(A) In the case of 1979 through 1989 model year passenger cars, light-duty trucks, and medium-duty vehicles, 1979 and later model year motorcycles and heavy-duty vehicles, except those medium and heavy-duty vehicles in subparagraphs (c)(3)(D) and (c)(3)(E) of this section, and 1990 and subsequent model year passenger cars, light-duty trucks, and medium duty vehicles produced before January 24, 1991, any emission-related part installed on a motor vehicle or motor vehicle engine by the vehicle or engine manufacturer, or installed in a warranty repair, which is included on the "Emissions Warranty Parts List" required by section [2036\(f\)](#) and approved for the vehicle or engine by the Executive Officer.

(B) In the case of 1990 and subsequent model year passenger cars, light-duty trucks, and medium-duty vehicles other than those identified in subparagraph (A) of this definition, any part installed on a motor vehicle or motor vehicle engine by the vehicle or engine manufacturer, or installed in a warranty repair, which affects any regulated emission from a motor vehicle or engine which is subject to California emission standards.

(C) In the case of heavy-duty vehicles certified to the GHG emission standards of section 95663, title 71, any part included in 40 CFR [1037.120](#), as amended October 25, 2016, which is incorporated by reference herein.

(D) In the case of 2022 through 2027 model year diesel-powered heavy-duty vehicles greater than 14,000 pounds GVWR which are equipped with 2022 through 2026 model year heavy-duty diesel engines certified on only diesel fuel, and the 2022 through 2026 model year heavy-duty diesel engines certified on only diesel fuel in such vehicles, any part:

1. that affects any regulated emission of criteria pollutants from a motor vehicle or motor vehicle engine that is subject to California emission standards, including those parts, at a minimum, that are contained in the "Emissions Warranty Parts List" required by section [2036\(f\)](#), and
2. that is installed on a motor vehicle or motor vehicle engine by the vehicle or engine manufacturer, or in a warranty repair.

(E) In the case of 2027 and subsequent model year heavy-duty vehicles greater than 14,000 pounds GVWR that are equipped with 2027 and subsequent model year heavy-duty engines, and the 2027 and subsequent model year heavy-duty engines used in such vehicles, any part:

1. that affects any regulated emission of criteria pollutants from a motor vehicle or motor vehicle engine that is subject to California emission standards, including those parts, at a minimum, that are contained in the "Emissions Warranty Parts List" required by section [2036\(f\)](#), and
2. that is installed on a motor vehicle or motor vehicle engine by the vehicle or engine manufacturer, or in a warranty repair.

(F) In the case of 2022 and subsequent model year heavy-duty hybrid vehicles greater than 14,000 pounds GVWR, or 2022 and subsequent model year incomplete hybrid vehicles from 10,001 to 14,000 pounds GVWR, which are equipped with 2022 and subsequent model year hybrid powertrains optionally certified pursuant to 13 CCR § [1956.8](#), and the 2022 and subsequent model year hybrid powertrains used in such vehicles, any part:

1. that affects any regulated emission of criteria pollutants from a hybrid vehicle or hybrid powertrain that is subject to California emission standards, including, but not limited to, electric motor-generator system, hybrid rechargeable energy storage system, battery management system, including charge controller and thermal management systems and associated power electronics, and including those parts, at a minimum, that are contained in the "Emissions Warranty Parts List" required by section 2036(f), and
2. that is installed on a hybrid vehicle or hybrid powertrain by the hybrid vehicle or hybrid powertrain manufacturer, or in a warranty repair.

(G) In the case of 2020 and subsequent model year trailers certified to the GHG emission standards of section 95663(c), title 17, CCR, any part included in 40 CFR 1037.120, as amended October 25, 2016, which is incorporated by reference herein.

(4) "*Warranty period*" means the period of time and mileage that the vehicle, engine, trailer, or part are covered by the warranty provisions.

(5) "*Warranty station*" means a service facility authorized by the vehicle or engine, or trailer manufacturer to perform warranty repairs. This shall include all of the manufacturer's dealerships which are franchised to service the subject vehicles, engines, or trailers.

(6) "*Vehicle, engine, or trailer manufacturer*" means the manufacturer granted certification for a motor vehicle, motor vehicle engine, or trailer. In the case of motor vehicles for which certification of the exhaust and evaporative emissions control systems is granted to different manufacturers, the warranty responsibility shall be assigned accordingly.


Notes

Cal. Code Regs. Tit. 13, § 2035

Note: Authority cited: Sections 38501, 38505, 38510, 38560, 39600, 39601, 43205 and 43205.5, Health and Safety Code. Reference: Sections 38501, 38505, 38510, 38560, 43106, 43204, 43205 and 43205.5, Health and Safety Code.

1. New section filed 1-16-79; effective thirtieth day thereafter (Register 79, No. 3).
2. Amendment of subsection (c) filed 12-27-83; effective thirtieth day thereafter (Register 83, No. 53).
3. Amendment filed 3-26-85; effective thirtieth day thereafter (Register 85, No. 13).
4. Amendment filed 11-26-90; operative 12-26-90 (Register 91, No. 3).

5. Redesignation of former subsection (b)(a) as subsection (b)(1), redesignation and amendment of subsections (c)(2)(a)-(b) as subsections (c)(2)(A)-(B) and amendment of Note filed 11-9-2007; operative 11-9-2007 pursuant to Government Code section 11343.4 (Register 2007, No. 45).
6. Amendment of subsections (c)(2)(A)-(B) and new subsections (c)(2)(C)-(c)(2)(D)2. filed 6-12-2019; operative 10/1/2019 (Register 2019, No. 24).
7. Amendment of section and Note filed 12-22-2021; operative 4/1/2022 (Register 2021, No. 52). Transmission deadline specified in Government Code section 11346.4(b) extended 60 calendar days pursuant to Executive Order N-40-20. Filing deadline specified in Government Code section 11349.3(a) extended 60 calendar days pursuant to Executive Order N-40-20 and an additional 60 calendar days pursuant to Executive Order N-71-20.

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