

## § 86.092-2

## 40 CFR Ch. I (7-1-14 Edition)

will be accepted for purposes of certification until the reasons for the lack of correlation are determined and the validity of the data is established by the manufacturer. *And further provided*, That if the Administrator has reasonable basis to believe that any test data, analyses, or other information submitted by the manufacturer is not accurate or has been obtained in violation of any provision of this part, the Administrator may refuse to accept those data, analyses, etc., as the official data pending retesting or submission of further information.

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

[50 FR 10675, Mar. 15, 1985, as amended at 54 FR 14488, Apr. 11, 1989; 58 FR 16020, Mar. 24, 1993; 79 FR 23690, Apr. 28, 2014]

### § 86.092-2 Definitions.

The definitions of § 86.091-2 remain effective. The definitions listed in this section apply beginning with the 1992 model year.

(a) *Proven emission control systems* are emission control components or systems (and fuel metering systems) that have completed full durability testing evaluation over a vehicle's useful life in some other certified engine family, or have completed bench or road testing demonstrated to be equal or more severe than certification mileage accumulation requirements. Alternatively, proven components or systems are those that are determined by EPA to be of comparable functional quality and manufactured using comparable materials and production techniques as components or systems which have been durability demonstrated in some other certified engine family. In addition, the components or systems must be employed in an operating environment (e.g., temperature, exhaust flow, etc.,) similar to that experienced by the original or comparable components or systems in the original certified engine family.

(b) *Unproven emission control systems* are emission control components or systems (and fuel metering systems) that do not qualify as proven emission control systems.

(c) *Similar systems* are engine, fuel metering and emission control system

combinations which use the same fuel (e.g., gasoline, diesel, etc.), combustion cycle (i.e., two or four stroke), general type of fuel system (i.e., carburetor or fuel injection), catalyst system (e.g., none, oxidization, three-way plus oxidization, three-way only, etc.), fuel control system (i.e., feedback or non-feedback), secondary air system (i.e., equipped or not equipped) and EGR (i.e., equipped or not equipped).

(d) *Conveniently available* service facility and spare parts for small-volume manufacturers means that the vehicle manufacturer has a qualified service facility at or near the authorized point of sale or delivery of its vehicles and maintains an inventory of all emission-related spare parts or has made arrangements for the part manufacturers to supply the parts by expedited shipment (e.g., utilizing overnight express delivery service, UPS, etc.).

[55 FR 7187, Feb. 28, 1990]

### § 86.093-2 Definitions.

The definitions of § 86.092-2 continue to apply. The definitions listed in this section apply beginning with the 1993 model year.

*Bus* means a heavy heavy-duty diesel-powered passenger-carrying vehicle with a load capacity of fifteen or more passengers that is centrally fueled, and all urban buses. This definition only applies in the context of §§ 86.093-11 and 86.093-35.

*Centrally fueled bus* means a bus that is refueled at least 75 percent of the time at one refueling facility that is owned, operated, or controlled by the bus operator.

*Urban bus* means a passenger-carrying vehicle powered by a heavy heavy-duty diesel engine, or of a type normally powered by a heavy heavy-duty diesel engine, with a load capacity of fifteen or more passengers and intended primarily for intracity operation, i.e., within the confines of a city or greater metropolitan area. Urban bus operation is characterized by short rides and frequent stops. To facilitate this type of operation, more than one set of quick-operating entrance and exit doors would normally be installed. Since fares are usually paid in cash or tokens, rather than purchased in advance in the form of tickets, urban

buses would normally have equipment installed for collection of fares. Urban buses are also typically characterized by the absence of equipment and facilities for long distance travel, e.g., rest rooms, large luggage compartments, and facilities for stowing carry-on luggage. The useful life for urban buses is the same as the useful life for other heavy heavy-duty diesel engines.

[58 FR 15795, Mar. 24, 1993]

#### § 86.094-2 Definitions.

The definitions of § 86.093-2 remain effective. The definitions listed in this section are effective beginning with the 1994 model year.

*Adjusted Loaded Vehicle Weight* means the numerical average of vehicle curb weight and GVWR.

*Bi-directional control* means the capability of a diagnostic tool to send messages on the data bus that temporarily overrides the module's control over a sensor or actuator and gives control to the diagnostic tool operator. Bi-directional controls do not create permanent changes to engine or component calibrations.

*Data stream information* means information (i.e., messages and parameters) originated within the vehicle by a module or intelligent sensors (i.e., a sensor that contains and is controlled by its own module) and transmitted between a network of modules and/or intelligent sensors connected in parallel with either one or two communication wires. The information is broadcast over the communication wires for use by other modules (e.g., chassis, transmission, etc.) to conduct normal vehicle operation or for use by diagnostic tools. Data stream information does not include engine calibration related information.

*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 Federal emission test procedure;

(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.

*Durability useful life* means the highest useful life mileage out of the set of all useful life mileages that apply to a given vehicle. The durability useful life determines the duration of service accumulation on a durability data vehicle. The determination of durability useful life shall reflect any alternative useful life mileages approved by the Administrator under § 86.094-21(f). The determination of durability useful life shall exclude any standard and related useful life mileage for which the manufacturer has obtained a waiver of emission data submission requirements under § 86.094-23(c).

*Element of design* means any control system (i.e., computer software, electronic control system, emission control system, computer logic), and/or control system calibrations, and/or the results of systems interaction, and/or hardware items on a motor vehicle or motor vehicle engine.

*Engine warm-up cycle* means sufficient vehicle operation such that the coolant temperature has risen by at least 40 °F from engine starting and reaches a minimum temperature of 160 °F.

*Enhanced service and repair information* means information which is specific for an original equipment manufacturer's brand of tools and equipment.

*Equivalent test weight* means the weight, within an inertia weight class, which is used in the dynamometer testing of a vehicle and which is based on its loaded vehicle weight or adjusted loaded vehicle weight in accordance with the provisions of subparts A and B of this part.

*Gaseous fuel* means natural gas or liquefied petroleum gas.

*Generic service and repair information* means information which is not specific for an original equipment manufacturer's brand of tools and equipment.

*Heavy light-duty truck* means any light-duty truck rated greater than 6000 lbs GVWR.

*Indirect information* means any information that is not specifically contained in the service literature, but is contained in items such as tools or