

nitrogen, a Discount value of 1.0 shall be used in place of 0.8 in the credit availability equation in paragraph (c)(1) of this section.

(iv) *Credit apportionment.* At the manufacturers option, credits generated under the provisions described in this section may be sold to or otherwise provided to another party for use in programs other than the averaging, trading and banking program described in this section.

(A) The manufacturer shall pre-identify two emission levels per engine family for the purposes of credit apportionment. One emission level shall be the FEL and the other shall be the level of the standard that the engine family is required to certify to under § 86.098-11. For each engine family, the manufacturer may report engine sales in two categories, "ABT-only credits" and "nonmanufacturer-owned credits".

(1) For engine sales reported as "ABT-only credits", the credits generated must be used solely in the ABT program described in this section.

(2) The engine manufacturer may declare a portion of engine sales "nonmanufacturer-owned credits" and this portion of the credits generated between the standard and the FEL, based on the calculation in paragraph (c)(1) of this section, would belong to another party. For ABT, the manufacturer may not generate any credits for the engine sales reported as "nonmanufacturer-owned credits". Engines reported as "nonmanufacturer-owned credits" shall comply with the FEL and the requirements of the ABT program in all other respects.

(B) Only manufacturer-owned credits reported as "ABT-only credits" shall be used in the averaging, trading, and banking provisions described in this section.

(C) Credits shall not be double-counted. Credits used in the ABT program may not be provided to an engine purchaser for use in another program.

(D) Manufacturers shall determine and state the number of engines sold as "ABT-only credits" and "nonmanufacturer-owned credits" in the end-of-model year reports required under § 86.098-23.

[62 FR 54716, Oct. 21, 1997]

§ 86.098-17 Emission control diagnostic system for 1998 and later light-duty vehicles and light-duty trucks.

Section 86.098-17 includes text that specifies requirements that differ from § 86.094-17. Where a paragraph in § 86.094-17 is identical and applicable to § 86.098-17, this may be indicated by specifying the corresponding paragraph and the statement "[Reserved]. For guidance see § 86.094-17."

(a) introductory text through (a)(3) [Reserved]. For guidance see § 86.094-17.

(a)(4) Any other deterioration or malfunction within the powertrain which occurs in actual use and which results in an exhaust emission increase of greater than 0.2 g/mi HC, 1.7 g/mi CO, or 0.5 g/mi NO_x, or any vapor leak in the evaporative and/or refueling system which results in an evaporative emissions increase of greater than 30.0 g/test measured over the first 24 hours of the diurnal portion of the revised evaporative emissions test procedure, in accordance with test procedures set forth in subpart B of this part, for vehicles certified to that test procedure.

(b)(1) The electronic evaporative and/or refueling emission purge control, if equipped, and all emission-related powertrain components connected to a computer shall, at a minimum, be monitored for circuit continuity. All components required by these regulations to be monitored shall be evaluated periodically, but no less frequently than once per Urban Dynamometer Driving Schedule as defined in 40 CFR part 86, appendix I, paragraph (a), or similar trip.

(b)(2)-(i) [Reserved]. For guidance see § 86.094-17.

(j) Demonstration of compliance with California OBD II requirements (Title 13 California Code Sec. 1968.1), as modified pursuant to California Mail Out #97-24 (December 9, 1997), shall satisfy the requirements of this section, except that compliance with Title 13 California Code Secs. 1968.1(b)(4.2.2), pertaining to evaporative leak detection, and 1968.1(d), pertaining to tampering protection, are not required to satisfy the requirements of this section.

[59 FR 16289, Apr. 6, 1994, as amended at 63 FR 70694, Dec. 22, 1998]