

§ 1051.650

that obligates that company to take the following steps:

(1) Meet the emission warranty requirements that apply under §1051.120. This may involve a separate agreement involving reimbursement of warranty-related expenses.

(2) Report all warranty-related information to the certificate holder.

(b) In your application for certification, identify the company whose trademark you will use.

(c) You remain responsible for meeting all the requirements of this chapter, including warranty and defect-reporting provisions.

[70 FR 40504, July 13, 2005, as amended at 73 FR 59255, Oct. 8, 2008]

§ 1051.650 What special provisions apply for converting a vehicle to use an alternate fuel?

A certificate of conformity is no longer valid for a vehicle if the vehicle is modified such that it is not in a configuration covered by the certificate. This section applies if such modifications are done to convert the vehicle to run on a different fuel type. Such vehicles may be recertified as specified in this section if the original certificate is no longer valid for that vehicle.

(a) Converting a certified new vehicle to run on a different fuel type violates 40 CFR 1068.101(a)(1) if the modified vehicle is not covered by a certificate of conformity.

(b) Converting a certified vehicle that is not new to run on a different fuel type violates 40 CFR 1068.101(b)(1) if the modified vehicle is not covered by a certificate of conformity. We may specify alternate certification provisions consistent with the requirements of this part. For example, you may certify the modified vehicle for a partial useful life. For example, if the vehicle is modified halfway through its original useful life period, you may generally certify the vehicle based on completing the original useful life period; or if the vehicle is modified after the original useful life period is past, you may generally certify the vehicle based on testing that does not involve further durability demonstration.

(c) Vehicles (or engines) may be certified using the certification procedures for new vehicles (or engines) as

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specified in this part or using the certification procedures for aftermarket parts as specified in 40 CFR part 85, subpart V. Unless the original vehicle manufacturer continues to be responsible for the vehicle as specified in paragraph (d) of this section, you must remove the original manufacturer's emission control information label if you recertify the vehicle.

(d) The original vehicle manufacturer is not responsible for operation of modified vehicles in configurations resulting from modifications performed by others. In cases where the modification allows a vehicle to be operated in either its original configuration or a modified configuration, the original vehicle manufacturer remains responsible for operation of the modified vehicle in its original configuration.

(e) Entities producing conversion kits may obtain certificates of conformity for the converted vehicles. Such entities are vehicle manufacturers for purposes of this part.

[73 FR 59255, Oct. 8, 2008]

Subpart H—Averaging, Banking, and Trading for Certification

§ 1051.701 General provisions.

(a) You may average, bank, and trade emission credits for purposes of certification as described in this subpart to show compliance with the standards of this part. To do this you must certify your engines to Family Emission Limits (FELs) and show that your average emission levels for all your engine families together are below the emission standards in subpart B of this part, or that you have sufficient credits to offset a credit deficit for the model year (as calculated in §1051.720).

(b) The following averaging set restrictions apply:

(1) You may not average together engine families that are certified to different standards. You may, however, use banked credits that were generated relative to different standards, except as prohibited by paragraphs (b)(2) and (3) of this section, paragraph (e) of this section, or by other provisions in this part. For example, you may not average together within a model year off-highway motorcycles that are certified