same vehicle family if they are the same in all the following aspects:

1. The regulatory sub-category (or equivalent in the case of vocational tractors), as follows:
   a. Vocational vehicles at or below 19,500 pounds GVWR.
   b. Vocational vehicles (other than vocational tractors) above 19,500 pounds GVWR and at or below 33,000 pounds GVWR.
   c. Vocational vehicles (other than vocational tractors) above 33,000 pounds GVWR.
   d. Low-roof tractors above 26,000 pounds GVWR and at or below 33,000 pounds GVWR.
   e. Mid-roof tractors above 26,000 pounds GVWR and at or below 33,000 pounds GVWR.
   f. High-roof tractors above 26,000 pounds GVWR and at or below 33,000 pounds GVWR.
   g. Low-roof day cab tractors above 33,000 pounds GVWR.
   h. Low-roof sleeper cab tractors above 33,000 pounds GVWR.
   i. Mid-roof day cab tractors above 33,000 pounds GVWR.
   j. Mid-roof sleeper cab tractors above 33,000 pounds GVWR.
   k. High-roof day cab tractors above 33,000 pounds GVWR.
   l. High-roof sleeper cab tractors above 33,000 pounds GVWR.
   m. Vocational tractors.

2. Vehicle technology as follows:
   a. Group together vehicles that do not contain advanced or innovative technologies.
   b. Group together vehicles that contain the same advanced/innovative technologies.

For a vehicle model that straddles a roof-height, cab type, or GVWR division, you may include all the vehicles in the same vehicle family if you certify the vehicle family to the more stringent standards. For roof height, this means you must certify to the taller roof standards. For cab-type and GVWR, this means you must certify to the numerically lower standards.

You may divide your families into more families than specified in this section.

You may ask us to allow you to group into the same configuration vehicles that have very small body hardware differences that do not significantly affect drag areas. Note that this allowance does not apply for substantial differences, even if the vehicles have the same measured drag areas.

Demonstrating compliance with exhaust emission standards for greenhouse gas pollutants.

For purposes of certification, your vehicle family is considered in compliance with the emission standards in §1037.105 or §1037.106 if all vehicle configurations in that family have modeled CO₂ emission rates (as specified in subpart F of this part) at or below the applicable standards. See 40 CFR part 86, subpart S, for showing compliance with the standards of §1037.104. Note that your FELs are considered to be the applicable emission standards with which you must comply if you participate in the ABT program in subpart H of this part.

Your vehicle family is deemed not to comply if any vehicle configuration in that family has a modeled CO₂ emission rate that is above its FEL.

We may require you to provide an engineering analysis showing that the performance of your emission controls...
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§ 1037.250 Reporting and record-keeping.

(a) Within 90 days after the end of the model year, send the Designated Compliance Officer a report including the total U.S.-directed production volume of vehicles you produced in each vehicle family during the model year (based on information available at the time of the report). Report by vehicle identification number and vehicle configuration and identify the subfamily identifier. Report uncertified vehicles sold to secondary vehicle manufacturers. Small manufacturers may omit the reporting requirements of this paragraph (a).

(b) Organize and maintain the following records:

(1) A copy of all applications and any summary information you send us.

(2) Any of the information we specify in §1037.205 that you were not required to include in your application.

(3) A detailed history of each emission-data vehicle, if applicable.

(4) Production figures for each vehicle family divided by assembly plant.

(5) Keep a list of vehicle identification numbers for all the vehicles you produce under each certificate of conformity.

(c) Keep routine data from emission tests required by this part (such as test cell temperatures and relative humidity readings) for one year after we issue the associated certificate of conformity. Keep all other information specified in this section for eight years after we issue your certificate.

(d) Store these records in any format and on any media, as long as you can promptly send us organized, written records in English if we ask for them. You must keep these records readily available. We may review them at any time.

§ 1037.255 What decisions may EPA make regarding my certificate of conformity?

(a) If we determine your application is complete and shows that the vehicle family meets all the requirements of this part and the Act, we will issue a certificate of conformity for your vehicle family for that model year. We may make the approval subject to additional conditions.

(b) We may deny your application for certification if we determine that your vehicle family fails to comply with emission standards or other requirements of this part or the Clean Air Act. We will base our decision on all available information. If we deny your application, we will explain why in writing.

(c) In addition, we may deny your application or suspend or revoke your certificate if you do any of the following:

(1) Refuse to comply with any testing or reporting requirements.

(2) Submit false or incomplete information (paragraph (e) of this section applies if this is fraudulent). This includes doing anything after submission of your application to render any of the submitted information false or incomplete.

(3) Render any test data inaccurate.

(4) Deny us from completing authorized activities despite our presenting a warrant or court order (see 40 CFR 1068.20). This includes a failure to provide reasonable assistance.

(5) Produce vehicles for importation into the United States at a location where local law prohibits us from carrying out authorized activities.

(6) Fail to supply requested information or amend your application to include all vehicles being produced.

(7) Take any action that otherwise circumvents the intent of the Act or this part, with respect to your engine family.