

## Environmental Protection Agency

## § 86.000-21

(1) The manufacturer shall pre-identify two emission levels per engine family for the purposes of credit apportionment. One emission level shall be the FEL and the other shall be the level of the standard that the engine family is required to certify to under §86.098-10 or §86.098-11, as applicable. For each engine family, the manufacturer may report engine sales in two categories, “ABT-only credits” and “non-manufacturer-owned credits.”

(i) For engine sales reported as “ABT-only credits”, the credits generated must be used solely in the ABT program described in this section.

(ii) The engine manufacturer may declare a portion of engine sales “non-manufacturer-owned credits” and this portion of the credits generated between the standard and the FEL, based on the calculation in §86.098-15(c)(1), would belong to another party. For ABT, the manufacturer may not generate any credits for the engine sales reported as “non-manufacturer-owned credits.” Engines reported as “non-manufacturer-owned credits” shall comply with the FEL and the requirements of the ABT program in all other respects.

(2) Only manufacturer-owned credits reported as “ABT-only credits” shall be used in the averaging, trading, and banking provisions described in this section.

(3) Credits shall not be double-counted. Credits used in the ABT program may not be provided to an engine purchaser for use in another program.

(4) Manufacturers shall determine and state the number of engines sold as “ABT-only credits” and “non-manufacturer-owned credits” in the end-of-model year reports required under §86.098-23.

[65 FR 59944, Oct. 6, 2000]

### **§ 86.000-16 Prohibition of defeat devices.**

Section 86.000-16 includes text that specifies requirements that differ from §86.094-16. Where a paragraph in §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 family 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