of installation of those seats to the rear of the automobile’s interior; or
(ii) For non-passenger automobiles manufactured in model year 2008 and beyond, for vehicles equipped with at least 3 rows of designated seating positions as standard equipment, permit expanded use of the automobile for cargo-carrying purposes or other non-passenger-carrying purposes through the removal or stowing of foldable or pivoting seats so as to create a flat, leveled cargo surface extending from the forwardmost point of installation of those seats to the rear of the automobile’s interior.

(b) An automobile capable of off-highway operation, as indicated by the fact that it:
(1)(i) Has 4-wheel drive; or
(ii) Is rated at more than 6,000 pounds gross vehicle weight; and
(2) Has at least four of the following characteristics calculated when the automobile is at curb weight, on a level surface, with the front wheels parallel to the automobile’s longitudinal centerline, and the tires inflated to the manufacturer’s recommended pressure—
   (i) Approach angle of not less than 28 degrees.
   (ii) Breakover angle of not less than 14 degrees.
   (iii) Departure angle of not less than 20 degrees.
   (iv) Running clearance of not less than 20 centimeters.
   (v) Front and rear axle clearances of not less than 18 centimeters each.


[74 FR 14449, Mar. 30, 2009]

§ 523.8 Heavy-duty vehicle.

(a) A heavy-duty vehicle is any commercial medium- and heavy-duty on highway vehicle or a work truck, as defined in 49 U.S.C. 32901(a)(7) and (19). For the purpose of this part, heavy-duty vehicles are divided into three regulatory categories as follows:
   (1) Heavy-duty pickup trucks and vans;
   (2) Heavy-duty vocational vehicles; and
   (3) Truck tractors with a GVWR above 26,000 pounds.

(b) The heavy-duty vehicle classification does not include:
   (1) Vehicles defined as medium duty passenger vehicles.
   (2) Vehicles excluded from the definition of “heavy-duty vehicle” because of vehicle weight or weight rating (such as light duty vehicles as defined in §523.5).
   (3) Vehicles excluded from the definition of motor vehicle in 40 CFR 85.1703.

[76 FR 57491, Sept. 15, 2011]