

## **§§ 88.2 through 88.3**

gas, or compressed natural gas. It does not apply for vehicles using gasoline, ethanol, methanol, or liquefied natural gas.

(3) The following types of vehicles qualify as Zero Emission Vehicles:

(i) Electric vehicles (see 40 CFR 86.1803–01).

(ii) Any other vehicle with a fuel that contains no carbon or nitrogen compounds, that has no evaporative emissions, and that burns without forming oxides of nitrogen, carbon monoxide, formaldehyde, particulate matter, or hydrocarbon compounds. This paragraph (b)(3)(i) applies equally for all engines installed on the vehicle.

## **§§ 88.2 through 88.3 [Reserved]**

## **PART 89—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES**

Sec.

89.1 Applicability.

89.2 through 89.3 [Reserved]

AUTHORITY: 42 U.S.C. 7401–7671q.

SOURCE: 86 FR 34372, June 29, 2021, unless otherwise noted.

### **§ 89.1 Applicability.**

The Environmental Protection Agency adopted emission standards for model year 1996 and later nonroad compression-ignition engines under this part. EPA has migrated regulatory requirements for these engines to 40 CFR part 1039, with additional testing and compliance provisions in 40 CFR parts 1065 and 1068. The Tier 1, Tier 2, and Tier 3 standards originally adopted in this part are identified in 40 CFR part 1039, appendix I. See 40 CFR 1039.1 for information regarding the timing of the transition to 40 CFR part 1039, and for information regarding regulations that continue to apply for engines that manufacturers originally certified or otherwise produced under this part.

## **40 CFR Ch. I (7–1–25 Edition)**

## **§§ 89.2 through 89.3 [Reserved]**

## **PART 90—CONTROL OF EMISSIONS FROM NONROAD SPARK-IGNITION ENGINES AT OR BELOW 19 KILOWATTS**

Sec.

90.1 Applicability.

90.2 through 90.3 [Reserved]

AUTHORITY: 42 U.S.C. 7401–7671q.

SOURCE: 86 FR 34372, June 29, 2021, unless otherwise noted.

### **§ 90.1 Applicability.**

The Environmental Protection Agency adopted emission standards for model year 1997 and later nonroad spark-ignition engines below 19 kW under this part. EPA has migrated regulatory requirements for these engines to 40 CFR part 1054, with additional testing and compliance provisions in 40 CFR parts 1065 and 1068. The Phase 1 and Phase 2 standards originally adopted in this part are identified in 40 CFR part 1054, appendix I. See 40 CFR 1054.1 for information regarding the timing of the transition to 40 CFR part 1054, and for information regarding regulations that continue to apply for engines that manufacturers originally certified or otherwise produced under this part.

## **§§ 90.2 through 90.3 [Reserved]**

## **PART 91—CONTROL OF EMISSIONS FROM MARINE SPARK-IGNITION ENGINES**

Sec.

91.1 Applicability.

91.2 through 91.3 [Reserved]

AUTHORITY: 42 U.S.C. 7401–7671q.

SOURCE: 86 FR 34372, June 29, 2021, unless otherwise noted.

### **§ 91.1 Applicability.**

The Environmental Protection Agency adopted emission standards for model year 1998 and later marine spark-ignition engines under this part, except that the standards of this part did not apply to sterndrive/inboard engines. EPA has migrated regulatory requirements for these engines to 40 CFR part 1045, with additional testing and

compliance provisions in 40 CFR parts 1065 and 1068. The standards originally adopted in this part are identified in 40 CFR part 1045, appendix I. See 40 CFR 1045.1 for information regarding the timing of the transition to 40 CFR part 1045, and for information regarding regulations that continue to apply for engines that manufacturers originally certified or otherwise produced under this part.

**§§ 91.2 through 91.3 [Reserved]**

**PART 92—CONTROL OF AIR POLLUTION FROM LOCOMOTIVES AND LOCOMOTIVE ENGINES**

Sec.

92.1 Applicability.

92.2 through 92.3 [Reserved]

AUTHORITY: 42 U.S.C. 7401–7671q.

SOURCE: 86 FR 34373, June 29, 2021, unless otherwise noted.

**§ 92.1 Applicability.**

The Environmental Protection Agency first adopted emission standards for freshly manufactured and remanufactured locomotives under this part in 1998. EPA has migrated regulatory requirements for these engines to 40 CFR part 1033, with additional testing and compliance provisions in 40 CFR parts 1065 and 1068. The Tier 0, Tier 1, and Tier 2 standards originally adopted in this part are identified in 40 CFR part 1033, appendix I. See 40 CFR 1033.1 for information regarding the timing of the transition to 40 CFR part 1033, and for information regarding regulations that continue to apply for engines that manufacturers originally certified or otherwise produced or remanufactured under this part. Emission standards started to apply for locomotive and locomotive engines if they were—

(a) Manufactured on or after January 1, 2000;

(b) Manufactured on or after January 1, 1973 and remanufactured on or after January 1, 2000; or

(c) Manufactured before January 1, 1973 and upgraded on or after January 1, 2000.

**§§ 92.2 through 92.3 [Reserved]**

**PART 93—DETERMINING CONFORMITY OF FEDERAL ACTIONS TO STATE OR FEDERAL IMPLEMENTATION PLANS**

**Subpart A—Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Laws**

Sec.

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