§ 1048.615 What are the provisions for exempting engines designed for lawn and garden applications?

This section is intended for engines designed for lawn and garden applications, but it applies to any engines meeting the criteria in paragraph (a) of this section.

(a) If an engine meets all the following criteria, it is exempt from the requirements of this part:
   (1) The engine must have a nominal displacement of 1000 cc or less.
   (2) The engine must have a maximum engine power at or below 30 kW.
   (3) The engine must be in an engine family that has a valid certificate of conformity showing that it meets emission standards for Class II engines under 40 CFR part 90 or 1054 for the appropriate model year.

(b) The only requirements or prohibitions from this part that apply to an engine that meets the criteria in paragraph (a) of this section are in this section.

(c) If your engines do not meet the criteria listed in paragraph (a) of this section, they will be subject to the provisions of this part. Introducing these engines into commerce without a valid exemption or certificate of conformity violates the prohibitions in 40 CFR 1068.101.

(d) Engines exempted under this section are subject to all the requirements affecting engines under 40 CFR part 90 or 1054. The requirements and restrictions of 40 CFR part 90 or 1054 apply to anyone manufacturing these engines, anyone manufacturing equipment that uses these engines, and all other persons in the same manner as if these were nonroad diesel engines.

(e) You may request an exemption under this section by submitting an application for certification for the engines under 40 CFR part 89 or 1039.

[70 FR 40481, July 13, 2005]

§ 1048.625 What special provisions apply to engines using noncommercial fuels?

In §1048.115(e), we generally require that engines meet emission standards for any adjustment within the full range of any adjustable parameters. For engines that use noncommercial fuels significantly different from the specified test fuel of the same type, you may ask to use the parameter-adjustment provisions of this section instead of those in §1048.115(e). Engines certified under this section must be in a separate engine family.

(a) If we approve your request, the following provisions apply:
   (1) You must certify the engine using the test fuel specified in §1048.501.
   (2) You may produce the engine without limits or stops that keep the engine adjusted within the certified range.
   (3) You must specify in-use adjustments different than the adjustable