

## Environmental Protection Agency

## § 1051.10

1051.815 How should I request EPA to keep my information confidential?

1051.820 How do I request a hearing?

AUTHORITY: 42 U.S.C. 7401-7671(q).

SOURCE: 67 FR 68347, Nov. 8, 2002, unless otherwise noted.

### Subpart A—Determining How to Follow This Part

#### § 1051.1 Does this part apply to me?

(a) This part applies to you if you manufacture or import any of the following recreational vehicles or engines used in them, unless we exclude them under § 1051.5:

(1) Snowmobiles.

(2) Off-highway motorcycles.

(3) All-terrain vehicles (ATVs).

(4) Offroad utility vehicles with engines with displacement less than or equal to 1000 cc, maximum brake power less than or equal to 30 kW, and maximum vehicle speed of 25 miles per hour or higher. Offroad utility vehicles that are subject to this part are subject to the same requirements as ATVs. This means that any requirement that applies to ATVs also applies to these offroad utility vehicles, without regard to whether the regulatory language mentions offroad utility vehicles.

(b) [Reserved]

(c) As noted in subpart G of this part, 40 CFR part 1068 applies to everyone, including anyone who manufactures, installs, owns, operates, or rebuilds any of the vehicles or engines this part covers.

(d) You need not follow this part for vehicles you produce before the 2006 model year, unless you certify voluntarily. See §§ 1051.103 through 1051.110, § 1051.145, and the definition of “model year” in § 1051.801 for more information about the timing of the requirements.

(e) The requirements of this part begin to apply when a vehicle is new. See the definition of “new” in § 1051.801 for more information. In some cases, vehicles or engines that have been previously used may be considered “new” for the purposes of this part.

(f) See §§ 1051.801 and 1051.805 for definitions and acronyms that apply to this part. The definition section contains significant regulatory provisions and it is very important that you read them.

(g) This part also applies to engines under 50 cc used in motorcycles that are motor vehicles if the manufacturer uses the provisions of 40 CFR 86.447-2006 to meet the emission standards in this part instead of the requirements of 40 CFR part 86. Compliance with the provisions of this part is a required condition of that exemption.

(h) The evaporative emission requirements of this part applies to highway motorcycles as specified in 40 CFR part 86.

[67 FR 68347, Nov. 8, 2002, as amended at 69 FR 2442, Jan. 15, 2004]

#### § 1051.5 Which engines are excluded or exempted from this part's requirements?

(a) You may exclude vehicles with compression-ignition engines. See 40 CFR part 89 for regulations that cover these engines.

(b) See subpart G of this part and 40 CFR part 1068, subpart C, for exemptions of specific engines.

(c) We may require you to label an engine or vehicle (or both) if this section excludes it and other requirements in this chapter do not apply.

(d) Send the Designated Officer a written request with supporting documentation if you want us to determine whether this part covers or excludes certain vehicles. Excluding engines from this part's requirements does not affect other requirements that may apply to them.

#### § 1051.10 What main steps must I take to comply with this part?

(a) You must get a certificate of conformity from us for each engine family before you do any of the following things with a new vehicle or new engine covered by this part: sell, offer for sale, introduce into commerce, distribute or deliver for introduction into commerce, or import it into the United States. “New” vehicles or engines may include some already placed in service (see the definition of “new” in § 1051.801). You must get a new certificate of conformity for each new model year.

(b) To get a certificate of conformity and comply with its terms, you must do five things: