

## Environmental Protection Agency

## § 86.1603

(1) Use the procedures, as applicable, in 40 CFR 1065.650 to determine the dilute wet-basis CO and CO<sub>2</sub> in percent.

(2) Use the procedure, as applicable, in 40 CFR 1065.650 to determine the raw dry-basis CO<sub>2</sub> in percent.

(3) Convert the raw dry-basis CO<sub>2</sub> to raw wet-basis. An assumption that the percent of water by volume in the raw sample is equal to the percent of raw dry-basis CO<sub>2</sub> minus 0.5 percent is acceptable. For example:

10.0% dry CO<sub>2</sub> - 0.5% = 9.5% water  
(1.00 - 0.095) (10.0% dry CO<sub>2</sub>) = 9.05% wet CO<sub>2</sub>

(4) Calculate the CVS dilution factor (DF) by:

$$DF = \frac{\text{Raw wet CO}_2 - \text{background CO}_2}{\text{Dilute wet CO}_2 - \text{background CO}_2}$$

(5) Convert the dilute wet-basis CO to dilute dry-basis values. An assumption that the percent of water by volume in the sample bag is 2 percent is acceptable. For example:

Dilute dry CO = (dilute wet CO) / (1.00 - 0.02)

(6) Calculate the raw dry-basis CO values by:

Raw dry CO = (DF) (dilute dry CO)

(c) If the raw exhaust sampling and analysis system specified in 40 CFR part 1065 is used, the percent for carbon monoxide on a dry basis shall be calculated using the procedure, as applicable, in 40 CFR 1065.650.

(Secs. 202, 203, 206, 207, 208, 301a, Clean Air Act, as amended; 42 U.S.C. 7521, 7522, 7525, 7541, 7542, 7601a)

[48 FR 52252, Nov. 16, 1983, as amended at 49 FR 48149, Dec. 10, 1984; 50 FR 10708, Mar. 15, 1985; 51 FR 24613, July 7, 1986; 70 FR 40441, July 13, 2005]

EFFECTIVE DATE NOTE: At 73 FR 37194, June 30, 2008, § 86.1544-84 was redesignated as § 86.1544, effective July 7, 2008.

### Subpart Q—Regulations for Altitude Performance Adjustments for New and In-Use Motor Vehicles and Engines

AUTHORITY: Secs. 215 and 301, Clean Air Act, as amended (42 U.S.C. 7550 and 7601).

SOURCE: 45 FR 66956, Oct. 8, 1980, unless otherwise noted.

#### § 86.1601 General applicability.

This subpart applies to manufacturers of motor vehicles and motor vehicle engines (hereafter referred to as vehicles) which are subject to the requirements of title II of the Clean Air Act. This subpart applies to the following vehicles:

(a) 1968 and later model year light-duty vehicles and light-duty trucks.

(b) 1970 and later model year heavy-duty engines built after December 31, 1969.

(c) 1978 and later model year motorcycles built after December 31, 1977.

(d) 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 subpart S of this part.

[45 FR 66956, Oct. 8, 1980, as amended at 64 FR 23923, May 4, 1999; 65 FR 59963, Oct. 6, 2000]

#### § 86.1602 Definitions.

The definitions provided in subpart A also apply in this subpart. Additional definitions that apply in this subpart are as follow:

*Altitude performance adjustments* are adjustments or modifications made to vehicle, engine, or emission control functions in order to improve emission control performance at altitudes other than those for which the vehicles were designed.

*Low altitude* means any elevation less than or equal to 1,219 meters (4,000 feet).

*Manufacturer parts* are parts produced or sold by the manufacturer of the motor vehicle or motor vehicle engine.

#### § 86.1603 General requirements.

(a) Manufacturers of vehicles specified in § 86.1601 shall submit to the Administrator for approval the following altitude performance adjustment instructions.

(1) Low-altitude adjustment instructions for vehicles certified to meet the appropriate high-altitude emission standards.

(2) High-altitude adjustment instructions for vehicles certified to meet the appropriate low-altitude emission standards.

(b) Manufacturers are not required to submit altitude adjustment instructions for vehicles equipped with systems or devices that compensate (in full or in part) the engine fuel metering system for air density changes. Manufacturers claiming this exemption must submit to the Administrator for approval a notification of the claim specifying the affected vehicles. The notification must also describe the compensating system used.

(c) Manufacturers may request the Administrator to waive the application of this regulation for vehicles which potentially may never be operated at an altitude other than that for which they were designed (such as vehicles which are not offered for sale within the continental United States).

(d) Manufacturers shall meet the requirements of paragraph (a), according to the following schedule:

(1) Altitude adjustment instructions for all 1980 and earlier model year vehicles or engines shall be submitted to the Administrator within one (1) year of the effective date of this regulation.

(2) Altitude adjustment instructions for 1982 and later model year vehicles or engines shall be submitted to the Administrator within 30 days of the issuance of the certificate of conformity for those vehicles or engines. For vehicles or engines certified for the 1981 model year before the publication of this regulation, altitude adjustment instructions shall be submitted within 90 days of the publication of this regulation.

(e) Failure to submit altitude performance adjustment instructions in accordance with this section is a violation of section 203(a)(3) of the Clean Air Act and may result in penalties as specified in section 205 of the Clean Air Act. The Administrator may grant extensions of the schedule in paragraph (c) if the manufacturer submits a written request to the Administrator specifying the reasons for the need for the extension. Requests for an extension must be received by EPA at least 5 working days prior to the submittal date contained in paragraph (d).

(f) The adjustment instructions (including labels) that the Administrator approves under this subpart shall be made available by the manufacturer at no cost to service outlets and the general public. EPA encourages manufacturers to notify vehicle owners in high-altitude areas of the availability of high-altitude adjustments.

(g) If altitude adjustments are performed according to the instructions approved by the Administrator, they will not be treated as violations of the tampering provisions of section 203(a) of the Act except as described below:

**§ 86.1604 Conditions for disapproval.**

(a) The Administrator shall not approve altitude performance adjustments that will:

(1) Cause any regulated pollutant emission level to increase if the emission level exceeded the appropriate emission standard before adjustment was made.

(2) Cause any regulated pollutant emission level to exceed the appropriate emission standard if the emission level did not exceed the emission standard before the adjustment was made.

(3) For light-duty vehicles, light-duty trucks, motorcycles, heavy-duty gasoline-fueled engines, cause any reduction of vehicle performance (as evaluated by the manufacturer) such that vehicle drivers will likely complain.

(4) Be of such technical complexity or require such complex, expensive, or exclusive equipment that a competent mechanic in an average service establishment cannot perform the adjustments correctly. Adjustment procedures should not require knowledge or training beyond that required to perform normal engine maintenance. All required equipment must be available to any service establishment at competitive cost.

(5) Require the use of manufacturer parts, unless they are necessary to ensure emission control performance and unless the Administrator grants a waiver under section 207(c)(3)(B) of the Act.

(6) Removes or defeats the parameter adjustment controls for the parameters listed in §§ 86.081-22(e)(1)(i) and 86.082-22(e)(1)(i) for light-duty vehicles and