

**§ 1051.615**

**40 CFR Ch. I (7-1-04 Edition)**

(c)(1) Make sure the original emission control information label is intact after assembly in the vehicle.

(2) Add a permanent supplemental label to the vehicle in a position where it will be clearly visible. In this emission control information label, do the following:

(i) Include the heading: "Recreational Vehicle Emission Control Information".

(ii) Include your full corporate name and trademark.

(iii) State: "THIS ENGINE WAS ADAPTED FOR RECREATIONAL USE WITHOUT AFFECTING ITS EMISSION CONTROLS."

(iv) State the date you finished installation (month and year).

(3) Send the Designated Officer a signed letter by the end of each calendar year (or less often if we tell you) with all the following information:

(i) Identify your full corporate name, address, and telephone number.

(ii) List the models you expect to produce under this exemption in the coming year.

(iii) State: "We produce each listed model for recreational application without making any changes that could increase its certified emission levels, as described in 40 CFR 1051.605."

(d) If you build recreational vehicles under this section, we may require (as a condition of the exemption) that you comply with the emission-related warranty and recall responsibilities of this part.

(e) If you build a recreational vehicle using a motor vehicle engine that was certified as part of a vehicle-based engine family, we may require you to certify under this part instead of granting you an exemption under this part. If we do this, we may allow you to submit an abbreviated application for certification to show that you comply with the requirements of this part. You may reference the information in the original motor vehicle application.

**§ 1051.615 What are the special provisions for certifying small recreational engines?**

(a) You may certify ATVs with engines that have total displacement of less than 100 cc to the following emission exhaust standards instead of certifying them to the exhaust emission standards of subpart B of this part:

(1) 25.0 g/kW-hr HC+NO<sub>x</sub>, with an FEL cap of 40.0 g/kW-hr HC+NO<sub>x</sub>.

(2) 500 g/kW-hr CO.

(b) You may certify off-highway motorcycles with engines that have total displacement of 70 cc or less to the following emission exhaust standards instead of certifying them to the exhaust emission standards of subpart B of this part:

(1) 16.1 g/kW-hr HC+NO<sub>x</sub>, with an FEL cap of 32.2 g/kW-hr HC+NO<sub>x</sub>.

(2) 519 g/kW-hr CO.

(c) You may use the averaging, banking, and trading provisions of subpart H of this part to show compliance with this HC+NO<sub>x</sub> standards (an engine family meets emission standards even if its family emission limit is higher than the standard, as long as you show that the whole averaging set of applicable engine families meet the applicable emission standards using emission credits, and the vehicles within the family meet the family emission limit). You may not use averaging to meet the CO standards of this section.

(d) Measure emissions by testing the engine on a dynamometer with the steady-state duty cycle described in Table 1 of this section.

(1) During idle mode, hold the speed within your specifications, keep the throttle fully closed, and keep engine torque under 5 percent of the peak torque value at maximum test speed.

(2) For the full-load operating mode, operate the engine at wide-open throttle.

(3) See part 1065 of this chapter for detailed specifications of tolerances and calculations.

(4) Table 1 follows:

TABLE 1 OF § 1051.615—6-MODE DUTY CYCLE FOR RECREATIONAL ENGINES

Mode number:	Engine speed (percent of maximum test speed)	Torque (percent of maximum test torque at test speed)	Minimum time in mode (minutes)	Weighting factors
1 .....	85	100	5.0	0.09
2 .....	85	75	5.0	0.20
3 .....	85	50	5.0	0.29
4 .....	85	25	5.0	0.30
5 .....	85	10	5.0	0.07
6 .....	Idle	0	5.0	0.05

(e) All other requirements and prohibitions of this part apply to these engines and vehicles.

**§ 1051.620 When may a manufacturer obtain an exemption for competition recreational vehicles?**

(a) We may grant you an exemption from the standards and requirements of this part for a new recreational vehicle on the grounds that it is to be used solely for competition. The provisions of this part other than those in this section do not apply to recreational vehicles that we exempt for use solely for competition.

(b) We will exempt vehicles that we determine will be used solely for competition. The basis of our determinations are described in paragraphs (b)(1), (b)(2), and (c) of this section. Exemptions granted under this section are good for only one model year and you must request renewal for each subsequent model year. We will not approve your renewal request if we determine the vehicles will not be used solely for competition.

(1) *Off-highway motorcycles.* Motorcycles that are marketed and labeled as only for competitive use and that meet at least four of the criteria listed in paragraphs (b)(1)(i) through (vi) of this section are considered to be used solely for competition, except in cases where other information is available that indicates that they are not used solely for competition. The following features are indicative of motorcycles used solely for competition:

(i) The absence of a headlight or other lights.

(ii) The absence of a spark arrestor.

(iii) The absence of manufacturer warranty.

(iv) Suspension travel greater than 10 inches.

(v) Engine displacement greater than 50 cc.

(vi) The absence of a functional seat. (For example, a seat less with than 30 square inches of seating surface would generally not be considered a functional seat).

(2) *Snowmobiles and ATVs.* Snowmobiles and ATVs meeting all of the following criteria are considered to be used solely for competition, except in cases where other information is available that indicates that they are not used solely for competition:

(i) The vehicle or engine may not be displayed for sale in any public dealership.

(ii) Sale of the vehicle must be limited to professional racers or other qualified racers.

(iii) The vehicle must have performance characteristics that are substantially superior to noncompetitive models.

(c) Vehicles not meeting the applicable criteria listed in paragraph (b) of this section will be exempted only in cases where the manufacturer has clear and convincing evidence that the vehicles will be used solely for competition.

(d) You must permanently label vehicles exempted under this section to clearly indicate that they are to be used only for competition. Failure to properly label a vehicle will void the exemption for that vehicle.