



Manufacturers of Emission Controls Association

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January 25, 2023

Colorado House Energy and Environment Committee Members
Re: HB23-1038 Stolen Catalytic Converter Replacement Exemption

For the benefit of the Committee’s deliberation on House Bill 23-1038, the Manufacturers of Emission Controls Association (MECA) wish to reiterate the performance differences in aftermarket converters produced for Federal and California compliance requirements and the existing exemption process already contained within existing Colorado regulation to address converter unavailability.

CARB aftermarket converter emissions performance and consumer warranty regulation require that the vehicle meet the same level of emission performance as the original vehicle certification for up to 5 years or 50,000 miles and therefore are more protective of public health than federal standards which only require 30% NOx emissions reductions for 5 years or 25,000 miles. CARB converters employ more advanced substrates and catalysts while still offering substantial cost savings over OE replacement converters. Furthermore, a CARB-compliant converter will have an Executive Order (EO) number/stamped onto its body that corresponds to a list of vehicle years, makes, and models that testing has confirmed for correct application. The use of a CARB compliant catalytic converter ensures that a vehicle’s NOx emissions will be reduced to the same level as the original emissions standard the vehicle was certified to and represents a significant performance improvement when compared to the less stringent Federal aftermarket converter requirements that are nearly 40 years old.

In 2013, MECA authored a paper titled “Emission Performance of California and Federal Aftermarket TWC Converters”, which was published by the Society of Automotive Engineers (SAE)¹ which compared the performance of aftermarket converters to meet EPA and CARB minimum performance and durability standards on five different vehicles from passenger cars to pick-up trucks. The average emissions benefit of using the latest CARB compliant aftermarket converter technologies for the five vehicles tested was found to be 77% lower NOx, 60% lower HC, and 63% lower CO emissions as compared to a federal compliant aftermarket converter. The improved emission reduction performance of the CARB compliant converters represents an extremely cost-effective way to improve ozone related air quality. Furthermore, the CARB

¹ Emission Performance of California and Federal Aftermarket TWC Converters, Rasto Brezny and Joseph Kubsh, SAE 2013-01-1298, <https://theicct.org/sites/default/files/MECA%20Aftermarket%20SAE%20Paper.pdf>.

converter comes with a longer warranty to give the consumer peace of mind that the converter is more durable than the federal converter.

Based on Colorado Department of Public Health and the Environment, Air Pollution Control Division staff analysis applying Colorado-specific conditions to an emissions benefit methodology concluded that the adoption of a CARB aftermarket catalytic converter rule would lead to significant air quality benefits.

MECA strongly endorses the current CDPHE carryover methodology of California aftermarket exemptions. Other Section 177 states, including New York and Maine, have also recognized the benefits of adopting California exempted converters as being the most efficient way for states with limited resources to gain access to the best available aftermarket converter technology. The carryover of California aftermarket converters serves to immediately provide smaller market states such as Colorado with an immediate supply of superior performance aftermarket converters without incurring the delays and additional costs to the state and consumers of creating and managing their own unique procedures.

The existing CDPHE regulation contains provisions to allow CDPHE staff to assist consumers in identifying a suitable OE or CARB exempt aftermarket catalytic converter (see <https://cdphe.colorado.gov/aftermarket-catalytic-converters>). It is our understanding that in the rare cases where no suitable OE or CARB exempt aftermarket converter can be sourced that CDPHE staff will work with converter manufacturers to identify a suitable alternative converter exempted by CARB. In fact, MECA members have worked with CDPHE staff in this first two years of implementation to recommend suitable alternative CARB exempted aftermarket converters for vehicles where a direct replacement was not available. In cases where a suitable CARB converter can't be identified, both California and Colorado have the flexibility in the regulation to issue waivers.

Catalytic converter theft is a growing problem nationally. There are inexpensive products available which can be secured to the underside of the vehicle to cover and protect the converter from theft. This has been found to be the most effective way of deterring converter theft. Ultimately, MECA believes that the best way to protect consumers and deter catalytic converter theft is to enact legislation allowing only registered businesses to buy and sell legally salvaged catalytic converters from auto repair and wrecking yards as well as require these businesses to maintain customer and vehicle identification records for each converter transaction.

Please don't hesitate to contact us for clarification or questions regarding our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Rasto Brezny", with a long, sweeping flourish extending to the right.

Dr. Rasto Brezny
Executive Director
Email: rbrezny@meca.org