

Environmental Protection Agency

§ 85.504

APPENDIX VIII TO PART 85—VEHICLE AND ENGINE PARAMETERS AND SPECIFICATIONS

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

Subparts A-E [Reserved]

Subpart F—Exemption of Aftermarket Conversions From Tampering Prohibition

SOURCE: 59 FR 48490, Sept. 21, 1994, unless otherwise noted.

§ 85.501 General applicability.

(a) Sections 85.502 through 85.505 are applicable to aftermarket conversion systems for which an enforcement exemption is sought from the tampering prohibitions contained in section 203 of the Act.

(b) References in this subpart to engine families and emission control systems shall be deemed to apply to durability groups and test groups as applicable for manufacturers certifying new light-duty vehicles, light-duty trucks, and Otto-cycle complete heavy-duty vehicles under the provisions of 40 CFR part 86, subpart S.

[65 FR 59943, Oct. 6, 2000]

§ 85.502 Definitions.

(a) *The Act* means the Clean Air Act as amended (42 U.S.C. 7501 *et seq.*).

(b) *Administrator* means the Administrator of the Environmental Protection Agency or his or her authorized representative.

(c) *Aftermarket conversion system* means any combination of hardware, including but not limited to fuel storage and fuel metering hardware, which is installed on a light-duty vehicle, light-duty truck, heavy-duty vehicle, or heavy-duty engine with the effect of allowing the vehicle or engine to operate on a fuel other than the fuel which the vehicle or engine was originally certified to use. Components which do not affect the emissions performance of the converted vehicle or engine, as determined by the Administrator, are not included for the purposes of this subpart.

(d) *Aftermarket conversion installer* means any company or individual which installs an aftermarket conversion system on a light-duty vehicle,

light-duty truck, heavy-duty vehicle, or heavy-duty engine with the effect of allowing the vehicle or engine to operate on a fuel other than the fuel which the vehicle or engine was originally certified to use.

(e) *Aftermarket conversion certifier* means any company or individual which assembles the various aftermarket conversion hardware components into a particular combination or configuration and certifies that combination or configuration according to the provisions of this subpart.

(f) *Model Year* means the manufacturer's annual production period (as determined by the Administrator) which includes January 1 of such calendar year: *Provided*, That if the manufacturer has no annual production period, the term *model year* shall mean the calendar year.

§ 85.503 Conditions of exemption.

(a) As a condition of receiving an enforcement exemption from the tampering prohibitions contained in section 203 of the Act, an aftermarket conversion certifier must certify the aftermarket conversion system, using the applicable procedures in part 86 of this chapter, and meeting the applicable standards and requirements in §§ 85.504 and 85.505, and accept liability for in-use performance of the aftermarket conversion system as outlined in this part.

(b) As a condition of receiving an enforcement exemption from the tampering prohibitions contained in section 203 of the Act, an aftermarket conversion installer must:

(1) Install a conversion which has been certified as a new vehicle or engine, using the applicable procedures in part 86 of this chapter, and meeting the applicable standards and requirements in §§ 85.504 and 85.505; and

(2) Accept liability for in-use performance of the aftermarket conversion system as outlined in this part.

§ 85.504 Applicable standards.

(a) The emission standards applicable to conversions of 1993 and later model year vehicles and engines are:

(1) All of the requirements that would apply if the conversion were

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being certified as if it were a new vehicle or engine.

(2) If a vehicle or engine to be converted was originally certified to a NO_x or particulate family emission limit other than the applicable new vehicle NO_x or particulate standard, the family emission limit is the applicable standard.

(b) The emission standards applicable to conversions of 1992 and earlier model year vehicles and engines are:

(1) *Exhaust hydrocarbons (as applicable by fuel type)*. The Tier 0 hydrocarbon standards, as applicable by vehicle class, contained in §§ 86.094-8 and 86.094-9 of this chapter, and the hydrocarbon standards, as applicable by engine class, contained in §§ 86.094-10 and 86.094-11 of this chapter;

(2) *CO, NO_x and particulate*. The applicable CO, NO_x and particulate standards or NO_x and particulate family emission limits the vehicle or engine was originally certified as meeting;

(3) *Evaporative hydrocarbons*. Any evaporative requirements applicable to the original vehicle or engine will remain applicable to the conversion if the converted vehicle or engine retains the ability to operate on the fuel which it was designed and certified to use.

§ 85.505 Labeling.

(a) The aftermarket conversion certifier shall provide with each aftermarket conversion system a supplemental emission control information label, which shall be affixed by the aftermarket conversion installer in a permanent manner to each converted vehicle, in a location adjacent to the original emission control information label required in § 86.092-35 of this chapter. If the supplemental label cannot be placed adjacent to the original label, it shall be placed in a location where it will be seen by a person viewing the original label.

(b) The supplemental label shall be affixed in such a manner that it cannot be removed without destroying or defacing the label. The label shall not be affixed to any equipment which is easily detached from the vehicle.

(c) The supplemental label shall clearly state that the vehicle has been equipped with an aftermarket conversion system designed to allow it to op-

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erate on a fuel other than the fuel it was originally manufactured to operate on, and shall identify the fuel(s) which the vehicle is designed to use.

(d) The supplemental label shall show the vehicle model year; the aftermarket conversion certifier's name, address and telephone number; the installer's name, address, and telephone number; the date on which the aftermarket conversion system was installed; the mileage of the vehicle at the time of the conversion; and shall state that the converted vehicle complies with federal emission requirements.

(e) The supplemental label shall list any original parts that were removed during installation of the aftermarket conversion system, as well as any changes in tune-up specifications required for the aftermarket conversion system.

Subparts G-N [Reserved]

Subpart O—Urban Bus Rebuild Requirements

SOURCE: 58 FR 21386, Apr. 21, 1993, unless otherwise noted.

§ 85.1401 General applicability.

The requirements of this subpart shall be applicable to 1993 and earlier model year urban buses operating in consolidated metropolitan statistical areas and metropolitan statistical areas with a 1980 population of 750,000 or more that have their engines rebuilt or replaced after January 1, 1995.

§ 85.1402 Definitions.

The definitions of this section apply to this subpart.

Agency means the Environmental Protection Agency.

Certified equipment or Retrofit/Rebuild Equipment means equipment certified in accordance with the certification regulations contained in this subpart.

Emission related parts means those parts installed for the specific purpose of controlling emissions or those components, systems, or elements of design which must function properly to assure continued emission compliance.