

on the ILEV shall be removed from the vehicle and submitted with the request as proof of loss.

(2) Upon receipt of the replacement ILEV label(s), the fleet owner shall attach the new ILEV label(s) only to the vehicle for which replacement ILEV label(s) were requested.

[58 FR 11901, Mar. 1, 1993, as amended at 61 FR 128, Jan. 3, 1996]

§ 88.313-93 Incentives for the purchase of Inherently Low-Emission Vehicles.

(a) *Administration.* (1) The incentives granted to ILEVs provided in this section are not effective outside of non-attainment areas for which states are required to establish CFFV programs under section 246 of the CAA, unless specifically added by states for qualifying vehicles.

(2) Incentives for purchasing ILEVs shall not be transferred between vehicles within the same fleet nor shall they be sold or traded.

(3) No vehicle over 26,000 pounds (11,800 kilograms) GVWR shall be eligible for the following ILEV incentives.

(b) *Exemption from temporal TCMs.* A fleet vehicle which has been certified and labeled as an ILEV according to the provisions of this section and which continues to be in compliance with applicable emissions standards and other ILEV program requirements shall be exempted from TCMs existing

for air quality reasons included in approved state implementation plans which restrict vehicle usage based primarily on temporal considerations, such as time-of-day and day-of-week exemptions.

(c) *Exemption from high-occupancy vehicle lane restrictions.* (1) A fleet vehicle which has been certified and labeled as an ILEV according to the provisions of §§ 88.311 and 88.312 and which continues to be in compliance with applicable emissions standards and other ILEV program requirements shall be exempt from TCMs which restrict a vehicle's access to certain roadway lanes based on the number of occupants in that vehicle, usually known as high-occupancy vehicle (HOV) lanes. These exemptions shall not apply if they would create a clear and direct safety hazard.

(2) In a state containing a covered area, or areas, the governor may petition the Administrator for a waiver from the exemption from HOV lane restrictions for ILEVs for any section of HOV lane in the covered area(s) that can be shown to be congested primarily due to the operation or projected operation of ILEVs. The waiver application shall demonstrate the infeasibility of other means of alleviating HOV/CAV lane congestion, such as adding an additional HOV/CAV lane, further increasing vehicle occupancy requirements and reducing the use of the lane by noneligible vehicles.

TABLES TO SUBPART C OF PART 88

TABLE C94-1—FLEET CREDIT TABLE BASED ON REDUCTION IN NMOG. VEHICLE EQUIVALENTS FOR LIGHT-DUTY VEHICLES AND LIGHT-DUTY TRUCKS

TABLE C94-1.1—CREDIT GENERATION: PURCHASING MORE CLEAN-FUEL VEHICLES THAN REQUIRED BY THE MANDATE

NMOG	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.26	0.71	0.91	1.11
ULEV	1.20	1.54	1.00	1.26	1.56
ZEV	1.43	1.83	1.43	1.83	2.23

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TABLE C94-1.2—CREDIT GENERATION: PURCHASING A ULEV OR ZEV TO MEET THE MANDATE

NMOG	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT 1≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW, ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	0.00	0.00	0.00	0.00	0.00
ULEV	0.20	0.29	0.29	0.34	0.45
ZEV	0.43	0.57	0.71	0.91	1.11

TABLE C94-1.3—CREDIT NEEDED IN LIEU OF PURCHASING A LEV TO MEET THE MANDATE

NMOG	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.26	0.71	0.91	1.11

TABLE C94-2—FLEET CREDIT TABLE BASED ON REDUCTION IN NMOG+NO_x. VEHICLE EQUIVALENTS FOR LIGHT-DUTY VEHICLES AND LIGHT-DUTY TRUCKS

TABLE C94-2.1—CREDIT GENERATION: PURCHASING MORE CLEAN-FUEL VEHICLES THAN REQUIRED BY THE MANDATE

NMOG+NO _x	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.39	0.33	0.43	0.52
ULEV	1.09	1.52	1.00	1.39	2.06
ZEV	1.73	2.72	1.73	2.72	3.97

TABLE C94-2.2—CREDIT GENERATION: PURCHASING A ULEV OR ZEV TO MEET THE MANDATE

NMOG+NO _x	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	0.00	0.00	0.00	0.00	0.00
ULEV	0.09	0.13	0.67	0.96	1.54
ZEV	0.73	1.34	1.40	2.29	3.45

TABLE C94-2.3—CREDIT NEEDED IN LIEU OF PURCHASING A LEV TO MEET THE MANDATE

NMOG+NO _x	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT ≤6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.39	0.33	0.43	0.52

TABLE C94-3—FLEET CREDIT TABLE BASED ON REDUCTION IN CARBON MONOXIDE. VEHICLE EQUIVALENTS FOR LIGHT-DUTY VEHICLES AND LIGHT-DUTY TRUCKS

TABLE C94-3.1—CREDIT GENERATION: PURCHASING MORE CLEAN-FUEL VEHICLES THAN REQUIRED BY THE MANDATE

CO	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT ≤6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.00	1.00	1.00	1.00
ULEV	2.00	2.29	2.00	2.29	2.47
ZEV	3.00	3.59	3.00	3.59	3.94

TABLE C94-3.2—CREDIT GENERATION: PURCHASING A ULEV OR ZEV TO MEET THE MANDATE

CO	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	0.00	0.00	0.00	0.00	0.00
ULEV	1.00	1.00	1.00	1.00	1.00
ZEV	2.00	2.29	2.00	2.29	2.47

TABLE C94-3.3—CREDIT NEEDED IN LIEU OF PURCHASING A LEV TO MEET THE MANDATE

CO	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.00	1.00	1.00	1.00

TABLE C94-4—FLEET CREDIT TABLE BASED ON REDUCTION IN NMHC+NO_x. VEHICLE EQUIVALENTS FOR HEAVY-DUTY VEHICLES—TABLE C94-4.1—CREDIT GENERATION: PURCHASING MORE CLEAN-FUEL VEHICLES THAN REQUIRED BY THE MANDATE

NMHC+NO _x	Light HDV	Medium HDV	Heavy HDV
LEV	1.00	1.00	1.00
ULEV	1.87	1.87	1.87
ZEV	3.53	3.53	3.53

TABLE C94-4.2—CREDIT GENERATION: PURCHASING A ULEV OR ZEV TO MEET THE MANDATE

NMHC+NO _x	Light HDV	Medium HDV
LEV	0.00	0.00
ULEV	0.87	0.87
ZEV	2.53	2.53

TABLE C94-4.3—CREDIT NEEDED IN LIEU OF PURCHASING A LEV TO MEET THE MANDATE

NMHC+NO _x	Light HDV	Medium HDV
LEV	1.00	1.00

TABLE C94-5—FLEET CREDIT TABLE BASED ON REDUCTION IN CO. VEHICLE EQUIVALENTS FOR HEAVY-DUTY VEHICLES—TABLE C94-5.1—CREDIT GENERATION: PURCHASING MORE CLEAN-FUEL VEHICLES THAN REQUIRED BY THE MANDATE

CO	Light HDV	Medium HDV	Heavy HDV
LEV	1.00	1.00	1.00
ULEV	2.00	2.00	2.00
ZEV	3.00	3.00	3.00

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TABLE C94-5.2—CREDIT GENERATION: PURCHASING A ULEV OR ZEV TO MEET THE MANDATE

CO	Light HDV	Medium HDV
LEV	0.00	0.00
ULEV	1.00	1.00
ZEV	2.00	2.00

TABLE C94-5.3—CREDIT NEEDED IN LIEU OF PURCHASING A LEV TO MEET THE MANDATE

CO	Light HDV	Medium HDV
LEV	1.00	1.00

[58 FR 11901, Mar. 1, 1993, as amended at 59 FR 50082, Sept. 30, 1994, 61 FR 128, Jan. 3, 1996]

PART 89—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES

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APPENDIX A TO SUBPART A—STATE REGULATION OF NONROAD INTERNAL COMBUSTION ENGINES

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- 89.318 Analyzer interference checks.
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