

**FREQUENTLY ASKED QUESTIONS
ABOUT
PENNSYLVANIA'S
HEAVY-DUTY DIESEL EMISSIONS CONTROL PROGRAM**

Diesel engines are vital for our economy. However, diesel engine exhaust contains harmful pollutants in a complex mixture of gases and particulates. In particular, diesel engines produce nitrogen oxides (NO_x) that contribute to smog, acid rain and pollution in waterways and fine particles that penetrate deep into lungs. Diesel exhaust is likely to cause cancer in humans. Reducing pollution from heavy-duty trucks and buses is part of the clean air plans for the nation and for Pennsylvania.

More than two years ago, Pennsylvania adopted a regulation that requires new model year 2005 and beyond heavy-duty highway diesel engines and vehicles sold here to meet California Air Resource Board (CARB) standards. Pennsylvania's regulations can be found at 25 Pa. Code Section 126.501 with definitions in Section 121. (www.pacode.com/secure/data/025/chapter126/subchapEtoc.html).

How do I know an engine/vehicle complies? Information contained on the engine label and/or invoice will indicate whether a vehicle and/or engine meets the standards. For example, this statement will be displayed on a durable engine label: "This engine conforms to the U.S. EPA and California regulations applicable to 2005 model year new heavy-duty diesel engines." This statement may appear as an item on an invoice received by a vehicle distributor: "2005 EPA/CARB EMISSION CERTIFICATION". DEP (and the public) also has access to the list of engine types that have been certified by California.

What is a "new" vehicle? A vehicle for which the title has never been transferred to the ultimate purchaser. A vehicle with an odometer reading of 7500 miles or more is considered to be so transferred.

What is a "heavy-duty" vehicle? One with a Gross Vehicle Weight Rating (as designated by the manufacturer, not necessarily as registered in Pennsylvania) of greater than 14,000 pounds. A "heavy-duty" engine is one that is used to propel a vehicle of that weight.

Are offroad vehicles such as construction equipment included? No. Pennsylvania applies this rule to "motor vehicles" which are defined as those operating on streets or highways. California is implementing its program in this fashion also.

What model years are affected? Model year 2005 and beyond engines and vehicles are affected. In Pennsylvania, it is an engine for which the production period begins after May 11, 2004, (which was two years after the Pennsylvania regulation came into effect). Nearly all model year 2005 engines were produced after that date. If there is a question about whether it is necessary for an engine or vehicle to comply, please contact us.

What are the responsibilities of those companies that don't make engines or trucks but just sell or lease them? Ensure that the new equipment they sell or lease has been certified by CARB as indicated on the emission control label and/or invoice. Keep records for at least three years following transactions that will allow the Department to verify compliance.

Are there exceptions? Pennsylvania adopted all the exemptions in effect in California (Section 126.504). The most important ones include:

- Emergency and military vehicles
- Vehicles transferred by a dealer to another dealer (however, the vehicle must comply upon sale to the ultimate purchaser)
- Urban buses

How do these rules affect warranties? Recall actions initiated by California will also apply in Pennsylvania.

Why was this regulation adopted? Several years ago, the U. S. Department of Justice, the U.S. Environmental Protection Agency and California found that for a decade, seven of the largest heavy-duty engine and vehicle manufacturers (representing approximately 60% of engine sales) had designed engines that turned off diesel emission control devices during in-use highway driving. This allowed NOx emissions as high as three times the emission standard. In 1998, the government and companies entered into binding settlement agreements that included fines and actions to make up for some of the additional emissions. One of the conditions agreed to by most of the manufacturers was to have their engines certified with additional tests that ensure emission controls operate during most of the real-world operating conditions. The settlement agreements expire in model year 2004 but federal regulations requiring these additional tests for new engines do not take effect until model year 2007. Pennsylvania wanted to ensure that more-polluting engines would not be sold in the Commonwealth during the gap between model year 2004 and 2007. The only way to do so was to require that these engines meet California standards, since Pennsylvania cannot set its own standards for new engines or vehicles.

Who do I contact if I have questions?

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