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(b) The request for a hearing must be filed in writing within 30 days after being notified of the Administrator’s decision. The request must be signed by an authorized representative of the manufacturer and include a statement specifying the manufacturer’s objections to the Administrator’s determinations, with data in support of such objection.

(c) If, after the review of the request and supporting data, the Administrator finds that the request raises one or more substantial factual issues, the Administrator shall provide the manufacturer with a hearing in accordance with the provisions of 40 CFR part 1068, subpart G.

(d) A manufacturer’s use of any fuel economy data which the manufacturer challenges pursuant to this section shall not constitute final acceptance by the manufacturer nor prejudice the manufacturer in the exercise of any appeal pursuant to this section challenging such fuel economy data.

§ 600.010 Vehicle test requirements and minimum data requirements.

(a) Unless otherwise exempted from specific emission compliance requirements, for each certification vehicle defined in this part, and for each vehicle tested according to the emission test procedures in part 86 of this chapter for addition of a model after certification or approval of a running change (§ 86.1842 of this chapter, as applicable):

1. The manufacturer shall generate FTP fuel economy data by testing according to applicable procedures.

2. The manufacturer shall generate highway fuel economy data by:

   (i) Testing according to applicable procedures, or

   (ii) Using an analytical technique, as described in § 600.006(e).

3. The manufacturer shall generate US06 fuel economy data by testing according to the applicable procedures.

4. The manufacturer shall generate SC03 fuel economy data by testing according to the applicable procedures.

5. The manufacturer shall generate cold temperature FTP fuel economy data by testing according to the applicable procedures. Alternate fueled vehicles operating on alternate fuel may optionally generate this data using the alternate fuel.

6. The data generated in paragraphs (a)(1) through (5) of this section, shall be submitted to the Administrator in combination with other data for the vehicle required to be submitted in part 86 of this chapter.

(b) For each fuel economy data vehicle:

1. The manufacturer shall generate FTP and HFET fuel economy data by:

   (i) Testing according to applicable procedures, or

   (ii) Use of an analytical technique as described in § 600.006(e), in addition to testing (e.g., city fuel economy data by testing, highway fuel economy data by analytical technique).

2. The data generated shall be submitted to the Administrator according to the procedures in § 600.006.

(c) Minimum data requirements for labeling.

1. In order to establish fuel economy label values under § 600.301, the manufacturer shall use only test data accepted in accordance with § 600.008 meeting the minimum coverage of:

   (i) Data required for emission certification under §§ 86.1828 and 86.1842 of this chapter.

   (ii)(A) FTP and HFET data from the highest projected model year sales subconfiguration within the highest projected model year sales configuration for each base level, and

   (B) If required under § 600.115, for 2011 and later model year vehicles, US06, SC03 and cold temperature FTP data from the highest projected model year sales subconfiguration within the highest projected model year sales configuration for each base level. Manufacturers may optionally generate this data for any 2008 through 2010 model years, and, 2011 and later model year vehicles, if not otherwise required.

   (iii) For additional model types established under § 600.208–08(a)(2), § 600.208–12(a)(2), § 600.209–08(a)(2), or
§ 600.010 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Environmental Protection Agency must publish a notice of the change in the Federal Register and the material must be available to the public. All approved material is available for inspection at U.S. EPA, Air and Radiation Docket and Information Center, 1301 Constitution Ave., NW., Room B102, EPA West Building, Washington, DC 20460, (202) 202–1741, and is available from the sources listed below. It is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_ofFederal_regulations/ibr_locations.html and is available from the sources listed below:


(2) ASTM D 1298–99 (Reapproved 2005) Standard Practice for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method, approved November 1, 2005, IBR approved for §§ 600.113–08(f) and (g), 600.113–12(f) and (g), 600.510–08(g), and 600.510–12(g).


(c) Society of Automotive Engineers, 400 Commonwealth Dr., Warrendale, PA 15096–0001, (877) 606–7323 (U.S. and Canada) or (724) 776–4970 (outside the U.S. and Canada), http://www.sae.org.


(2) SAE J1634, Electric Vehicle Energy Consumption and Range Test Procedure, Cancelled October 2002, IBR approved for §§ 600.116–12(a) and 600.311–12(j) and (k).

(3) SAE J1711, Recommended Practice for Measuring the Exhaust Emissions and Fuel Economy of Hybrid-Electric Vehicles, Including Plug-In Hybrid Vehicles, June 2010, IBR approved for §§ 600.114–12(c) and (f), 600.116–12(b), and 600.311–12(d), (j), and (k).

(d) International Organization for Standardization, Case Postale 56, CH–1211 Geneva 20, Switzerland, (41) 22749.