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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

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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 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<sub>x</sub> or particulate family emission limit other than the applicable new vehicle NO<sub>x</sub> 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;