

**§ 86.001-30 Certification.**

Section 86.001-30 includes text that specifies requirements that differ from § 86.094-30, § 86.095-30 or § 86.098-30. Where a paragraph in § 86.094-30, § 86.095-30 or § 86.098-30 is identical and applicable to § 86.001-30, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.094-30.” or “[Reserved]. For guidance see § 86.095-30.” or “[Reserved]. For guidance see § 86.098-30.”.

(a)(1) and (a)(2) [Reserved]. For guidance see § 86.094-30.

(a)(3)(i) [Reserved]. For guidance see § 86.098-30.

(a)(3)(ii)-(a)(4)(ii) [Reserved]. For guidance see § 86.095-30.

(a)(4)(iii) introductory text through (a)(4)(iii)(C) [Reserved]. For guidance see § 86.094-30.

(a)(4)(iv) introductory text [Reserved]. For guidance see § 86.095-30.

(a)(4)(iv)(A)-(a)(9) [Reserved]. For guidance see § 86.094-30.

(a)(10) and (a)(11) [Reserved]. For guidance see § 86.098-30.

(a)(12) [Reserved]. For guidance see § 86.094-30.

(a)(13) [Reserved]. For guidance see § 86.095-30.

(a)(14) [Reserved]. For guidance see § 86.094-30.

(a)(15)-(18) [Reserved]. For guidance see § 86.096-30.

(a)(19) [Reserved]. For guidance see § 86.098-30.

(a)(20) For all light-duty trucks certified to refueling emission standards under § 86.001-9, the provisions of paragraphs (a)(20) (i)-(iii) this section apply.

(i) All certificates issued are conditional upon the manufacturer complying with all provisions of § 86.001-9 both during and after model year production.

(ii) Failure to meet the required implementation schedule sales percentages as specified in § 86.001-9 will be considered to be a failure to satisfy the conditions upon which the certificate(s) was issued and the individual vehicles sold in violation of the implementation schedule shall not be covered by the certificate.

(iii) The manufacturer shall bear the burden of establishing to the satisfac-

tion of the Administrator that the conditions upon which the certificate was issued were satisfied.

(b)(1) introductory text through (b)(1)(i) [Reserved]. For guidance see § 86.094-30.

(b)(1)(ii)(A) [Reserved]. For guidance see § 86.094-30.

(b)(1)(ii)(B) The emission data vehicle(s) selected under § 86.001-24(b)(vii) (A) and (B) shall represent all vehicles of the same evaporative/refueling control system within the evaporative/refueling family.

(b)(1)(ii)(C) [Reserved]. For guidance see § 86.094-30.

(b)(1)(ii)(D) The emission-data vehicle(s) selected under § 86.098-24(b)(1)(viii) shall represent all vehicles of the same evaporative/refueling control system within the evaporative/refueling emission family, as applicable.

(b)(1) (iii) and (iv) [Reserved]. For guidance see § 86.094-30.

(b)(2) [Reserved]. For guidance see § 86.098-30.

(b)(3)-(b)(4)(i) [Reserved]. For guidance see § 86.094-30.

(b)(4)(ii) introductory text [Reserved]. For guidance see § 86.098-30.

(b)(4)(ii)(A) [Reserved]. For guidance see § 86.094-30.

(b)(4)(ii)(B)-(iv) [Reserved]. For guidance see § 86.098-30.

(b)(5)-(e) [Reserved]. For guidance see § 86.094-30.

(f) introductory text through (f)(3) [Reserved]. For guidance see § 86.095-30.

(f)(4) [Reserved]. For guidance see § 86.098-30.

[59 FR 16285, Apr. 6, 1994, as amended at 62 FR 54720, Oct. 21, 1997]

**§ 86.001-35 Labeling.**

Section 86.001-35 includes text that specifies requirements that differ from § 86.095-35, § 86.096-35 and § 86.098-35. Where a paragraph in § 86.095-35, § 86.096-35 or § 86.098-35 is identical and applicable to § 86.001-35, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.095-35.” or “[Reserved]. For guidance see § 86.096-35.” or “[Reserved]. For guidance see § 86.098-28.”.

(a) introductory text through (a)(1)(iii)(B) [Reserved]. For guidance see § 86.095-35.

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(a)(1)(iii)(C) [Reserved]. For guidance see § 86.098-35.

(a)(1)(iii)(D)-(L) [Reserved]. For guidance see § 86.095-35.

(a)(1)(iii)(M) [Reserved]. For guidance see § 86.098-35.

(a)(1)(iii)(N) [Reserved]. For guidance see § 86.096-35.

(a)(2) heading through (a)(2)(iii)(B) [Reserved]. For guidance see § 86.095-35.

(a)(2)(iii)(C) Engine displacement (in cubic inches or liters), engine family identification and evaporative/refueling family identification.

(a)(2)(iii)(D)-(a)(2)(iii)(E) [Reserved]. For guidance see § 86.095-35.

(a)(2)(iii)(F) [Reserved]

(a)(2)(iii)(G)-(a)(2)(iii)(K) [Reserved]. For guidance see § 86.095-35.

(a)(2)(iii)(L) [Reserved]

(a)(2)(iii)(M)-(a)(2)(iii)(N) [Reserved]. For guidance see § 86.095-35.

(a)(2)(iii) (O)-(P) [Reserved]. For guidance see § 86.096-35.

(a)(3) heading through (a)(4)(iii)(F) [Reserved]. For guidance see § 86.095-35.

(a)(4)(ii)(G) [Reserved]. For guidance see § 86.096-35.

(b)-(i) [Reserved]. For guidance see § 86.095-35.

[59 FR 16285, Apr. 6, 1994]

### § 86.004-2 Definitions.

The definitions of § 86.001-2 continue to apply to 2001 and later model year vehicles. The definitions listed in this section apply beginning with the 2004 model year.

*Defeat device* means an auxiliary emission control device (AEC) that reduces the effectiveness of the emission control system under conditions which may reasonably be expected to be encountered in normal vehicle operation and use, unless:

(1) Such conditions are substantially included in the applicable Federal emission test procedure for heavy-duty vehicles and heavy-duty engines described in subpart N of this part;

(2) The need for the AEC is justified in terms of protecting the vehicle against damage or accident; or

(3) The AEC does not go beyond the requirements of engine starting.

*U.S.-directed production* means the engines and/or vehicles (as applicable) produced by a manufacturer for which the manufacturer has reasonable assur-

ance that sale was or will be made to ultimate purchasers in the United States, excluding engines and/or vehicles that are certified to state emission standards different than the emission standards in this part.

*Useful life* means:

(1) For light-duty vehicles, and for light light-duty trucks not subject to the Tier 0 standards of § 86.094-9(a), intermediate useful life and/or full useful life. Intermediate useful life is a period of use of 5 years or 50,000 miles, whichever occurs first. Full useful life is a period of use of 10 years or 100,000 miles, whichever occurs first, except as otherwise noted in § 86.094-9. The useful life of evaporative and/or refueling emission control systems on the portion of these vehicles subject to the evaporative emission test requirements of § 86.130-96, and/or the refueling emission test requirements of § 86.151-98, is defined as a period of use of 10 years or 100,000 miles, whichever occurs first.

(2) For light light-duty trucks subject to the Tier 0 standards of § 86.094-9(a), and for heavy light-duty truck engine families, intermediate and/or full useful life. Intermediate useful life is a period of use of 5 years or 50,000 miles, whichever occurs first. Full useful life is a period of use of 11 years or 120,000 miles, whichever occurs first. The useful life of evaporative emission and/or refueling control systems on the portion of these vehicles subject to the evaporative emission test requirements of § 86.130-96, and/or the refueling emission test requirements of § 86.151-98, is also defined as a period of 11 years or 120,000 miles, whichever occurs first.

(3) For an Otto-cycle HDE family:

(i) For hydrocarbon and carbon monoxide standards, a period of use of 10 years or 110,000 miles, whichever first occurs.

(ii) For the oxides of nitrogen standard, a period of use of 10 years or 110,000 miles, whichever first occurs.

(iii) For the portion of evaporative emission control systems subject to the evaporative emission test requirements of § 86.1230-96, a period of use of 10 years or 110,000 miles, whichever first occurs.

(4) For a diesel HDE family: