

[Home Table of Contents](#)**§ 2119. Recordkeeping and Reporting Requirements.**

13 CAADC § 2119

Barclays Official California Code of Regulations

Barclays California Code of Regulations

Title 13. Motor Vehicles (Refs & Annos)

Division 3. Air Resources Board

Chapter 2. Enforcement of Vehicle Emission Standards and Surveillance Testing

Article 2.1. Procedures for in-Use Vehicle Voluntary and Influenced Recalls

13 CCR § 2119

§ 2119. Recordkeeping and Reporting Requirements.[Currentness](#)

(a) Unless otherwise specified by the Executive Officer, the manufacturer shall report on the progress of the recall campaign by submitting subsequent reports for six consecutive quarters commencing with the quarter after the recall campaign begins. Such reports shall be submitted no later than 25 days after the close of each calendar quarter to: Chief, Emissions Certification and Compliance Division, 4001 Iowa Ave, Riverside, CA 92507. For each class or category of vehicle, engine, or trailer subject to the emission recall campaign, the quarterly report shall contain the following:

- (1) Engine family, test group, vehicle family, or trailer family and emission recall campaign number designated by the manufacturer.
 - (2) Date owner notification was begun, and date completed.
 - (3) Number of vehicles, engines, or trailers involved in the voluntary or influenced emission recall campaign.
 - (4) Number of vehicles, engines, or trailers known or estimated to be affected by the nonconformity and an explanation of the means by which this number was determined.
 - (5) Number of vehicles, engines, or trailers inspected pursuant to the voluntary or influenced emission recall plan.
 - (6) Number of inspected vehicles, engines, or trailers found to be affected by the nonconformity.
 - (7) Number of vehicles, engines, or trailers receiving repair under the recall plan.
 - (8) Number of vehicles, engines, or trailers determined to be unavailable for inspection or repair under the recall plan due to exportation, theft, scrapping, or for other reasons (specify).
 - (9) Number of vehicles, engines, or trailers determined to be ineligible for recall action due to removed or altered components.
 - (10) A listing of the identification numbers of vehicles, engines, or trailers subject to recall but for whose repair the manufacturer has not been invoiced. This listing shall be supplied in a standardized computer data storage device to be specified by the Executive Officer. The frequency of this submittal may be changed by the Executive Officer depending on the needs of recall enforcement.
 - (11) A copy of any service bulletins transmitted to dealers or other authorized repair facilities which relate to the nonconformity to be corrected and which have not previously been reported.
 - (12) A copy of all communications transmitted to vehicle, engine, or trailer owners which relate to the nonconformity and which have not previously been submitted.
- (b) If the manufacturer determines that any of the information submitted to the Executive Officer pursuant to (a) above has changed or was incorrect, revised information and an explanatory note shall be submitted. Responses to subsections (a)(5), (6), (7), (8), and (9) above shall be cumulative totals.
- (c) The manufacturer shall maintain in a form suitable for inspection, such as computer information storage devices or card files, and shall make available to the Executive Officer or his or her authorized representative upon request, the names and addresses of vehicle, engine, or trailer owners:

- (1) To whom notification was given;
 - (2) Whose vehicles or trailers were repaired or inspected under the recall plan; and
 - (3) Who were determined not to qualify for such recall action due to removed or altered components.
- (d) The information gathered by the manufacturer to compile the reports required by these procedures shall be retained for not less than one year beyond the useful life of the vehicles, engines, or trailers and shall be made available to authorized personnel of the Air Resources Board upon request.

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NOTE: Authority cited: Sections 38501, 38505, 38510, 38560, 39600, 39601, 43013, 43018 and 43105, Health and Safety Code. Reference: Health and Safety Code Sections 38501, 38505, 38510, 38560, 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107 and 43204-43205.5, Health and Safety Code.

HISTORY

1. Renumbering and amendment of text previously incorporated by reference in Section 2112 to Section 2119 filed 1-24-90; operative 2-23-90 (Register 90, No. 8). For prior history, see Registers 86, No. 38 and 83, No. 17.
2. Amendment of NOTE filed 1-26-95; operative 1-26-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 4). Note: Under section 209(e)(2) of the Federal Clean Air Act (42 U.S.C. § 7543(e)(2)), California is required to receive authorization from the Administrator of the U.S. Environmental Protection Agency (U.S. EPA) prior to enforcing its regulations regarding new off-road vehicles and engines. Accordingly, the Air Resources Board will not seek to enforce the off-highway recreational vehicle regulations until such time as it receives authorization from the U.S. EPA.
3. Amendment of subsections (a) and (a)(1) filed 10-28-99; operative 11-27-99 (Register 99, No. 44).
4. Amendment of section 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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Cal. Admin. Code tit. 13, § 2119, **13 CA ADC § 2119**

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