

## Environmental Protection Agency

## § 86.000–23

§ 86.094–16 is identical and applicable to § 86.000–16, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.094–16.”

(a) No new light-duty vehicle, light-duty truck, heavy-duty vehicle, or heavy-duty engine shall be equipped with a defeat device.

(b) The Administrator may test or require testing on any vehicle or engine at a designated location, using driving cycles and conditions which may reasonably be expected to be encountered in normal operation and use, for the purpose of investigating a potential defeat device.

(c) [Reserved]. For guidance see § 86.094–16.

(d) For vehicle and engine designs designated by the Administrator to be investigated for possible defeat devices:

(1) The manufacturer must show to the satisfaction of the Administrator that the vehicle or engine design does not incorporate strategies that unnecessarily reduce emission control effectiveness exhibited during the Federal emissions test procedure when the vehicle or engine is operated under conditions which may reasonably be expected to be encountered in normal operation and use.

(d)(2)–(d)(2)(ii) [Reserved]. For guidance see § 86.094–16.

[61 FR 54881, Oct. 22, 1996, as amended at 65 FR 59945, Oct. 6, 2000]

### § 86.000–21 Application for certification.

Section 86.000–21 includes text that specifies requirements that differ from § 86.094–21, § 86.096–21 or § 86.098–21. Where a paragraph in § 86.094–21, § 86.096–21 or § 86.098–21 is identical and applicable to § 86.000–21, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.094–21.” or “[Reserved]. For guidance see § 86.096–21.” or “[Reserved]. For guidance see § 86.098–21.”

(a)–(b)(1)(i)(B) [Reserved]. For guidance see § 86.094–21.

(b)(1)(i)(C) The manufacturer must submit a Statement of Compliance in the application for certification which attests to the fact that they have assured themselves that the engine fam-

ily is designed to comply with the intermediate temperature cold testing criteria of subpart C of this part, and does not unnecessarily reduce emission control effectiveness of vehicles operating at high altitude or other conditions not experienced within the US06 (aggressive driving) and SC03 (air conditioning) test cycles.

(b)(1)(i)(C)(I)–(b)(1)(ii)(C) [Reserved]. For guidance see § 86.094–21.

(b)(2) Projected U.S. sales data sufficient to enable the Administrator to select a test fleet representative of the vehicles (or engines) for which certification is requested, and data sufficient to determine projected compliance with the standards implementation schedules of §§ 86.000–8 and 86.000–9. Volume projected to be produced for U.S. sale may be used in lieu of projected U.S. sales.

(b)(3) A description of the test equipment and fuel proposed to be used.

(b)(4)(i) [Reserved]. For guidance see § 86.098–21.

(b)(4)(ii)–(b)(5)(iv) [Reserved]. For guidance see § 86.094–21.

(b)(5)(v) [Reserved]. For guidance see § 86.098–21.

(b)(6)–(b)(8) [Reserved]. For guidance see § 86.094–21.

(b)(9)–(b)(10)(iii) [Reserved]. For guidance see § 86.098–21.

(c)–(j) [Reserved]. For guidance see § 86.094–21.

(k) and (l) [Reserved]. For guidance see § 86.096–21.

[61 FR 54882, Oct. 22, 1996]

### § 86.000–23 Required data.

Section 86.000–23 includes text that specifies requirements that differ from § 86.095–23 or § 86.098–23. Where a paragraph in § 86.095–23 or § 86.098–23 is identical and applicable to § 86.000–23, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.095–23.” or “[Reserved]. For guidance see § 86.098–23.”

(a)–(b)(1)(ii) [Reserved]. For guidance see § 86.095–23.

(b)(2) [Reserved]. For guidance see § 86.098–23.

(b)(3)–(b)(4)(ii) [Reserved]. For guidance see § 86.095–23.

(b)(4)(iii) [Reserved]. For guidance see § 86.098–23.

## § 86.000-24

(c)-(e)(1) [Reserved]. For guidance see § 86.095-23.

(e)(2)-(e)(3) [Reserved]. For guidance see § 86.098-23.

(f)-(k) [Reserved]. For guidance see § 86.095-23.

(1) Additionally, manufacturers certifying vehicles shall submit for each model year 2000 through 2002 light-duty vehicle and light light-duty truck engine family and each model year 2002 through 2004 heavy light-duty truck engine family the information listed in paragraphs (1) (1) and (2) of this section.

(1) Application for certification. In the application for certification, the manufacturer shall submit the projected sales volume of engine families certifying to the respective standards. Volume projected to be produced for U.S. sale may be used in lieu of projected U.S. sales.

(2) End-of-year reports for each engine family.

(i) These end-of-year reports shall be submitted within 90 days of the end of the model year to: Director, Vehicle Programs and Compliance Division, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

(ii) These reports shall indicate the model year, engine family, and the actual U.S. sales volume. The manufacturer may petition the Administrator to allow volume produced for U.S. sale to be used in lieu of U.S. sales. Such petition shall be submitted within 30 days of the end of the model year to the Manufacturers Operations Division. For the petition to be granted, the manufacturer must establish to the satisfaction of the Administrator that production volume is functionally equivalent to sales volume.

(iii) The U.S. sales volume for end-of-year reports shall be based on the location of the point of sale to a dealer, distributor, fleet operator, broker, or any other entity which comprises the point of first sale.

(iv) Failure by a manufacturer to submit the end-of-year report within the specified time may result in certificate(s) for the engine family(ies) certified to Tier 1 certification standards being voided ab initio plus any applicable civil penalties for failure to submit

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the required information to the Agency.

(v) These reports shall include the information required under § 86.000-7(h)(1). The information shall be organized in such a way as to allow the Administrator to determine compliance with the SFTP standards implementation schedules of §§ 86.000-8 and 86.000-9.

(m) [Reserved]. For guidance see § 86.098-23.

[61 FR 54882, Oct. 22, 1996]

### § 86.000-24 Test vehicles and engines.

Section 86.000-24 includes text that specifies requirements that differ from § 86.096-24 or § 86.098-24. Where a paragraph in § 86.096-24 or § 86.098-24 is identical and applicable to § 86.000-24, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.096-24.” or “[Reserved]. For guidance see § 86.098-24.”

(a) introductory text through (a)(4) [Reserved]. For guidance see § 86.096-24.

(a)(5)-(a)(7) [Reserved]. For guidance see § 86.098-24.

(a)(8)-(b)(1) introductory text [Reserved]. For guidance see § 86.096-24.

(b)(1)(i) Vehicles are chosen to be operated and tested for emission data based upon engine family groupings. Within each engine family, one test vehicle is selected. If air conditioning is projected to be available on any vehicles within the engine family, the Administrator will limit selections to engine codes which have air conditioning available and will require that any vehicle selected under this section has air conditioning installed and operational. The Administrator selects as the test vehicle the vehicle with the heaviest equivalent test weight (including options) within the family which meets the air conditioning eligibility requirement discussed earlier in this section. If more than one vehicle meets this criterion, then within that vehicle grouping, the Administrator selects, in the order listed, the highest road-load power, largest displacement, the transmission with the highest numerical final gear ratio (including overdrive), the highest numerical axle ratio offered in that engine family, and the maximum fuel flow calibration.