

§523.3

Temporary living quarters means a space in the interior of an automobile in which people may temporarily live and which includes sleeping surfaces, such as beds, and household conveniences, such as a sink, stove, refrigerator, or toilet.

(Sec. 9, Pub. L. 89-670, 80 Stat. 981 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002); delegation of authority at 41 FR 25015, June 22, 1976)

[42 FR 38362, July 28, 1977, as amended at 43 FR 12013, Mar. 23, 1978; 71 FR 17676, Apr. 6, 2006; 71 FR 19450, Apr. 14, 2006]

§523.3 Automobile.

(a) An automobile is any 4-wheeled vehicle propelled by fuel which is manufactured primarily for use on public streets, roads, and highways (except any vehicle operated exclusively on a rail or rails), and that either—

(1) Is rated at 6,000 pounds gross vehicle weight or less; or

(2) Which—

(i) Is rated more than 6,000 pounds gross vehicle weight, but less than 10,000 pounds gross vehicle weight,

(ii) Is a type of vehicle for which the Administrator determines, under paragraph (b) of this section, average fuel economy standards are feasible, and

(iii)(A) Is a type of vehicle for which the Administrator determines, under paragraph (b) of this section, average fuel economy standards will result in significant energy conservation, or

(B) Is a type of vehicle which the Administrator determines, under paragraph (b) of this section, is substantially used for the same purposes as vehicles described in paragraph (a)(1) of this section.

(b) The following vehicles rated at more than 6,000 pounds and less than 10,000 pounds gross vehicle weight are determined to be automobiles:

(1) Vehicles which would satisfy the criteria in §523.4 (relating to passenger automobiles) but for their gross vehicle weight rating.

(2) Vehicles which would satisfy the criteria in §523.5 (relating to light trucks) but for their gross vehicle weight rating, and which

(i) Have a basic vehicle frontal area of 45 square feet or less,

(ii) Have a curb weight of 6,000 pounds or less,

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(iii) Have a gross vehicle weight rating of 8,500 pounds or less, and

(iv) Are manufactured during the 1980 model year or thereafter.

(3) Vehicles that are defined as medium duty passenger vehicles, and which are manufactured during the 2011 model year or thereafter.

(Sec. 9, Pub. L. 89-670, 80 Stat. 981 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002); delegation of authority at 41 FR 25015, June 22, 1976)

[42 FR 38362, July 28, 1977, as amended at 43 FR 12013, Mar. 23, 1978; 44 FR 4493, Jan. 2, 1979; 71 FR 17676, Apr. 6, 2006]

§523.4 Passenger automobile.

A passenger automobile is any automobile (other than an automobile capable of off-highway operation) manufactured primarily for use in the transportation of not more than 10 individuals.

(Sec. 301, Pub. L. 94-163, 80 Stat. 901 (15 U.S.C. 2001))

[42 FR 38362, July 28, 1977]

§523.5 Light truck.

(a) A light truck is an automobile other than a passenger automobile which is either designed for off-highway operation, as described in paragraph (b) of this section, or designed to perform at least one of the following functions:

(1) Transport more than 10 persons;

(2) Provide temporary living quarters;

(3) Transport property on an open bed;

(4) Provide greater cargo-carrying than passenger-carrying volume; or

(5) Permit expanded use of the automobile for cargo-carrying purposes or other nonpassenger-carrying purposes through:

(i) For light trucks manufactured prior to model year 2012, the removal of seats by means installed for that purpose by the automobile's manufacturer or with simple tools, such as screwdrivers and wrenches, so as to create a flat, floor level, surface extending from the forwardmost point of installation of those seats to the rear of the automobile's interior; or

(ii) For light trucks manufactured in model year 2008 and beyond, for vehicles equipped with at least 3 rows of designated seating positions as standard equipment, permit expanded use of the automobile for cargo-carrying purposes or other nonpassenger-carrying purposes through the removal or stowing of foldable or pivoting seats so as to create a flat, leveled cargo surface extending from the forwardmost point of installation of those seats to the rear of the automobile's interior.

(b) An automobile capable of off-highway operation is an automobile—

(1)(i) That has 4-wheel drive; or

(ii) Is rated at more than 6,000 pounds gross vehicle weight; and

(2) That has at least four of the following characteristics (see Figure 1) calculated when the automobile is at curb weight, on a level surface, with the front wheels parallel to the automobile's longitudinal centerline, and the tires inflated to the manufacturer's recommended pressure—

(i) Approach angle of not less than 28 degrees.

(ii) Breakover angle of not less than 14 degrees.

(iii) Departure angle of not less than 20 degrees.

(iv) Running clearance of not less than 20 centimeters.

(v) Front and rear axle clearances of not less than 18 centimeters each.

(Sec. 9, Pub. L. 89-670, 80 Stat. 981 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002); delegation of authority at 41 FR 25015, June 22, 1976)

[42 FR 38362, July 28, 1977, as amended at 43 FR 12013, Mar. 23, 1978; 58 FR 18029, Apr. 7, 1993; 71 FR 17676, Apr. 6, 2006; 71 FR 19450, Apr. 14, 2006]

PART 525—EXEMPTIONS FROM AVERAGE FUEL ECONOMY STANDARDS

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525.12 Public inspection of information.

AUTHORITY: 15 U.S.C. 2002; 49 CFR 1.50.

SOURCE: 42 FR 38376, July 28, 1977, unless otherwise noted.

§ 525.1 Scope.

This part establishes procedures under section 502(c) of the Motor Vehicle Information and Cost Savings Act, as amended (15 U.S.C. 2002) for the submission and disposition of petitions filed by low volume manufacturers of passenger automobiles to exempt them from the average fuel economy standards for passenger automobiles and to establish alternative average fuel economy standards for those manufacturers.

§ 525.2 Purpose.

The purpose of this part is to provide content and format requirements for low volume manufacturers of passenger automobiles which desire to petition the Administrator for exemption from applicable average fuel economy standards and for establishment of appropriate alternative average fuel economy standards and to give interested persons an opportunity to present data, views and arguments on those petitions.

§ 525.3 Applicability.

This part applies to passenger automobile manufacturers.

§ 525.4 Definitions.

(a) *Statutory terms.* (1) The terms *fuel, manufacture, manufacturer, and model year*, are used as defined in section 501 of the Act.

(2) The terms *average fuel economy, fuel economy, and model type* are used as defined in 40 CFR 600.002-77.

(3) The term *automobile* means a vehicle determined by the Administrator under 49 CFR part 523 to be an automobile.

(4) The term *passenger automobile* means an automobile determined by the Administrator under 49 CFR part 523 to be a passenger automobile.

(5) The term *customs territory of the United States* is used as defined in 19 U.S.C. 1202.