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13 CAADC § 2121

Barclays Official California Code of Regulations

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Title 13. Motor Vehicles (Refs &amp; 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

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Under the influenced recall, failure by a manufacturer to notify the vehicle, engine, or trailer owners and repair the vehicles, engines, or trailers in the manner specified in the plan shall constitute a violation of the Executive Officer's order approving the plan and a violation of Health and Safety Code section 43105. Notwithstanding the above, no penalty shall be imposed for a manufacturer's failure to meet the estimated capture rate except for an influenced recall when the 60-percent capture rate is required pursuant to section 2114(a)(10) above, in which case a recall pursuant to section 2123 below may be ordered if the Executive Officer determines that the manufacturer did not show a good faith effort to achieve the capture rate set forth in the recall plan.

**Credits**

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. New section filed 1-24-90; operative 2-23-90 (Register 90, No. 8).
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 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.

This database is current through 3/31/23 Register 2023, No. 13.

Cal. Admin. Code tit. 13, § 2121, **13 CA ADC § 2121**

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