

OTC Model Rule: Guidance for Implementation of Aftermarket Catalytic Converter Rule

4.1.2014 Draft

1. Terms in brackets ([]) are placeholders for content that is variable from State to State.
2. Please note that States opting to promulgate rules based on this model rule that this guidance document addresses must comply with State specific administrative requirements and procedures as well as state specific statutes/laws that may govern the scope of the rules, as well as State specific compliance and enforcement regulations.

Guidance for Implementation of “Model Rule for Sale of Aftermarket Catalytic Converters”

Frequently Asked Questions about Aftermarket Converters

What is a California-approved aftermarket catalytic converter?

California anti-tampering legislation prohibits the installation of any aftermarket, modified, or add-on device that may affect vehicle emissions. If the California Air Resources Board (CARB) determines that a device will not increase emissions, it may exempt the device from the anti-tampering legislation.

After CARB has made the required determination the Executive Officer (or designee) issues an Executive Order exempting the aftermarket part, which approves it for its intended use. Once CARB has issued the exemption, the device is approved for its intended use, and may be legally sold and installed.

Aftermarket catalytic converters, which are catalytic converters other than those from the vehicle manufacturer, must have an anti-tampering exemption from CARB to be approved for sale in California. Catalytic converters from a vehicle manufacturer that are identical to the converter(s) originally installed on the vehicle (OEM - original equipment of the manufacturer) do not require CARB approval, since approval of the OEM converter is included in the vehicle's certification when new.

How do California-approved aftermarket catalytic converters differ from EPA-certified aftermarket catalytic converters?

Both CARB and EPA certify that the proper installation of aftermarket catalytic converters does not constitute emissions-related tampering. The following table illustrates key differences between the EPA and California programs.

Comparison of EPA and California Aftermarket Catalytic Converter Programs

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Performance Standard	EPA	California
Emissions	HC/CO/NOx reductions of 70%/70%/30%	<p>Must equal the vehicle's original certification level (e.g., TLEV, LEV, ULEV, etc.)</p> <p>Must be OBDII-compatible, if it is an OBD equipped vehicles</p> <p>Used converters no longer allowed</p>
Certification/Testing	Manufacturer certifies to EPA that its catalytic converters meet the requirements	<p>CARB reviews test results from independent labs converters to certify</p> <p>EOs are issued to specific engine families</p> <p>CARB audit-tests converters to be sure that they meet performance standards</p>
Warranty – emissions	25,000 miles	50,000 miles
Warranty – catalyst housing	50,000 miles	50,000 miles
Warranty – coverage	Catalytic converter	Catalytic converter, parts, and labor
Labeling	<p>A series of letters and numbers designating:</p> <ul style="list-style-type: none"> • Whether the converter is new/used • The Manufacturer • The Vehicle • Date of Manufacture 	<p>The following must be visible on the converter when installed on the vehicle:</p> <ul style="list-style-type: none"> • Direction of exhaust flow • Manufacturer's part number • Executive Order number • Date of Manufacture

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What types of catalytic converters are currently legal for use on [State] vehicles and what changes will occur once the new rules take effect?

The table below summarizes the types of catalysts that can currently be used, and what options will be available once the regulatory changes take effect.

Catalytic Converter Type	Currently Legal for Use?	Legal for Use Once New Rules Take Effect?
New Original Equipment Manufacturer (OEM)	Yes	Yes
New Aftermarket	Yes	Yes, but converter models sold or installed on or after [Start Date] must be approved by California Executive Order (although in some cases a waiver can be obtained from this requirement – see below)
Used OEM Converters	[Does State Allow Now?]	[If State opts To Allow Used Converters] Yes, but see below. [Else] No
Used Aftermarket Converters	[Does State Allow Now?]	No

How can someone tell if a new, CARB approved aftermarket catalytic converter is available for a customer's vehicle?

You can access a searchable listing of approved aftermarket catalytic converters at the CARB's website: <http://www.arb.ca.gov/msprog/aftermktcat/aftermktcatdbase.htm>. Executive Orders for pre-OBD II and OBD II converters can be sorted by Executive Order number, or by converter manufacturer. It should be noted that Executive Orders can be revoked if the aftermarket part was found not to meet standards in the field, so it is recommended that this database be checked.

In the event that an appropriate converter cannot be found in the database, also check the printable list of approved aftermarket converters <http://www.arb.ca.gov/msprog/aftermktcat/exemptcat09.pdf>, which often is updated sooner than the database.

CARB approved aftermarket catalytic converters sold after January 1, 2009, will also have the ARB Executive Order number permanently labeled on the converter shell. Before installation, you should consult the converter manufacturer's application catalog to verify the converter model is designed to fit your specific vehicle application and that

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it is specifically approved for use on that vehicle. Statements such as “approved for use on OBD II vehicles” don’t necessarily mean that the approval is valid for all OBDII vehicles.

Can a federally certified aftermarket catalytic converter be installed on a vehicle?

No. With the exception noted in the next question, as of **[Start Date]** only converters allowed by a CARB Executive Order are allowed to be installed. This includes vehicles that meet California emission standards (CA vehicles), Federal emission standards (49 state vehicles), or both California and Federal emission standards (50 state vehicles).

What happens if the original catalytic converter is still under warranty?

You cannot install an aftermarket converter if the original converter is still under warranty. An OEM converter must be used as a replacement.

What if there’s no CARB approved aftermarket catalytic converter for my customer’s vehicle?

In the case that a CARB approved aftermarket catalytic converter cannot be obtained an OEM converter must be installed.

If an OEM converter cannot be found then a CARB approved aftermarket converter must be installed on the vehicle that has the same level of precious metal and is designed for the vehicle’s configuration although the converter may not necessarily be designed for the same make, model, and model year.

In a situation where an CARB approved converter that has the same level of precious metal and is designed for the vehicle’s configuration is also not available, then you should contact **[State Representative]** to determine if the particular vehicle can be granted a waiver to allow for the installation of a federally certified aftermarket converter and how to go through the process of obtaining the waiver.

Information cannot be found on precious metal loading in converters. How is it determined if a converter has an equivalent level of loading?

The equivalency of loading may be determined by several methods. First, if a CARB converter is designed for a vehicle of similar engine displacement and is used in a similar exhaust configuration and placement, then that converter may be the best fit. Second, if there is an equivalent CARB converter available for a CA-certified vehicle of the same year, make and model of federal vehicle, then that converter may be used. In both cases, the installer needs to exercise prudent discretion in determining the best fit and compatibility. If the installer has any questions, he or she should contact **[State Representative]**.

Are used OEM converters rebuilt with new or refurbished parts allowed to be installed?

No.

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Are used OEM converters that are removed from a vehicle without alteration allowed to be installed?

[If State Opts To Allow Used Converters]

Yes but only under certain conditions. Used OEM converters can only be installed on vehicles equipped with OBD II. The used converter must then be monitored by the OBD system. Furthermore used OEM converters must be designed in order to fit the configuration for the vehicle, has to have an equivalent the level of precious metal loading, and otherwise function as if it were the originally installed converter.

[Else]

No.

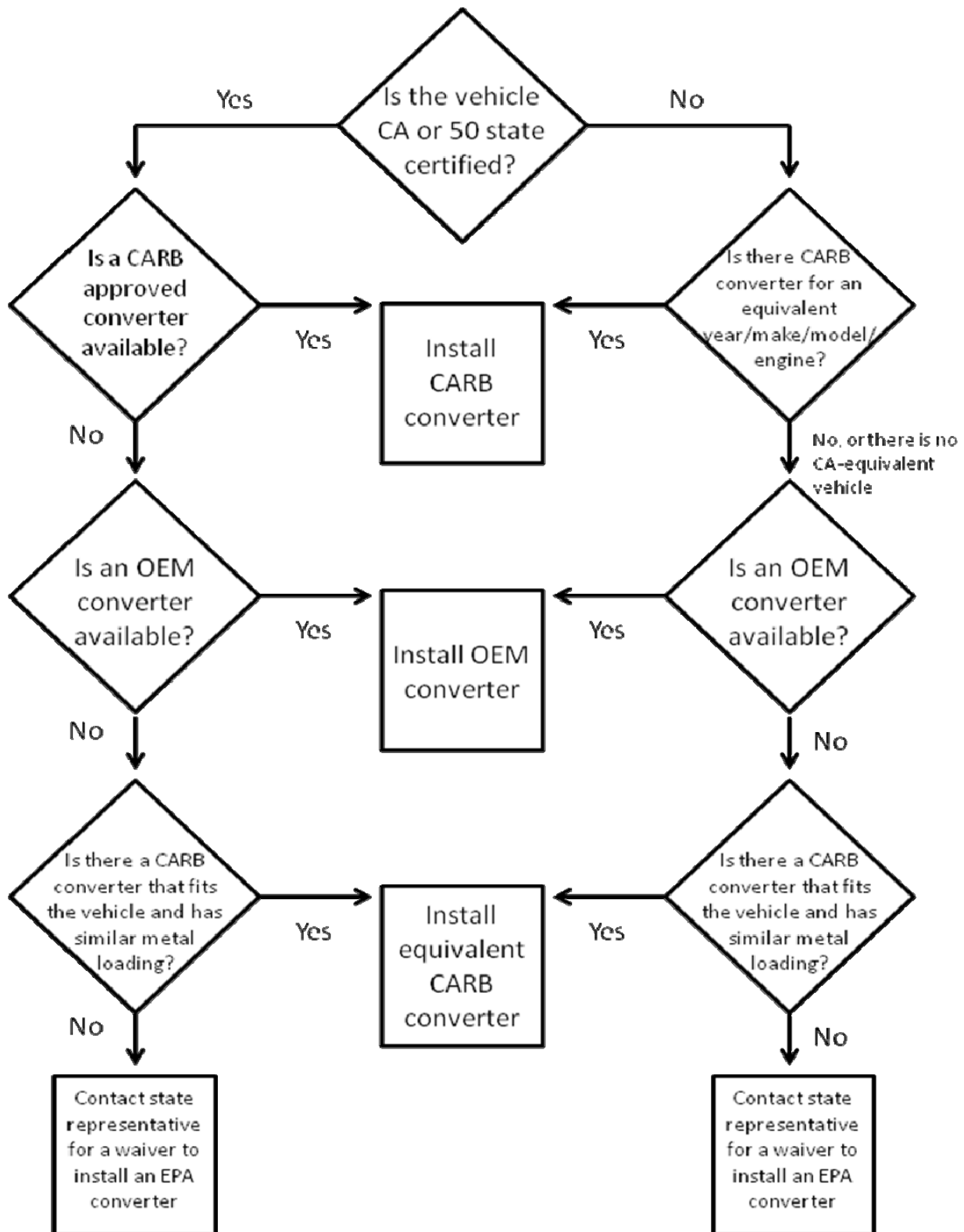
CARB certified aftermarket converters don't come in direct fit assemblies. What should be done?

Third-party manufacturers are allowed to connect pipes to universal fit catalytic converters made by other manufacturers and market them under the original CARB Executive Order. The universal converters can only be used in these assemblies for the engine families listed in the original CARB Executive Order, which can be searched here – <http://www.arb.ca.gov/msprog/aftermktcat/aftermktcatdbase.htm>.. Finally, shops can install and properly fit the piping for a universal converter so that it can be installed on a variety of vehicles as long as the converter was issued an EO by CARB for those vehicles.


What is the timeline for the new requirements for installing CARB aftermarket catalytic converters?

[There is no set timeline laid out in the model guidance. OTC recommends that each state reach out to the stakeholders in their state to develop an appropriate timeline that considers the state's fleet make up and any other factors.]

Determining the Proper Aftermarket Catalytic Converter To Install



Sample Checklist to Provide Installers

Installer's Checklist for New Aftermarket Catalytic Converters		
1.	The vehicle model is specifically included in the applicability list for the catalytic converter model I intend to install, and the converter model is approved for use by California.	
2.	I have verified that the vehicle manufacturer's warranty for the original catalytic converter has expired. If the warranty has not expired you must install an OEM catalyst instead of an aftermarket part. Warranties will range from a minimum of 7 years/70,000 miles to 15 years/150,000 miles. Consult the owner's manual.	
3.	I have confirmed the need for a replacement catalytic converter. If the original converter is still installed, a diagnosis that it is malfunctioning is required.	
4.	The replacement converter will be installed in the same location as the original converter (the front face location will be within three inches compared to the original design) with the identification clearly visible.	
5.	All oxygen sensors will remain installed in their original location(s).	
6.	The catalytic converter will be installed on a "one-for-one" basis (only one OEM converter is being replaced by the converter to be installed). Decreasing or increasing the number of catalytic converters (compared to the stock configuration) is prohibited.	
7.	If the vehicle is certified to meet federal emission standards only, I have ensured that the aftermarket converter has the same level of precious metal loading and is intended for a similar configuration as the OEM converter.	
8.	Warranty Card - I have: (a) filled out the warranty card (b) obtained the customer's signature on the card (c) attached the card to the original repair invoice (d) returned a copy of the warranty card to the converter manufacturer.	