

Date: May 11, 2022

Mail-Out # ECCD-2022-03

To: All Manufacturers of

- Passenger Cars and Light-Duty Trucks
- Medium-Duty Vehicles and Engines
- Heavy-Duty Vehicles and Engines
- On-Road Motorcycles
- Off-Road Recreational Vehicles
- Off-Road Small Spark-Ignited Engines
- Off-Road Small Spark-Ignited Equipment
- Off-Road Large Spark-Ignited Engines
- Off-Road Large Spark-Ignited Equipment
- Off-Road Spark-Ignited Marine Engines
- Off-Road Compression-Ignition Engines
- Trailers and Aerodynamic Devices
- Zero Emission Powertrains
- and All Interested Parties

Subject: California Air Resources Board's (CARB) updated policy regarding the use of electronic signature letters for digital signature and electronic certification submission

The California Air Resources Board (CARB) is issuing this Mail-Out to provide updated guidance to manufacturers on the procedure to submit electronic signature letters for electronic certification submission and digital signatures.

Background:

Starting in 2022, CARB will be introducing a new document management system called "**CARB-eFILE**" hereafter referred to as "eFILE". This will be replacing CARB's Certification Document Management System (CERT DMS) that has been in use since 2006. CARB is using this transition to clarify and simplify our policy on electronic signature letters to streamline account creation.

Policy:

With the introduction of eFILE, CARB's policy is that manufacturers shall submit an electronic signature letter stating that all documents submitted electronically will be authorized by the manufacturer and will be considered valid for certification purposes.

In this electronic signature letter, all contacts listed will be considered as manufacturer's authorized contacts. This includes the "EO" contact and "CERT" contacts.

The responsibilities of the "EO" contact include:

- (1) recipient of Executive Orders
- (2) signing of electronic signature letters
- (3) and may include the responsibilities of "CERT" contacts

The responsibilities of "CERT" contacts include:

- (1) communication with CARB for certification purposes
- (2) submission of electronic documents
- (3) submission of electronic signature letters and contact sheets
- (4) and authorization to sign electronic documents. **Note:** A consultant cannot sign on behalf of the manufacturer. Therefore, a consultant's signature can only be used to represent the consulting company.

The electronic signature letter must be drafted on the company letterhead and must be signed by the "EO" contact, the manufacturer's highest rank representative for the certification purposes. **Note:** A consultant cannot be considered the "EO" contact.

First, the electronic signature letter must authorize the submission of electronic documents for the "EO" and "CERT" contacts. Secondly, the manufacturer must attest that all signed documents on behalf of the manufacturer will be reviewed, approved, and signed by the "EO" contact or the additional "CERT" contacts that are not consultants. Thirdly, if a consultant is used, the letter must attest that consultants cannot sign documents on behalf of the manufacturer and that their signature can only be used to represent the consulting company. Finally, the letter must attest that electronic signatures are to be considered valid and all documents submitted containing said signatures will be considered valid documents.

Manufacturers must mail a hard copy to the Chief, Emission Certification and Compliance Division, 4001 Iowa Avenue, Riverside, CA 92507 and email a digital copy of the electronic signature letter to eFILE@arb.ca.gov. Attachment A contains a sample letter that may be used.

Manufacturers must also mail a hard copy and email a digital copy of the updated electronic signature letter to notify CARB promptly when changes occur to the manufacturer's authorized contacts. Attachment B contains a sample letter for updating "CERT" contacts and Attachment C contains a sample letter for updating the "EO" contact.

Thank you for your attention to this matter. Questions regarding this policy and eFILE should be directed to Shobna Sahni, Branch Chief, New Vehicle/Engines Program Branch within the Emissions Certification and Compliance Division, at (951) 542-3369 or by email at eFILE@arb.ca.gov. Information regarding eFILE can be found on the eFILE webpage:

<https://ww2.arb.ca.gov/certification-document-management-system>

Sincerely,

A handwritten signature in blue ink that reads "Michael J. Ruffa". The signature is written in a cursive style.

Allen Lyons, Chief
Emissions Certification and Compliance Division

Attachments:

- Attachment A – Sample electronic signature letter for new manufacturer
- Attachment B – Sample electronic signature letter to update CERT contact
- Attachment C – Sample electronic signature letter to update EO contact

Attachment A – Sample electronic signature letter for new manufacturer

John Smith
Company ABC
123 Motor Street
Motor City, NV 12345

March 3, 2022

_____, Chief
Emissions Certification and Compliance Division
California Air Resources Board
4001 Iowa Ave.
Riverside, CA 92507

Dear _____,

Company ABC hereby submits an electronic signature letter to authorize the submission of electronic documents for the following list of contacts.

Company ABC attests that all signed documents on behalf of the manufacturer will be reviewed, approved, and signed by the "EO" contact, John Smith, or the additional "CERT" contacts that are not consultants. Consulting XYZ attests that consultants cannot sign documents on behalf of the manufacturer and consultant signatures can only be used to represent the consulting company. Electronic signatures in this letter are to be considered valid and all documents submitted containing said signatures will be considered valid documents.

Mary Garcia

Mary Garcia
Senior Engineer
Company ABC

Marty Johnson

Marty Johnson
Technical Lead
Company ABC

David Lee

David Lee
Consultant
Consulting XYZ

If you have any questions regarding this letter, please contact me at (123) 345-7890.

Sincerely,

John Smith

John Smith
CEO
Company ABC

Attachment B – Sample electronic signature letter to update CERT contact

John Smith
Company ABC
123 Motor Street
Motor City, NV 12345

March 5, 2022

_____, Chief
Emissions Certification and Compliance Division
California Air Resources Board
4001 Iowa Ave.
Riverside, CA 92507

Dear _____,

Company ABC hereby submits an updated electronic signature letter to change the following list of contacts.

Firstly, to remove the following previous "CERT" contact(s).

Marty Johnson
Technical Lead
Company ABC

Secondly, to add the following new "CERT" contact(s).

Anna Brown

Anna Brown
Engineer II
Company ABC

Mark Davis

Mark Davis
Consultant
Consulting XYZ

Company ABC hereby authorizes the submission of electronic documents for the new list of "CERT" contacts.

Company ABC attests that all signed documents on behalf of the manufacturer will be reviewed, approved, and signed by the "EO" contact, John Smith, or the additional "CERT" contacts that are not consultants. Consulting XYZ attests that consultants cannot sign documents on behalf of the manufacturer and consultant signatures can only be used to represent the consulting company. Electronic signatures in this letter are to be considered valid and all documents submitted containing said signatures will be considered valid documents.

If you have any questions regarding this letter, please contact me at (123) 345-7890.

Sincerely,

John Smith

John Smith
CEO
Company ABC

SAMPLE

Attachment C – Sample electronic signature letter to update EO contact

Tom Palette
Company ABC
123 Motor Street
Motor City, NV 12345

March 7, 2022

_____, Chief
Emissions Certification and Compliance Division
California Air Resources Board
4001 Iowa Ave.
Riverside, CA 92507

Dear _____,

Company ABC hereby submits an updated electronic signature letter to change the "EO" contact for Company ABC.

Previous "EO" contact:

- John Smith (johnsmith@abccompany.com)

New "EO" contact:

- Tom Palette (tompalette@abccompany.com)

Company ABC hereby authorizes the submission of electronic documents for the new "EO" contact.

Company ABC attests that all signed documents on behalf of the manufacturer will be reviewed, approved, and signed by the "EO" contact, Tom Palette, or the additional "CERT" contacts that are not consultants. Consulting XYZ attests that consultants cannot sign documents on behalf of the manufacturer and consultant signatures can only be used to represent the consulting company. Electronic signatures in this letter are to be considered valid and all documents submitted containing said signatures will be considered valid documents.

If you have any questions regarding this letter, please contact me at (123) 345-7891.

Sincerely,

Tom Palette

Tom Palette
CEO
Company ABC