

§ 205.152

40 CFR Ch. I (7–1–10 Edition)

all material aspects with respect to the parameters listed in § 205.157–2 of this subpart.

(10) *Class* means a group of vehicles which are identical in all material aspects with respect to the parameters listed in § 205.155 of this subpart.

(11) *Closed course competition event* means any organized competition event covering an enclosed, repeated or confined route intended for easy viewing of the entire route by all spectators. Such events include short track, dirt track, drag race, speedway, hillclimb, ice race, and the Bonneville Speed Trials.

(12) *Closing rpm* means the engine speed in Figure 2 of Appendix I.

(13) *Configuration* means the basic classification unit of a manufacturer's product line and is comprised of all vehicle designs, models or series which are identical in all material aspects with respect to the parameters listed in § 205.157–3 of this subpart.

(14) *Engine displacement* means volumetric engine capacity as defined in § 205.153.

(15) *Exhaust system* means the combination of components which provides for the enclosed flow of exhaust gas from the engine exhaust port to the atmosphere. "Exhaust system" further means any constituent components of the combination which conduct exhaust gases and which are sold as separate products. "Exhaust System" does not mean any of the constituent components of the combination, alone, which do not conduct exhaust gases, such as brackets and other mounting hardware.

(16) *Failing vehicle* means a vehicle whose noise level is in excess of the applicable standard.

(17) *Maximum rated RPM* means the engine speed measured in revolutions per minute (RPM) at which peak net brake power (SAE J-245) is developed for motorcycles of a given configuration.

(18) *Model specific code* means the designation used for labeling purposes in §§ 205.158 and 205.169 for identifying the motorcycle manufacturer, class, and "advertised engine displacement," respectively.

(19) *Model year* means the manufacturer's annual production period,

which includes January 1 of any calendar year, or if the manufacturer has no annual production period, the term "model year" shall mean the calendar year.

(20) *Motorcycle noise level* means the A-weighted noise level of a motorcycle as measured by the acceleration test procedure.

(21) *Noise control system* means any vehicle part, component or system, the purpose of which includes control or the reduction of noise emitted from a vehicle, including all exhaust system components.

(22) *Noise emission standard* means the noise levels in § 205.152 or § 205.166.

(23) *Noise emission test* means a test conducted pursuant to a measurement methodology specified in this subpart.

(24) [Reserved]

(25) *Serial number* means the identification number assigned by the manufacturer to a specific production unit.

(26) *Tampering* means the removal or rendering inoperative by any person, other than for purposes of maintenance, repair, or replacement, of any device or element of design incorporated into any product in compliance with regulations under section 6, prior to its sale or delivery to the ultimate purchaser or while it is in use; or the use of a product after such device or element of design has been removed or rendered inoperative by any person.

(27) *Test vehicle* means a vehicle in a Selective Enforcement Audit test sample.

(28) *Tractor* means for the purposes of this subpart, any two or three wheeled vehicle used exclusively for agricultural purposes, or for snow plowing, including self-propelled machines used exclusively in growing, harvesting or handling farm produce.

(29) *Vehicle* means any motorcycle regulated pursuant to this subpart.

(30) *Warranty* means the warranty required by section 6(d)(1) of the Act.

[45 FR 86708, Dec. 31, 1980, as amended at 47 FR 57720, Dec. 28, 1982]

§ 205.152 Noise emission standards.

(a) *Noise emission standards.* (1) Street motorcycles of the following and subsequent model years must not produce noise emissions in excess of the levels indicated:

Environmental Protection Agency

§ 205.152

(i) Street motorcycles other than those that meet the definition of §205.151(a)(2)(ii):

Model year	A-weighted noise level (dB)
(A) 1983	83
(B) 1986	80

(ii) Street motorcycles that meet the definition of §205.151(a)(2)(ii)(moped-type street motorcycles):

Model year	A-weighted noise level (dB)
(A) 1983	70

(2) Off-road motorcycles of the following and subsequent model years must not produce noise emissions in excess of the levels indicated:

(i) Off-road motorcycles with engine displacements of 170 cc and lower:

Model year	A-weighted noise level (dB)
(A) 1983	83
(B) 1986	80

(ii) Off-road motorcycles with engine displacements greater than 170 cc:

Model year	A-weighted noise level (dB)
(A) 1983	86
(B) 1986	82

(3) Street motorcycles must be designed, built and equipped so that, when properly maintained and used, they will not produce noise emissions in excess of the levels specified in paragraph (a)(1) of this section, for an Acoustical Assurance Period of one year or a distance of 6000 km (3730 mi) after the time of sale to the ultimate purchaser, whichever occurs first.

(4) Off-road motorcycles must be designed, built and equipped so that, when properly maintained and used, they will not produce noise emissions in excess of the levels specified in paragraph (a)(2) of this section, for an Acoustical Assurance Period of one year or a distance of 3000 km (1865 mi) after the time of sale to the ultimate purchaser, whichever occurs first.

(5) At the time of sale to the ultimate purchaser, all products must

comply with the standards set forth in paragraphs (a)(1) and (2) of this section.

(b) *Measurement procedure.* (1) The standards set forth in paragraph (a) of this section refer to noise emissions as measured in accordance with the measurement methodology specified in Appendix I-1 for all motorcycles except those street motorcycles that meet the definition of §205.151(a)(2)(ii).

(2) The standards set forth in paragraph (a) of this section for street motorcycles that meet the definition of §205.151(a)(2)(ii) (moped-type street motorcycles) refer to noise emissions measured in accordance with the measurement methodology specified in Appendix I-2.

(c) *Low noise emission product standard.* For the purpose of Low-Noise-Emission Product certification pursuant to 40 CFR part 203, motorcycles procured by the Federal government after the following dates must not produce noise emissions in excess of the noise levels indicated:

(1) For street motorcycles with engine displacement greater than 170 cc:

Date	A-weighted noise level (dB)
(i) January 1, 1982	73
(ii) January 1, 1989	71

(2) For off-road motorcycles with engine displacements greater than 170 cc:

Date	A-weighted noise level (dB)
(i) January 1, 1982	75

(3) For off-road motorcycles with engine displacement 170 cc and lower and street motorcycles with engine displacement 170 cc and lower that do not meet the definition of §205.151(a)(2)(ii):

Date	A-weighted noise level (dB)
(i) January 1, 1982	71

(4) For street motorcycles that meet the definition of §205.151(a)(2)(ii) (moped-type street motorcycles):

Date	A-weighted noise level (dB)
(i) January 1, 1982	60

§ 205.153

These levels refer to noise emissions as measured in accordance with the measurement methodologies specified in appendix I. LNEP's must also meet all requirements contained in paragraphs (a)(3), (4), and (5), of this section.

(Secs. 10 and 15 of the Noise Control Act, (42 U.S.C. 4909, 4914))

§ 205.153 Engine displacement.

(a) Engine displacement must be calculated using nominal engine values and rounded to the nearest whole cubic centimeter, in accordance with American Society for Testing Materials (ASTM) E 29-67.

(b) For rotary engines, displacement means the maximum volume of a combustion chamber between two rotor tip seals minus the minimum volume of that combustion chamber between those two rotor seals times three times the number of rotors.

$$\text{cc} = (\text{Maximum chamber volume} - \text{minimum chamber volume}) \times 3 \times \text{number of rotors.}$$

§ 205.154 Consideration of alternative test procedures.

The Administrator may approve applications from manufacturers of motorcycles for the approval of test procedures which differ from those contained in this subpart so long as the alternative procedures have been demonstrated to correlate with the prescribed procedure. To be acceptable, alternative test procedures must be such that the test results obtained will identify all those test motorcycles which would not comply with the noise emission standards prescribed in § 205.152 when tested in accordance with the measurement methodology specified in Appendix I. After approval by the Administrator, testing conducted by manufacturers using alternative test procedures will be accepted by the Administrator for all purposes including, but not limited to, selective enforcement audit testing.

[45 FR 86708, Dec. 31, 1980, as amended at 47 FR 57720, Dec. 28, 1982]

40 CFR Ch. I (7-1-10 Edition)

§ 205.155 Motorcycle class and manufacturer abbreviation.

(a) Motorcycles must be grouped into classes determined by separate combinations of the following parameters:

- (1) Engine type:
 - (i) Gasoline—two stroke.
 - (ii) Gasoline—four stroke.
 - (iii) Gasoline—rotary.
 - (iv) Other.
- (2) Engine displacement.
- (3) Engine configuration:
 - (i) Number of cylinders.
 - (ii) Cylinder arrangement (i.e., in line, opposed, etc.).
- (4) Exhaust system:
 - (i) Muffler: (A) Type, (B) Location, (C) Number.
 - (ii) Expansion chambers: (A) Location, (B) Size.
 - (iii) Spark arrestors.
 - (iv) Other exhaust system components.

§ 205.156 [Reserved]

§ 205.157 Requirements.

§ 205.157-1 General requirements.

(a) Each manufacturer of vehicles manufactured for distribution in commerce in the United States which are subject to the standards prescribed in this subpart and not exempted in accordance with Subpart A, § 205.5:

(1) Shall be labeled in accordance with the requirements of § 205.158 of this subpart.

(2) Must ensure that each vehicle conforms to the applicable noise emission standard established in § 205.152 of this subpart.

(b) The requirements of paragraph (a) of this section apply to new products which conform to the definition of vehicles in these regulations and at the time such new products are assembled to that state of completeness in which the manufacturer sends them to a subsequent manufacturer or otherwise distributes them in commerce.

(c) Subsequent manufacturers of a new product which conforms to the definition of vehicle in these regulations when received by them from a prior manufacturer, need not fulfill the requirements of paragraph (a)(1) of this section where such requirements have