

§ 1037.241

40 CFR Ch. I (7-1-13 Edition)

(b) If the vehicles in your family are being certified to more than one FEL, subdivide your greenhouse gas vehicle families into subfamilies that include vehicles with identical FELs. Note that you may add subfamilies at any time during the model year.

(c) Group vehicles into configurations consistent with the definition of "vehicle configuration" in §1037.801. Note that vehicles with hardware or software differences that are related to measured or modeled emissions are considered to be different vehicle configurations even if they have the same GEM inputs and FEL. Note also, that you are not required to separately identify all configurations for certification. See paragraph (g) of this section for provisions allowing you to group certain hardware differences into the same configuration. Note that you are not required to identify all possible configurations for certification; also, you are required to include in your end-of year report only those configurations you produced.

(d) 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.

(e) [Reserved]

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

(g) 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.

EFFECTIVE DATE NOTE: At 78 FR 36392, June 17, 2013, §1037.230 was amended by revising paragraph (a)(1)(xiii) and adding paragraph (a)(1)(xiv), effective Aug. 16, 2013. For the convenience of the user, the added and revised text is set forth as follows:

§ 1037.230 Vehicle families, sub-families, and configurations.

- (a) * * *
(1) * * *

(xiii) Vocational tractors above 26,000 pounds GVWR and at or below 33,000 pounds GVWR. Note that vocational tractor provisions do not apply for vehicles at or below 26,000 pounds GVWR.

(xiv) Vocational tractors above 33,000 pounds GVWR.

* * * * *

§ 1037.241 Demonstrating compliance with exhaust emission standards for greenhouse gas pollutants.

(a) 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.

(b) 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.

(c) We may require you to provide an engineering analysis showing that the performance of your emission controls will not deteriorate during the useful life with proper maintenance. If we determine that your emission controls are likely to deteriorate during the useful life, we may require you to develop and apply deterioration factors consistent with good engineering judgment. For example, you may need to apply a deterioration factor to address deterioration of battery performance for an electric hybrid vehicle. Where the highest useful life emissions occur between the end of useful life and at the low-hour test point, base deterioration factors for the vehicles on the difference between (or ratio of) the point at which the highest emissions occur and the low-hour test point.

§ 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