

(B) Conventional Federal Test Procedure. A vehicle with no evaporative emissions control system components may have its evaporative emissions certified for its particular GVWR weight class/subclass if it passes the conventional evaporative emissions FTP from 40 CFR part 86, subpart B for LDVs and LDTs or from 40 CFR part 86, subpart M for HDVs, as applicable.

(iii) The vehicle must meet other special requirements applicable to conventional or clean-fuel vehicles and their fuels as described in any other parts of this chapter, including 40 CFR parts 86 and 88.

(2) Vehicles which have a closed or sealed fuel system may be certified at the administrator's option by engineering evaluation in lieu of testing. These vehicles will be certified as ILEVs only if a leak in the fuel system would result in the vehicle becoming inoperative due to loss of fuel supply, or if half the fuel escapes within 24 hours.

(b) *Identification.* In the application for a vehicle's certification as an ILEV, the manufacturer or the manufacturer's agent shall provide for positive identification of the vehicle's status as an ILEV in the vehicle's Vehicle Emission Control Information (VECI) label in accordance with 40 CFR 86.094-35 and 86.095-35. The label shall contain a highlighted statement (e.g., underscored or boldface letters) that the vehicle is certified to applicable emission standards for ILEV exhaust and evaporative emission standards.

(c) *Light-duty vehicles and light-duty trucks.* ILEVs in LDV and LDT classes shall have exhaust emissions which do not exceed the LEV exhaust emission standards for NMOG, CO, HCHO, and PM and the ULEV exhaust emission standards for NO<sub>x</sub> listed in Tables A104-1 through A104-6 for light-duty CFVs. Exhaust emissions shall be measured in accordance with the test procedures specified in § 88.104-94(k). An ILEV must be able to operate on only one fuel, or must be certified as an ILEV on all fuels on which it can operate. These vehicles shall also comply with all requirements of 40 CFR part 86 which are applicable to conventional gasoline-fueled, methanol-fueled, diesel-fueled, natural gas-fueled or liquified petroleum gas-fueled LDVs/

LDTs of the same vehicle class and model year.

(d) *Heavy-duty vehicles.* ILEVs in the HDV class shall have exhaust emissions which do not exceed the exhaust emission standards in grams per brake horsepower-hour listed in § 88.105-94(d). Exhaust emissions shall be measured in accordance with the test procedures specified in § 88.105-94(e). An ILEV must be able to operate on only one fuel, or must be certified as an ILEV on all fuels on which it can operate. These vehicles shall also comply with all requirements of 40 CFR part 86 which are applicable in the case of conventional gasoline-fueled, methanol-fueled, diesel-fueled, natural gas-fueled or liquified petroleum gas-fueled HDVs of the same weight class and model year.

(e) *Applicability.* State actions to opt out of the clean-fuel fleet program under section 182(c) of the Act do not affect the applicability of the ILEV program in the affected states.

[57 FR 60046, Dec. 17, 1992, as amended at 59 FR 48536, Sept. 21, 1994; 59 FR 50082, Sept. 30, 1994, 61 FR 127, Jan. 3, 1996]

#### § 88.311-98 Emissions standards for Inherently Low-Emission Vehicles.

Section 88.311-98 includes text that specifies requirements that differ from § 88.311-93. Where a paragraph in § 88.311-93 is identical and applicable to § 88.311-98, this may be indicated by specifying the corresponding paragraph and the statement "[Reserved]. For guidance see § 88.311-93."

(a) heading through (a)(1)(ii) [Reserved]. For guidance see § 88.311-93.

(iii) The vehicle must meet other special requirements applicable to conventional or clean-fuel vehicles and their fuels as described in any other regulations in 40 CFR chapter I, subchapter C, including 40 CFR parts 86 and 88 (e.g., onboard refueling provisions).

(b) through (e) [Reserved]. For guidance see § 88.311-93.

[59 FR 16309, Apr. 6, 1994]

EFFECTIVE DATE NOTE: The new information collection requirements for § 88.311-98 published in the FEDERAL REGISTER at 59 FR 16309, Apr. 6, 1994, which apply to 1998 and later model year vehicles, have not been approved by the Office of Management and Budget (OMB) and are not effective.