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**PERMANENT ADMINISTRATIVE ORDER**

**DEQ 10-2024**

CHAPTER 340  
DEPARTMENT OF ENVIRONMENTAL QUALITY

**FILED**

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FILING CAPTION: Heavy-Duty Engine and Vehicle Omnibus Rule Update 2024

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**RULES:**

340-261-0020, 340-261-0030, 340-261-0040, 340-261-0050, 340-261-0060

AMEND: 340-261-0020

RULE TITLE: Applicability

NOTICE FILED DATE: 05/24/2024

RULE SUMMARY: Permanently delays rule implementation by 1 year.

**RULE TEXT:**

This division is in effect as of January 1, 2022 and applies to and establishes requirements for medium- and heavy-duty truck, engine and trailer manufacturers, Oregon truck dealers, all 2025 and subsequent model year on-highway heavy-duty engines, and all 2026 and subsequent model year trucks and trailers delivered for sale or sold in the State of Oregon, except as provided in OAR 340-261-0060 Exemptions.

STATUTORY/OTHER AUTHORITY: ORS 468.020, ORS 468A.025, 468A.360

STATUTES/OTHER IMPLEMENTED: ORS 468A.025, 468A.360, ORS 468A.010, 468A.015, 468A.050, 468A.279

AMEND: 340-261-0030

RULE TITLE: Definitions and Abbreviations

NOTICE FILED DATE: 05/24/2024

RULE SUMMARY: Adds definitions to provide more guidance to engine manufacturers.

RULE TEXT:

The definitions in OAR 340-200-0020, the definitions in the sections of CCR, Titles 13 and 17, incorporated by reference in OAR 340-261-0050, and the definitions in this rule apply to this division. If the same term is defined in different passages, the definitions in this rule apply first, followed by definitions in the CCR Title 13 sections incorporated by reference, followed by the definitions in the CCR Title 17 sections incorporated by reference, and finally the definitions in OAR 340-200-0020.

(1) "CARB" means California Air Resources Board.

(2) "CCR" means California Code of Regulations.

(3) "Disadvantaged community" means an area with the highest diesel emission concentrations, vulnerable populations, and population densities as shown in Figure 1.

(4) "Transit agency" means a public entity responsible for administering and managing transit services. Public transit agencies can directly operate transit service or contract out for all or part of the total transit service provided.

(5) "Vulnerable populations" has the meaning given that term in OAR 340-255-0020.

[NOTE: View a PDF of Figures by clicking on "Figures" link below.]

STATUTORY/OTHER AUTHORITY: ORS 468.020, ORS 468A.025, 468A.360

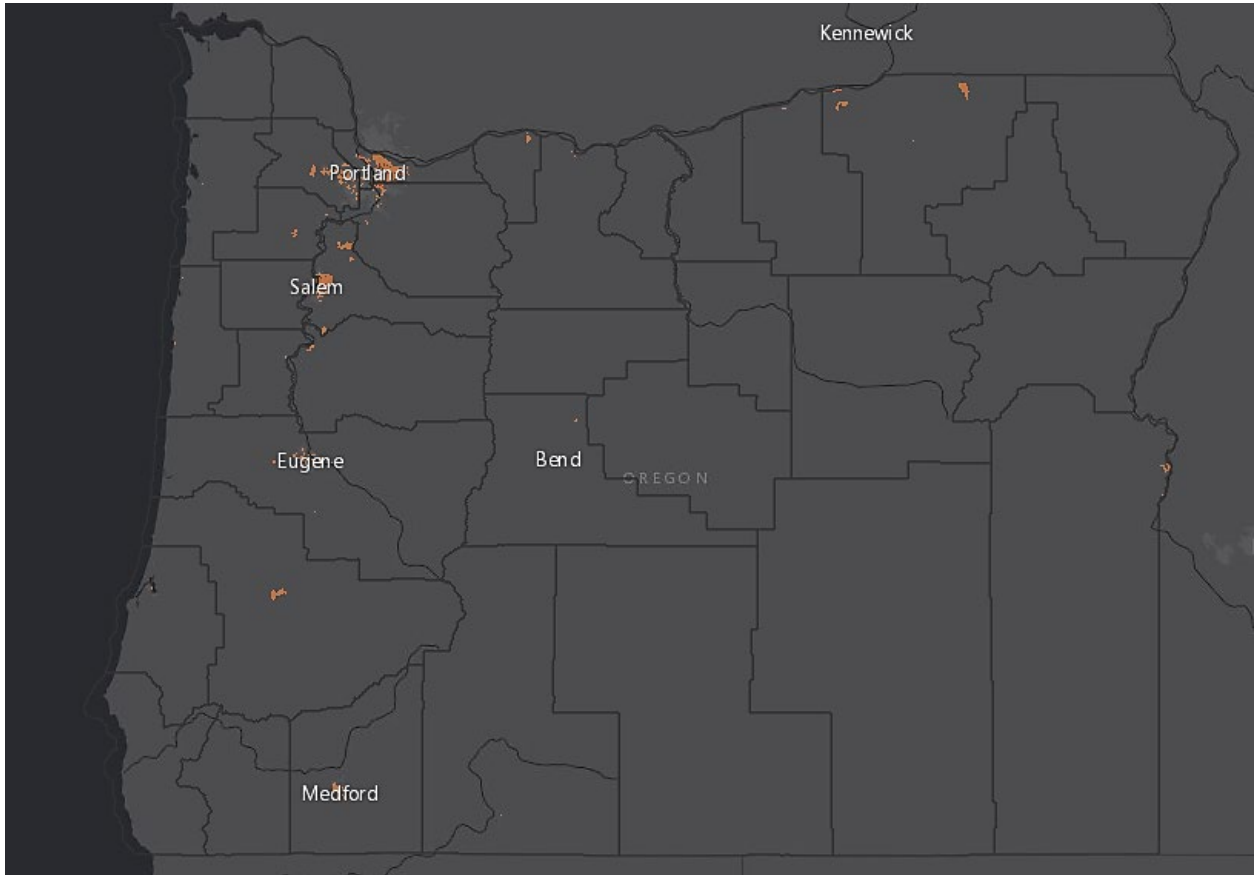
STATUTES/OTHER IMPLEMENTED: ORS 468A.025, 468A.360, ORS 468A.010, 468A.015, 468A.050, 468A.279



State of Oregon Department of Environmental Quality

# OAR 340-261-0030 – Figure 1

Statewide Disadvantaged Community Map



**Figure 1: Statewide Disadvantaged Community Map; NOTE: See <https://geo.maps.arcgis.com/apps/instant/interactivelegend/index.html?appid=ba8d77b62d6a45b2a38b6d8d7d614f5c> for most current interactive version of this map. All areas highlighted in orange or red on this static map or the interactive map link above reflect a composite vulnerable population rank, diesel particulate matter concentration rank and population density rank score greater than 3.5 and are considered disadvantaged communities under this rule.**

AMEND: 340-261-0040

RULE TITLE: Requirement to Meet California Vehicle Emission Standards

NOTICE FILED DATE: 05/24/2024

RULE SUMMARY: Permanently delays rule implementation by 1 year.

RULE TEXT:

(1) Starting with the 2025 engine model year and for each engine model year thereafter no person may deliver for sale, or sell, in Oregon any new on-highway heavy-duty engine unless such engine is certified to the California emission standards as required under OAR 340-261-0050, except as provided in OAR 340-261-0060, Exemptions.

(2) Starting with the 2026 model year and for each model year thereafter no person may deliver for sale, or sell, in Oregon any new medium- or heavy-duty truck or trailer unless such vehicle is certified to the California emission standards as required under OAR 340-261-0050, except as provided in OAR 340-261-0060, Exemptions.

(3) All motor medium- and heavy-duty truck and trailer manufacturers and dealers must comply with the sales and reporting requirements contained in this division.

STATUTORY/OTHER AUTHORITY: ORS 468.020, ORS 468A.025, 468A.360

STATUTES/OTHER IMPLEMENTED: ORS 468A.025, 468A.360, ORS 468A.010, 468A.015, 468A.050, 468A.279

AMEND: 340-261-0050

RULE TITLE: Incorporation by Reference

NOTICE FILED DATE: 05/24/2024

RULE SUMMARY: Clarifies engine labelling requirements and permanently delays rule implementation by 1 year.

RULE TEXT:

(1) For purposes of applying the incorporated sections of the California Code of Regulations described in this rule, "California" or "CA" means "Oregon" or "OR," respectively, and "Air Resources Board (ARB)" or "California Air Resources Board (CARB)" means Department of Environmental Quality (DEQ) or Environmental Quality Commission (EQC) depending on context, unless otherwise specified in this division or the application is clearly inappropriate.

(2) The sections of the California Code of Regulations (CCR), Title 13 and Title 17, adopted by reference in sections (3) and (4) are in addition to, and compatible with, the CCR, Title 13, standards and requirements adopted by reference under OAR 340-257-0050. It is the intent of this rule that the standards and requirements adopted by reference under OAR 340-257-0050 also apply in Oregon to the on-highway medium- and heavy-duty engines, vehicles and trailers regulated by the CCR, Title 13 and Title 17, standards and requirements adopted by reference in this rule, to the same extent and identical to how they would apply in California.

(3) Emission standards, testing procedures, warranty, reporting, enforcement, recall and other California provisions adopted by reference. Each manufacturer of new 2025 and subsequent model year on-highway medium- and heavy-duty engines and 2026 and subsequent model year trucks and trailers must comply with each of the following applicable standards specified in CCR, Title 13 as incorporated by reference herein:

(a) Section 1956.8(a) – (f) and (i): Exhaust Emission Standards and Test Procedures – 1985 and Subsequent Model Heavy Duty Engines and Vehicles. California adopted date 12/28/2023. Except that CCR Title 13, Section 1956.8(a)(2)(F) "Transit Agency Diesel-Fueled Bus Engine Exemption Request" shall be disregarded and is not incorporated by reference.

(b) Section 1971.1: On-Board Diagnostic System Requirements – 2010 and Subsequent Model-Year Heavy-Duty Engines. California adopted date 12/28/2023.

(c) Section 2036: Defects Warranty Requirements for 1979 Through 1989 Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles; 1979 and Subsequent Model Motorcycles and Heavy-Duty Vehicles; and Motor Vehicle Engines Used in Such Vehicles; and 2020 and Subsequent Model Year Trailers. California adopted date 9/9/21.

(d) Section 2121: Penalties. California adopted date 9/9/21. Except that the reference in this regulation to "a violation of Health and Safety Code Section 43105" shall be disregarded and is not incorporated by reference.

(e) Section 2137: Vehicle, Engine, and Trailer Selection. California adopted date 9/9/21.

(f) Section 2139: Testing. California adopted date 9/9/21.

(g) Section 2139.5: CARB Authority to Test for Heavy-Duty In-Use Compliance. California effective date 04/21/03.

(h) Section 2140: Notification and Use of Test Results. California adopted date 9/9/21.

(i) Section 2166: General Provisions. California adopted date 9/9/21.

(j) Section 2166.1: Definitions. California adopted date 9/9/21.

(k) Section 2167: Required Recall and Corrective Action for Failures of Exhaust After-Treatment Devices, On-Board Computers or Systems, Urea Dosers, Hydrocarbon Injectors, Exhaust Gas Recirculation Valves, Exhaust Gas Recirculation Coolers, Turbochargers, Fuel Injectors. California adopted date 9/9/21.

(l) Section 2168: Required Corrective Action and Recall for Emission-Related Component Failures. California adopted date 9/9/21.

(m) Section 2169: Required Recall or Corrective Action Plan. California adopted date 9/9/21.

(n) Section 2169.1: Approval and Implementation of Corrective Action Plan. California adopted date 9/9/21.

(o) Section 2169.2: Notification of Owners. California adopted date 9/9/21.

(p) Section 2169.3: Repair Label. California adopted date 9/9/21.

(q) Section 2169.4: Proof of Correction Certificate. California adopted date 9/9/21.

- (r) Section 2169.5: Preliminary Tests. California 9/9/21 date 9/9/21.
- (s) Section 2169.6: Communication with Repair Personnel. California adopted date 9/9/21.
- (t) Section 2169.7: Recordkeeping and Reporting Requirements. California adopted date 9/9/21.
- (u) Section 2169.8: Extension of Time. California adopted date 9/9/21.
- (v) Section 2423(n): Exhaust Emission Standards and Test Procedures – Off-Road Compression-Ignition Engines. California adopted date 9/9/21.
- (w) Section 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. California adopted date 9/9/21.
- (4) Emission standards, testing procedures, warranty, reporting, enforcement, recall and other California provisions adopted by reference. Each manufacturer of new 2026 and subsequent model year on-highway medium- and heavy-duty vehicles and trailers must comply with each of the following applicable standards specified in CCR, Title 17 as incorporated by reference herein:
  - (a) Section 95660: Purpose. California effective date 1/1/2015.
  - (b) Section 95661: Applicability. California effective date 1/1/2015.
  - (c) Section 95662: Definitions. California effective date 12/22/21.
  - (d) Section 95663: Greenhouse Gas Exhaust Emission Standards and Test Procedures for New 2014 and Subsequent Model Heavy-Duty Vehicles. California effective date 12/22/21.

STATUTORY/OTHER AUTHORITY: ORS 468.020, ORS 468A.025, 468A.360

STATUTES/OTHER IMPLEMENTED: ORS 468A.025, 468A.360, ORS 468A.010, 468A.015, 468A.050, 468A.279

AMEND: 340-261-0060

RULE TITLE: Exemptions

NOTICE FILED DATE: 05/24/2024

RULE SUMMARY: Exemptions for new diesel fueled school buses and solid waste collection vehicles for engine model year 2025 and grammatical correction.

RULE TEXT:

- (1) All exemptions in the California rules adopted by reference apply with the exception of the transit agency diesel-fueled bus and engine exemption described in CCR, Title 13, section 1956.8(a)(2)(F).
- (2) New diesel-fueled buses sold to any transit agency are exempt from OAR 340-261-0050.
- (3) Emergency vehicles, as defined in ORS 801.260, and ambulances, as defined in ORS 801.115, are exempt from OAR 340-261-0050.

STATUTORY/OTHER AUTHORITY: ORS 468.020, 468A.025, 468A.360

STATUTES/OTHER IMPLEMENTED: 468A.025, 468A.360, ORS 468A.010, 468A.015, 468A.050, 468A.279