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## 40 C.F.R. § 86.1865-12

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### How to comply with the fleet average CO<sub>2</sub> standards.

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- (a) *Applicability.* (1) Unless otherwise exempted under the provisions of paragraph (d) of this section, CO<sub>2</sub> fleet average exhaust emission standards of this subpart apply to:
- (i) 2012 and later model year passenger automobiles and light trucks.
  - (ii) Heavy-duty vehicles subject to standards under § 86.1819.
  - (iii) Vehicles imported by ICIs as defined in 40 CFR 85.1502.
- (2) The terms “passenger automobile” and “light truck” as used in this section have the meanings given in § 86.1818-12.
- (b) *Useful life requirements.* Full useful life requirements for CO<sub>2</sub> standards are defined in §§ 86.1818 and 86.1819. There is not an intermediate useful life standard for CO<sub>2</sub> emissions.
- (c) *Altitude.* Greenhouse gas emission standards apply for testing at both low-altitude conditions and at high-altitude conditions, as described in §§ 86.1818 and 86.1819.
- (d) *Small volume manufacturer certification procedures.* (1) *Passenger automobiles and light trucks.* Certification procedures for small volume manufacturers are provided in § 86.1838. Small businesses meeting certain criteria may be exempted from the greenhouse gas emission standards in § 86.1818 according to the provisions of § 86.1801-12(j) or (k).
- (2) *Heavy-duty vehicles.* HDV manufacturers that qualify as small businesses are not subject to the Phase 1 greenhouse gas standards of this subpart as specified in § 86.1819-14(k)(5).
- (e) *CO<sub>2</sub> fleet average exhaust emission standards.* The fleet average standards referred to in this section are the corporate fleet average CO<sub>2</sub> standards for passenger automobiles and light trucks set forth in § 86.1818-12(c) and (e), and for HDV in § 86.1819. Each manufacturer must comply with the applicable CO<sub>2</sub> fleet average standard on a production-weighted average basis, for each separate averaging set, at the end of each model year, using the procedure described in paragraph (j) of this section. The fleet average CO<sub>2</sub> standards applicable in a given model year are calculated separately for passenger automobiles and light trucks for each manufacturer and each model year according to the provisions in § 86.1818. Calculate the HDV fleet average CO<sub>2</sub> standard in a given model year as described in § 86.1819-14(a).
- (f) *In-use CO<sub>2</sub> standards.* In-use CO<sub>2</sub> exhaust emission standards are provided in § 86.1818-12(d) for passenger automobiles and light trucks and in § 86.1819-14(b) for HDV.
- (g) *Durability procedures and method of determining deterioration factors (DFs).* Deterioration factors for CO<sub>2</sub>
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exhaust emission standards are provided in § 86.1823–08(m) for passenger automobiles and light trucks and in § 86.1819–14(d)(5) for HDV.

(h) *Vehicle test procedures.* (1) The test procedures for demonstrating compliance with CO<sub>2</sub> exhaust emission standards are described at § 86.101 and 40 CFR part 600, subpart B.

(2) Testing to determine compliance with CO<sub>2</sub> exhaust emission standards must be on a loaded vehicle weight (LVW) basis for passenger automobiles and light trucks (including MDPV), and on an adjusted loaded vehicle weight (ALVW) basis for non-MDPV heavy-duty vehicles.

(3) Testing for the purpose of providing certification data is required only at low-altitude conditions. If hardware and software emission control strategies used during low-altitude condition testing are not used similarly across all altitudes for in-use operation, the manufacturer must include a statement in the application for certification, in accordance with § 86.1844–01(d)(11), stating what the different strategies are and why they are used.

(i) *Calculating fleet average carbon-related exhaust emissions for passenger automobiles and light trucks.* (1) Manufacturers must compute separate production-weighted fleet average carbon-related exhaust emissions at the end of the model year for passenger automobiles and light trucks, using actual production, where production means vehicles produced and delivered for sale, and certifying model types to standards as defined in § 86.1818–12. The model type carbon-related exhaust emission results determined according to 40 CFR part 600, subpart F (in units of grams per mile rounded to the nearest whole number) become the certification standard for each model type.

(2) Manufacturers must separately calculate production-weighted fleet average carbon-related exhaust emissions levels for the following averaging sets according to the provisions of 40 CFR part 600, subpart F:

(i) Passenger automobiles subject to the fleet average CO<sub>2</sub> standards specified in § 86.1818–12(c)(2);

(ii) Light trucks subject to the fleet average CO<sub>2</sub> standards specified in § 86.1818–12(c)(3);

(iii) Passenger automobiles subject to the Temporary Leadtime Allowance Alternative Standards specified in § 86.1818–12(e), if applicable; and

(iv) Light trucks subject to the Temporary Leadtime Allowance Alternative Standards specified in § 86.1818–12(e), if applicable.

(j) *Certification compliance and enforcement requirements for CO<sub>2</sub> exhaust emission standards.*

(1) Compliance and enforcement requirements are provided in this section and § 86.1848–10(c)(9).

(2) The certificate issued for each test group requires all model types within that test group to meet the in-use emission standards to which each model type is certified. The in-use standards for passenger automobiles and light duty trucks (including MDPV) are described in § 86.1818–12(d). The in-use standards for non-MDPV heavy-duty vehicles are described in § 86.1819–14(b).

(3) Each manufacturer must comply with the applicable CO<sub>2</sub> fleet average standard on a production-weighted average basis, at the end of each model year. Use the procedure described in paragraph (i) of this section for passenger automobiles and light trucks (including MDPV). Use the procedure described in § 86.1819–14(d)(9) (iv) for non-MDPV heavy-duty vehicles.

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