

Environmental Protection Agency

§ 85.2111

(6) An explanation that an owner may obtain further information concerning the emission performance warranty or that an owner may report violations of the terms of the Emission Performance Warranty by contacting the Director, Field Operations and Support Division (6406J), Environmental Protection Agency, 401 "M" Street, SW., Washington, DC 20460 (Attention: Warranty Claim).

(b) The warranty information shall be provided in the same document as other warranties provided with the vehicle.

(c) If a separate warranty booklet is provided with the vehicle, the owner's manual shall contain, at a minimum, the following information:

(1) A general list of all warranties covering the vehicle; and

(2) A statement that detailed warranty information can be found in the warranty booklet.

(d) If a separate warranty booklet is not provided with the vehicle, the information specified in paragraph (a) of this section shall be contained in the owner's manual.

[45 FR 34839, May 22, 1980, as amended at 58 FR 65554, Dec. 15, 1993]

§ 85.2110 Submission of owners' manuals and warranty statements to EPA.

(a) The manufacturer of each vehicle to which this subpart applies shall submit a copy to EPA of both the owner's manual and warranty booklet (if applicable) for each model vehicle, *except that*, if the same warranty information is to be provided for more than one model vehicle, the manufacturer may submit copies for a single model vehicle with a statement that such copies are complete and accurate representation of the warranty information provided with all other specified models.

(1) The owner's manuals and warranty booklets should be received by EPA 60 days prior to the introduction of the vehicle for sale.

(2) If the manuals and warranty booklets are not in their final printed format 60 days prior to the introduction of the vehicle for sale, a manufacturer may submit the most recent draft at that time, provided that final

versions are submitted within 15 days of the final printing.

(b) All materials described in paragraph (a) of this section shall be sent to: Director, Field Operations and Support Division (6406J), Environmental Protection Agency, 401 "M" Street, SW., Washington, DC 20460 (Attention: Warranty Booklet).

[45 FR 34839, May 22, 1980, as amended at 58 FR 65554, Dec. 15, 1993]

§ 85.2111 Warranty enforcement.

The following acts are prohibited and may subject a manufacturer to up to a \$32,500 civil penalty for each offense, except as noted in paragraph (d) of this section:

(a) Selling or leasing a light duty vehicle without providing in writing the warranty information required by § 85.2109;

(b) Failing or refusing to comply with the terms and conditions of the Emission Performance Warranty with respect to any vehicle to which this subpart applies. Acts constituting such a failure or refusal shall include, but are not limited to, the following,

(1) Failure to honor a valid warranty claim,

(2) Performance of a warranty repair in a manner which cannot reasonably be expected to allow the vehicle to meet applicable emission standards for the remainder of its useful life,

(3) Failure of a manufacturer to reimburse a dealer or other designated agent for performance of a vehicle repair made pursuant to this subpart, and

(4) Failure of a manufacturer to supply a part necessary to perform a warranty repair within the time limit specified under § 85.2106(d), unless such failure is for a reason not attributable to the vehicle manufacturer or the warranty repair facility;

(c) To provide directly or indirectly in any communication to the ultimate purchaser or any subsequent purchaser that the emission performance warranty coverage is conditioned upon the use of any name brand part, component, or system or upon service (other than a component or service provided without charge under the terms of the