

(d) For model years 1982–91, each manufacturer may:

(1) Combine its 2- and 4-wheel drive light trucks (segregating captive import and other light trucks) and comply with the combined average fuel economy standard specified in paragraph (a) of this section; or

(2) Comply separately with the 2-wheel drive standards and the 4-wheel drive standards (segregating captive import and other light trucks) specified in paragraph (a) of this section.

(e) For model year 1992, each manufacturer shall comply with the average fuel economy standard specified in paragraph (a) of this section (segregating captive import and other light trucks).

(f) For model year 1996 and thereafter, each manufacturer shall combine its captive imports with its other light trucks and comply with the average fuel economy standard in paragraph (a) of this section.

(g) For model years 2008–2010, at a manufacturer's option, a manufacturer's light truck fleet may comply with the fuel economy level calculated according to Figure I and the appropriate values in Table V, with said option being irrevocably chosen for that model year and reported as specified in §537.8.

(h) For model year 2011, a manufacturer's light truck fleet shall comply with the fuel economy level, calculated according to Figure I and the appropriate values in Table V.

[43 FR 12014, Mar. 23, 1978, as amended at 45 FR 20878, Mar. 31, 1980; 47 FR 7250, Feb. 18, 1982; 47 FR 32721, July 29, 1982; 53 FR 11090, Apr. 5, 1988; 55 FR 12497, Apr. 4, 1990; 56 FR 13784, Apr. 4, 1991; 58 FR 18029, Apr. 7, 1993; 59 FR 16323, Apr. 6, 1994; 61 FR 14682, Apr. 3, 1996; 62 FR 15860, Apr. 3, 1997; 63 FR 16701, Apr. 6, 1998; 64 FR 16862, Apr. 7, 1999; 65 FR 17778, Apr. 5, 2000; 66 FR 17516, Apr. 2, 2001; 67 FR 16060, Apr. 4, 2002; 68 FR 16899, Apr. 7, 2003; 71 FR 17676, Apr. 6, 2006; 71 FR 19450, Apr. 14, 2006]

**§533.6 Measurement and calculation procedures.**

(a) Any reference to a class of light trucks manufactured by a manufacturer shall be deemed—

(1) To include all light trucks in that class manufactured by persons who control, are controlled by, or are under

common control with, such manufacturer; and

(2) To exclude all light trucks in that class manufactured (within the meaning of paragraph (a)(1) of this section) during a model year by such manufacturer which are exported prior to the expiration of 30 days following the end of such model year.

(b) The average fuel economy of all nonpassenger automobiles that are manufactured by a manufacturer and are subject to §533.5(b) or to §533.5(c) shall be determined in accordance with procedures established by the Administrator of the Environmental Protection Agency under section 503(a)(2) of the Act.

[42 FR 13807, Mar. 14, 1977, as amended at 43 FR 12013, Mar. 23, 1978]

**APPENDIX A—EXAMPLE OF CALCULATING COMPLIANCE UNDER §533.5 PARAGRAPH (G)**

Assume a hypothetical manufacturer (Manufacturer X) produces a fleet of light trucks in MY 2008 as follows:

Model	Fuel economy	Volume	Footprint (ft²)
A .....	27.0	1,000	42.0
B .....	25.6	1,500	44.0
C .....	25.4	1,000	46.0
D .....	22.1	2,000	50.0
E .....	22.4	3,000	55.0
F .....	20.2	1,000	66.0

NOTE TO APPENDIX A TABLE 1. Manufacturer X's required corporate average fuel economy level under §533.5(g) would be calculated by first determining the fuel economy target applicable to each vehicle as illustrated in "Appendix A Figure 1:"

"APPENDIX A FIGURE 1"

Model	Footprint (ft²)	MY 2008 fuel economy target (mpg)
A .....	42.0	26.20
B .....	44.0	25.50
C .....	46.0	24.80
D .....	50.0	23.30
E .....	55.0	21.70
F .....	66.0	20.30

NOTE TO APPENDIX A FIGURE 1. Accordingly, vehicle models A, B, C, D, E, and F would be compared to fuel economy values of 26.20, 25.50, 24.80, 23.30, 21.70, and 20.30 mpg, respectively. With the appropriate fuel economy targets calculated, Manufacturer X's required fuel economy would be calculated as illustrated in "Appendix A Figure 2."

**Appendix A Figure 2**

Manufacturer's Light Truck Production for Applicable Model Year						
Model A Volume Model A Target	+	Model B Volume Model B Target	+	Model C Volume Model C Target	+	Model D Volume Model D Target
=		$\frac{1,000}{26.20}$	+	$\frac{1,500}{25.50}$	+	$\frac{1,000}{24.80}$
			+	$\frac{2,000}{23.30}$	+	$\frac{3,000}{21.70}$
			+	$\frac{1,000}{20.30}$		
						= 23.1 mpg

**Appendix A Figure 3**

Manufacturer's Light Truck Production for Applicable Model Year						
Model A Volume Model A Fuel Econ.	+	Model B Volume Model B Fuel Econ.	+	Model C Volume Model C Fuel Econ.	+	Model D Volume Model D Fuel Econ.
						9,500
=		$\frac{1,000}{27.0}$	+	$\frac{1,500}{25.6}$	+	$\frac{1,000}{25.4}$
			+	$\frac{2,000}{22.1}$	+	$\frac{3,000}{22.4}$
			+	$\frac{1,000}{20.2}$		
						= 23.2 mpg

NOTE TO APPENDIX A FIGURE 3. Since the actual average fuel economy of Manufacturer X's fleet is 23.2 mpg, as compared to its required fuel economy level of 23.1 mpg, Manufacturer X complies with the Reformed CAFE standard for MY 2008 as set forth in § 533.7(g).

[71 FR 17677, Apr. 6, 2006; 71 FR 19451, Apr. 14, 2006]

**PART 534—RIGHTS AND RESPONSIBILITIES OF MANUFACTURERS IN THE CONTEXT OF CHANGES IN CORPORATE RELATIONSHIPS**

- Sec.
- 534.1 Scope.
- 534.2 Applicability.
- 534.3 Definitions.
- 534.4 Successors and predecessors.
- 534.5 Manufacturers within control relationships.
- 534.6 Reporting corporate transactions.

535.7 Situations not directly addressed by this part.

AUTHORITY: 49 U.S.C. 32901; delegation of authority at 49 CFR 1.50.

SOURCE: 69 FR 77671, Dec. 28, 2004, unless otherwise noted.

**§ 534.1 Scope.**

This part defines the rights and responsibilities of manufacturers in the context of changes in corporate relationships for purposes of the automotive fuel economy program established by 49 U.S.C. Chapter 329.

**§ 534.2 Applicability.**

This part applies to manufacturers of passenger automobiles and non-passenger automobiles.