

**WAC 173-423-081 Medium- and heavy-duty vehicle emission standards.** (1) Requirements to meet California vehicle emission standards. These standards establish criteria and procedures for the manufacture, testing, distribution and sale of new on-highway medium- and heavy-duty trucks and engines in Washington as adopted by reference in WAC 173-423-030.

(2) Applicability.

(a) Starting with model year 2026, on-highway heavy-duty engines, trucks and trailers delivered for sale or sold in Washington, except as provided in WAC 173-423-060, must comply with California Code of Regulations, Titles 13 and 17, adopted by reference in WAC 173-423-030.

(b) Requirement to meet vehicle emission standards, testing procedures, warranty, reporting, enforcement, recall and other California provisions adopted by reference.

(i) Starting with the 2026 engine model year and for each engine model year thereafter no person may deliver for sale, or sell, in Washington any new on-highway heavy-duty engine unless the engine is certified to the California emission standards as required under WAC 173-423-030, except as provided in WAC 173-423-060 Exemptions.

(ii) Each manufacturer of new 2026 and subsequent model year on-highway medium- and heavy-duty engines and trucks and trailers must comply with each of the following applicable standards specified in California Code of Regulations, Title 13 adopted by reference in WAC 173-423-030:

(A) Section 1956.8 (a) - (f) and (i) Exhaust Emission Standards and Test Procedures - 1985 and Subsequent Model Heavy-Duty Engines and Vehicles. Except that California Code of Regulations, Title 13, Section 1956.8 (a)(2)(F) "Transit Agency Diesel-Fueled Bus Engine Exemption Request" must 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;

(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;

(D) Section 2121 Penalties;

(E) Section 2137 Vehicle, Engine, and Trailer Selection;

(F) Section 2139 Testing;

(G) Section 2139.5 CARB Authority to Test for Heavy-Duty In-Use Compliance;

(H) Section 2140 Notification and Use of Test Results;

(I) Section 2166 General Provisions;

(J) Section 2166.1 Definitions;

(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;

(L) Section 2168 Required Corrective Action and Recall for Emission-Related Component Failures;

(M) Section 2169 Required Recall or Corrective Action Plan;

(N) Section 2169.1 Approval and Implementation of Corrective Action Plan;

(O) Section 2169.2 Notification of Owners;

- (P) Section 2169.3 Repair Label;
- (Q) Section 2169.4 Proof of Correction Certificate;
- (R) Section 2169.5 Preliminary Tests;
- (S) Section 2169.6 Communication with Repair Personnel;
- (T) Section 2169.7 Recordkeeping and Reporting Requirements;
- (U) Section 2169.8 Extension of Time;
- (V) Section 2423(n) Exhaust Emission Standards and Test Procedures - Off-Road Compression-Ignition Engines; and
- (W) Section 2485 Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.

(iii) Each manufacturer of new 2026 and subsequent model year on-highway medium- and heavy-duty engines and trucks and trailers must comply with each of the following applicable standards specified in California Code of Regulations, Title 17 adopted by reference in WAC 173-423-030:

- (A) Section 95660 Purpose;
- (B) Section 95661 Applicability;
- (C) Section 95662 Definitions; and
- (D) Section 95663 Greenhouse Gas Exhaust Emission Standards and Test Procedures for New 2014 and Subsequent Model Heavy-Duty Vehicles.

(3) Recalls. Any order issued or enforcement action taken by the California Air Resources Board to correct noncompliance with any section of California Code of Regulations, Title 13, that results in the recall of any vehicle as required under California Code of Regulations, Title 13, sections 2109 - 2135, for a vehicle subject to the requirements adopted by reference in WAC 173-423-030, will be prima facie evidence concerning vehicles registered in Washington. If the manufacturer can demonstrate to ecology's satisfaction that the order or action is not applicable to vehicles registered in Washington, ecology will not pursue a recall of vehicles registered in Washington.

(4) Inspections and Information Requests.

(a) Ecology may inspect new and used motor vehicles and related records for the purposes of determining compliance with the requirements of this section. Ecology inspections will occur during regular business hours on public property or on any premises owned, operated, or used by any truck dealer or truck rental agency for the purposes of determining compliance with the requirements of this division.

(b) For the purposes of determining compliance with this section, ecology may require any truck dealer or truck rental agency to submit to ecology any documentation that ecology deems necessary to the effective administration and enforcement of this section. This provision does not require creation of new records.

[Statutory Authority: RCW 70A.30.010. WSR 23-01-102 (Order 21-12), § 173-423-081, filed 12/19/22, effective 1/19/23.]