
40 C.F.R. § 1090.610

Temporary research, development, and testing exemptions.

(a) *Requests for an exemption.* (1) Any person may receive an exemption from the provisions of this part for fuel used for research, development, or testing (“R&D”) purposes by submitting the information specified in paragraph (c) of this section as specified in § 1090.10.

(2) Any person that is performing emissions certification testing for a motor vehicle or motor vehicle engine under 42 U.S.C. 7525 or nonroad engine or nonroad vehicle under 42 U.S.C. 7546 is exempt from the provisions of this part for the fuel they are using for emissions certification testing if they have an exemption under 40 CFR parts 85 and 86 to perform such testing.

(b) *Criteria for an R&D exemption.* For an R&D exemption to be granted, the person requesting an exemption must meet all the following conditions:

- (1) Demonstrate that the exemption is for an appropriate R&D purpose.
- (2) Demonstrate that an exemption is necessary.
- (3) Design an R&D program that is reasonable in scope.
- (4) Have a degree of control consistent with the purpose of the program and EPA's monitoring requirements.
- (5) Meet the requirements specified in paragraphs (c) and (d) of this section.

(c) *Information required to be submitted.* To aid in demonstrating each of the elements in paragraph (b) of this section, the person requesting an exemption must include, at a minimum, all the following information:

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