

Chapter 127: NEW MOTOR VEHICLE EMISSION STANDARDS

SUMMARY: This regulation establishes motor vehicle emission standards for new passenger cars, light duty trucks, medium duty vehicles, and heavy-duty diesel vehicles.

1. Scope/Applicability.

- A. This regulation applies statewide.
- B. This regulation applies to:
 - (1) Any 2001 and subsequent model-year passenger cars, light duty trucks or 2003 and subsequent model-year medium-duty vehicles, and 2005 and 2006 model-year heavy-duty diesel engines and vehicles.
 - (2) All 2008 and subsequent model year heavy duty diesel engines and vehicles.
 - (3) Beginning with Model Year 2009, manufacturers must meet the Zero Emissions Vehicle sales requirement.
 - (4) Beginning with Model Year 2009, manufacturers must meet the greenhouse gas emission standards for passenger cars, light-duty and medium duty passenger vehicles.

2. Definitions.

- A. **Add-on part.** “Add-on part” means any aftermarket part which is not a modified part or a replacement part.
- B. **AT PZEV.** “AT PZEV” means advanced technology partial emissions vehicle.
- C. **Aftermarket part.** “Aftermarket part” means any part of a motor vehicle emission control system sold for installation on a vehicle after the original retail sale of the vehicle.
- D. **Alternative fuel.** “Alternative fuel” means any fuel which is commonly or commercially known or sold as one of the following: M-100 fuel methanol, M-85 fuel methanol, E-100 fuel ethanol, E-85 fuel ethanol, compressed natural gas, liquefied petroleum gas, or hydrogen.
- E. **California-certified.** “California-certified” means having a valid executive order and approved by CARB for sale in California.
- F. **CARB.** “CARB” means the California Air Resources Board.
- G. **Consolidated part.** “Consolidated part” means a part which is designed to replace a group of original equipment parts.
- H. **Dealer.** “Dealer” means any person engaged in the business of selling, offering to sell, soliciting or advertising the sale of new vehicles who holds a valid sales and service agreement, franchise or contract, granted by the manufacturer or distributor for the retail sale of said manufacturer’s or distributor’s new vehicles.

- I. **Delivered for sale.** “Delivered for sale” means delivered for sale or for lease in Maine.
- J. **Emergency vehicle.** “Emergency vehicle” means any authorized vehicle publicly owned and operated that is used by a peace officer, used for fighting fires or responding to emergency fire calls, used by emergency medical technicians or paramedics, used for towing or servicing other vehicles, used for repairing damaged lighting or electrical equipment.
- K. **Emission Control Labels.** “Emission Control Labels” means a paper, plastic, metal or other permanent material, welded, riveted or otherwise permanently attached to an area within the engine compartment (if any) or to the engine in such a way that it will be visible to the average person after installation of the engine in all new vehicles certified for sale in California, in accordance with Title 13, California Code of Regulations Section 1965.
- L. **Emissions-related part.** “Emissions-related part” means any automotive part, which affects any regulated emissions from a motor vehicle which is subject to California or federal emission standards. This includes, at a minimum those parts specified in the “Emissions-Related Parts List,” adopted by the California Air Resources Board.
- M. **Fleet average emission.** “Fleet average emission” means a vehicle manufacturer's average vehicle emissions of all non-methane organic gases and all greenhouse gases from all new vehicles delivered for sale to Maine in any applicable model-year.
- N. **Greenhouse gas.** “Greenhouse gas” means the following gases: carbon dioxide, methane, nitrous oxide and hydro fluorocarbons.
- O. **GHG credit.** “GHG credit” means greenhouse gas credit.
- P. **Greenhouse gas vehicle test group.** “Greenhouse gas vehicle test group” means “greenhouse gas test group” as defined in California Code of Regulations, Title 13, Section 1961.1.
- Q. **Heavy-duty diesel engine.** “Heavy-duty diesel engine” means a diesel engine that is used to propel a motor vehicle with a Gross Vehicle Weight Rating of 14,001 pounds or greater.
- R. **Heavy-duty motor vehicle.** “Heavy-duty motor vehicle” means a motor vehicle with a Gross Vehicle Weight Rating of 14,001 pounds or greater.
- S. **Independent low volume manufacturer.** “Independent low volume manufacturer” means “independent low volume manufacturer” as defined in California Code of Regulations, Title 13, Section 1900.
- T. **Large volume manufacturer.** “Large volume manufacturer” means “large volume manufacturer” as defined in California Code of Regulations, Title 13, Section 1900.
- U. **Light-duty truck.** “Light-duty truck” means any 2000 and subsequent model vehicle certified to standards in Title 13, California Code of Regulations Section 1961(a) (1) rated at 8500 pounds gross vehicle weight or less, and any other vehicle rated at 6000 pounds gross vehicle weight or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use.

- V. **Lease.** "Lease" means any commercial transaction recognized under the laws of this State as a means of creating a right to use a good and includes renting. It also includes offering to rent or lease.
- W. **Manufacturer.** "Manufacturer" means any small, intermediate or large volume vehicle manufacturer as defined in Title 13, California Code of Regulations Section 1900.
- X. **Medium-duty vehicle.** "Medium-duty vehicle" means any 2003 through 2006 model-year heavy-duty low-emission, ultra-low-emission, super-ultra-low-emission or zero-emission vehicle certified to the standards in Title 13, California Code of Regulations Sections 1956.8 (g) or (h) or 1960.1(h)(2), having a manufacturer's gross vehicle weight rating of 14,000 pounds or less; any 2000 through 2003 model-year heavy duty vehicle certified to the standards in Title 13, California Code of Regulations Section 1960.1(h)(1) having a manufacturer gross vehicle weight rating of 14,000 lbs. or less; and any 2003 and subsequent model heavy-duty low-emission, ultra-low-emission, super-ultra-low-emission or zero-emission vehicle certified to the standards in Title 13, California Code of Regulations Sections 1956.8 (g) or (h), 1961(a)(1) or 1962 having a manufacturer's gross vehicle weight rating between 8,501 and 14,000 pounds.
- Y. **Medium duty passenger vehicle.** "Medium duty passenger vehicle" means any medium-duty vehicle with a gross vehicle weight rating of less than 10,000 pounds that is designed primarily for the transportation of persons. The medium-duty passenger vehicle definition does not include any vehicle which: (1) is an "incomplete truck", i.e., a truck that does not have the primary load carrying device or container attached; or (2) has a seating capacity of more than 12 persons; or (3) is designed for more than 9 persons in seating rearward of the driver's seat; or (4) is equipped with an open cargo area of 72.0 inches in interior length or more. A covered box not readily accessible from the passenger compartment will be considered an open cargo area, for purposes of this definition.
- Z. **Model-year.** "Model-year" means the manufacturer's annual production period for each engine family which includes January 1 of a calendar year or, if the manufacturer has no annual production period, the calendar year. In the case of any motor vehicle manufactured in two or more stages, the time of manufacture shall be the date of completion of the chassis.
- AA **Modified part.** "Modified part" means any aftermarket part intended to replace an original equipment emissions-related part and which is not functionally identical to the original equipment part in all respects which in any way affect emissions, excluding a consolidated part.
- BB. **New motor vehicle.** "New Motor Vehicle" means any passenger car, light-duty truck or 2003 and subsequent model-year medium-duty vehicle and 2005 and subsequent model-year heavy-duty engines and vehicles with 7,500 miles or fewer on its odometer.
- CC. **New motor vehicle engine.** "New motor vehicle engine" means a new engine in a motor vehicle.
- DD. **NMOG credit.** "NMOG credit" means non-methane organic gas credit.
- EE. **Passenger car.** "Passenger car" means any motor vehicle designed with a capability for transportation of human beings and having a design capacity of twelve individuals or less.
- FF. **PZEV.** "PZEV" means partial zero emission vehicle.

GG. **Recall.** "Recall" means:

- (1) A manufacturer's issuing of notices directly to consumers that vehicles in their possession or control should be corrected; and/or
- (2) A manufacturer's efforts to actively locate and correct vehicles in the possession or control of consumers.

HH. **Replacement part.** "Replacement part" means any aftermarket part which is intended to replace an original equipment emissions-related part and which is functionally identical to the original equipment part in all respects which in any way affect emissions (including durability), or a consolidated part.

II. **Sell.** "Sell" means any commercial vehicles transaction recognized under the laws of this State as a means of transferring ownership of a good and includes barter. It also includes offering for sale.

JJ. **Small volume manufacturer.** "Small volume manufacturer" means "small volume manufacturer" as defined in California Code of Regulations, Title 13, Section 1900.

KK. **Smog Index Label.** "Smog Index Label" means a decal securely affixed by the manufacturer to a window of all passenger cars and light-duty trucks which discloses the smog index for the vehicle in accordance with Title 13, California Code of Regulations Section 1965.

LL. **Ultimate purchaser.** "Ultimate purchaser" means, with respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases a new motor vehicle or new motor vehicle engine for purposes other than resale.

MM. **Ultra-small volume manufacturer.** "Ultra-small volume manufacturer" means any manufacturer with California sales less than or equal to 300 new passenger cars, light-duty trucks, medium-duty vehicles, heavy-duty vehicles, and heavy-duty engines per model-year based on the average number of vehicles and engines sold by the manufacturer in the previous three consecutive model-years.

NN. **Urban bus.** "Urban bus" means a passenger-carrying vehicle powered by a heavy heavy-duty diesel engine, or of a type normally powered by a heavy heavy-duty diesel engine, with a load capacity of fifteen (15) or more passengers and intended primarily for intra-city operation, i.e., within the confines of a city or greater metropolitan area.

OO. **VECs.** "VECs" means vehicle equivalent credits.

PP. **ZEV Credit.** "ZEV Credit" means Zero Emission Vehicle Credit.

QQ. **ZEV--Zero-Emission Vehicle.** "Zero emission vehicle" means any motor vehicle which is CARB certified to produce zero emissions of any criteria pollutants under any and all possible operational modes and conditions. Incorporation of a fuel-fired heater, designed to create heat for the purpose of warming the passenger compartment of a vehicle and that does not contribute to the propulsion of the vehicle, shall not preclude a motor vehicle from being certified as a

ZEV (1) provided the fuel-fired heater cannot be operated at ambient temperatures above 40°F, (2) the heater is demonstrated to have zero fuel evaporative emissions under any and all possible operational modes and conditions, and (3) the emissions of any pollutant from the fuel fired heater when operated at an ambient temperature between 68°F and 86°F do not exceed the emission standard for that pollutant for a ULEV under section 1961(a)(1)

3. Incorporation by Reference.

This chapter incorporates by reference certain sections of Title 13, California Code of Regulations. Appendix A lists the sections of Title 13, California Code of Regulations incorporated by reference and the respective amended date for each section. The sections of Title 13, California Code of Regulations incorporated by reference in this chapter are the version of the section as of the amended date in Appendix A.

4. Prohibitions.

A. New Vehicle Emission Requirements. No person, including a manufacturer or dealer, shall deliver for sale or lease, offer for sale or lease, sell or lease, import, or rent a new vehicle that is a 2001 or subsequent model-year passenger car or light-duty truck or 2003 or subsequent model-year medium-duty vehicle, unless the vehicle is California-certified and complies with the following criteria:

- (1) The exhaust emissions standards in Title 13, California Code of Regulations Sections 1956.8(g) or (h), 1960.1, 1961(a) or 1962(a);
- (2) The emission control label and for 2002 or subsequent model-years, the smog index label requirements, in accordance with Title 13, California Code of Regulations Section 1965;
- (3) The evaporative emissions standards in Title 13, California Code of Regulations Sections 1976;
- (4) The refueling emissions standards in Title 13, California Code of Regulations Section 1978;
- (5) The malfunction and diagnostic system requirements in Title 13, California Code of Regulations Section 1968.1;
- (6) The assembly-line testing procedure requirements in Title 13, California Code of Regulations Section 2062; and
- (7) The specifications for fill pipes and openings of motor vehicle fuel tanks in Title 13, California Code of Regulations Section 2235.

B. New Heavy-Duty Diesel Vehicle Requirements. No person, including a manufacturer or dealer, shall deliver for sale or lease, offer for sale or lease, sell or lease, import, or rent a 2005 or 2006 and 2008 and subsequent model-year heavy-duty diesel engine, a new motor vehicle equipped with a 2005 or 2006 and 2008 and subsequent model-year heavy-duty diesel engine, or a motor vehicle with a new 2005 or 2006 and 2008 and subsequent model-year heavy-duty diesel engine, unless the vehicle is California-certified and complies with the following criteria:

- (1) The exhaust emissions standards in Title 13, California Code of Regulations Sections 1956.8.

- C. **Zero Emission Vehicle Requirements.** Beginning with the 2009 model year, each manufacturer's sales fleet of passenger cars and light duty trucks produced and delivered for sale in the State of Maine shall contain at least the same percentage of ZEVs subject to the requirements, including credit and banking provisions, set forth in the California Code of Regulations, Title 13, section 1962 using Maine specific vehicle numbers.
- D. **Alternative Zero Emission Vehicle Compliance.** As an alternative means of compliance with the requirements of Section 4(C), an automobile manufacturer may instead opt to utilize the following alternative compliance mechanisms. If a manufacturer opts to utilize the alternative compliance mechanisms, such manufacturer shall notify the commissioner in writing by October 1, 2005.
- (1) A manufacturer may earn Maine ZEV credits for the introduction into Maine of PZEVs, AT PZEVs, and ZEVs beginning with 2004 model year provided that:
- (a) The vehicle credit values for this alternative compliance path shall be the same as the California Code of Regulations, Title 13, section 1962.
- (b) After the credit value for a vehicle is established by CARB pursuant to California Code of Regulations, Title 13, section 1962, a Maine multiplier will be applied to such credit value for that vehicle in accordance with Table 1. The Maine multiplier shall not be applied to Type III ZEVs placed in service pursuant to the California Requirements for Large Volume Manufacturers as identified in the California Code of regulations, Title 13, section 1962(b)(2).

Table 1, Maine Multiplier

Model Year	Requirement	PZEV Credit Multiplier	AT PZEV Credit Multiplier	ZEV Credit Multiplier
2004	Voluntary Early Introduction	1.5	2.25	3
2005	Voluntary Early Introduction	1.5	2.25	3
2006	Voluntary Early Introduction	1.3	1.7	2
2007	Voluntary Early Introduction	1.15	1.3	1.5
2008	Voluntary Early Introduction	1.15	1.3	1.5
2009	Equivalency with California Program	1	1	1

- (c) Maine ZEV credit use, life, banking and trading will be calculated as per California Code of Regulations, Title 13, section 1962.
- (d) Starting with model year 2007, each manufacturer shall make available for purchase or lease in Maine any PZEV, AT-PZEV, and ZEV models, except type III ZEVs placed in

service pursuant to California Code of Regulations, Title 13, section 1962(b)(2), sold or leased in California.

- (e) The commissioner shall calculate the amount of credits earned based on the report received pursuant to section 8(B) (4). The commissioner shall establish ZEV compliance accounts for each manufacturer and allocate the credits earned to such compliance accounts, including separate accounts for PZEV, AT-PZEV, NEV, Type 0 ZEVs, Type I ZEVs, Type II ZEVs, Type III ZEVs, transportation system, and extended service. For each account, in the event that the number of credits earned pursuant to this subsection is less than the number of credits that would have been awarded to a manufacturer under Section 4(D)(2), the commissioner shall calculate the difference and apply a number of credits equal to such difference to such manufacturer's compliance account.
 - (f) A manufacturer shall be entitled to full credit for each Type III ZEV placed in service prior to model year 2012 in any state that has adopted the California ZEV mandate.
- (2) The commissioner shall set aside a number of Maine ZEV credits proportionally equivalent to the number of ZEV credits possessed by the requesting manufacturer for use in the State of California at the beginning of the 2009 model year. This transfer will be performed only after all credit obligations for model years 2008 and earlier have been satisfied in California. The manufacturer's California credit balances shall be multiplied by the ratio of the average number of PC's and LDT1's produced and delivered for sale in Maine to the combined average number of PCs and LDT1s produced and delivered for sale in California in model years 2003 through 2005 or, alternatively, by the ratio of PCs and LDT1s produced and delivered for sale in Maine to the combined number of PCs and LDT1s produced and delivered for sale in California in model year 2009. In either case, the time period used to determine the credit transfer ratio will also be used to determine model year 2009 ZEV sales requirements in Maine.

The commissioner shall establish ZEV compliance accounts for each manufacturer and allocate the credits calculated under this section 4(D)(2) to such compliance accounts, including separate accounts for PZEV, AT-PZEV, NEV, Type 0 ZEVs, Type I ZEVs, Type II ZEVs, Type III ZEVs, transportation system, and extended service. The commissioner shall notify such manufacturer of the number of ZEV credits available for use by July 31, 2009 and annually thereafter. Credits issued pursuant to this subsection may only be used in Maine for compliance with the ZEV provisions of section 4(C) subject to the same requirements and limitations on credit use set forth in the California Code of Regulation, Title 13, section 1962 adjusted for Maine specific vehicle numbers.

A manufacturer shall be entitled to full credit for each type III ZEV placed in service prior to model year 2012 in any state that has adopted the California ZEV mandate.

Furthermore, each manufacturer operating under this compliance path shall:

- (a) By May 1, 2009, provide the commissioner with the total number of PC & LDT1 vehicles produced and delivered for sale in Maine and California for 2003 through 2005 model years.

Alternatively, by May 1, 2009, provide the commissioner with the total projected number of PC and LDT1 vehicles to be produced and delivered for sale in Maine and California

in model year 2009. By March 1, 2010, provide the commissioner with actual 2009 model year PC and LDT1 vehicles produced and delivered for sale in Maine and California. The commissioner shall adjust and notify such manufacturer of the number of ZEV credits established based on actual 2009 model year data by May 31, 2010.

- (b) By May 1, 2009, provide the commissioner with the total number of banked California credits after all 2008 model year and earlier obligations have been met.
 - (c) Starting with model year 2009, make available for purchase or lease in Maine any PZEV, AT-PZEV, and ZEV models, including all ZEVs except type III ZEVs placed in service pursuant to California Code of Regulations, Title 13, section 1962(b)(2), that are sold, leased or offered for sale in California.
- (3) Any manufacturer who fails to meet the requirements of its respective alternative compliance path shall be subject to full compliance with the ZEV mandate provisions set forth in Section 4(C).

E. New Vehicle Greenhouse Gas Emission Requirements. No person, including a manufacturer or dealer, shall deliver for sale or lease, offer for sale or lease, sell or lease, import or rent a new vehicle that is manufactured by a large volume manufacturer and that is a 2009 or subsequent model year passenger car, medium duty passenger vehicle or light-duty truck, unless that new vehicle complies with the greenhouse gas emission limits set for the in the California Code of Regulations, Title 13, section 1961.1, as incorporated in Appendix A.

F. Exemptions. The following new vehicles shall not be subject to this Chapter:

- (1) An emergency vehicle;
- (2) A vehicle with a right-hand drive configuration that is not available in a California-certified model, purchased by a rural route postal carrier and used primarily for work;
- (3) A vehicle designed exclusively for off-road use;
- (4) A vehicle certified to standards promulgated pursuant to the authority contained in 42 U.S.C. Section 7521 and which is in the possession of a rental agency in Maine and is next rented with a final destination outside of Maine;
- (5) A vehicle which is a 2005 or 2006 and 2008 and subsequent model-year heavy-duty diesel engine manufactured by an ultra-small volume manufacturer or intended for use in an urban bus;
- (6) A vehicle with an engine that the California Air Resources Board determines, following a technology review, is inappropriate to require compliance for heavy-duty diesel engines of that particular model-year and engine family; or
- (7) A vehicle which is a military tactical vehicle or equipment.

5. Warranty.

For all 2004 and subsequent model-year California-certified vehicles delivered for sale to Maine, each manufacturer shall provide a warranty for the ultimate purchaser and each subsequent purchaser that complies with the requirements of Title 13, California Code of Regulations Sections 2035 through 2038, 2040 and 2046.

6. Recall.

For all 2001 and subsequent model-year California-certified vehicles registered in Maine, each manufacturer shall undertake an action equivalent to that which is required by any order or enforcement action taken by CARB, or any voluntary or influenced emission related recall initiated by any manufacturer pursuant to Title 13, California Code of Regulations Sections 2109 through 2133, and 2135 through 2149, unless within 10 days of CARB approval of said recall, the manufacturer demonstrates to the Department that such recall is not applicable to vehicles registered in Maine. Each manufacturer must send to owners of Maine registered California-certified vehicles the same notice that is used for California owners required by Title 13, California Code of Regulations Sections 2118 or 2127.

7. Manufacturer Fleet Requirements.

A. Each manufacturer shall meet the following fleet requirements for the number of vehicles delivered for sale to Maine.

- (1) Effective for 2004 and subsequent model-years, each manufacturer shall comply with the fleet average emission requirements and, for 2001 and subsequent model-years, may earn and bank NMOG credits, both in accordance with Title 13, California Code of Regulations Section 1961, except NMOG credits earned prior to model-year 2003 shall be treated as though they were earned in model-year 2003.
- (2) Effective for 2005 and subsequent model-years, each manufacturer shall comply with the medium-duty vehicle phase-in requirements and, for 2003 and subsequent model-years, may earn and bank VECs, both in accordance with Title 13, California Code of Regulations Section 1961, except VECs earned prior to model-year 2005 shall be treated as though they were earned in model-year 2005.
- (3) Beginning with the 2009 model year, each manufacturer's sales fleet of passenger cars and light duty trucks produced and delivered for sale in the State of Maine shall contain at least the same percentage of ZEVs subject to the requirements, including credit and banking provisions, set forth in the California Code of Regulations, Title 13, section 1962 using Maine specific vehicle numbers.
- (4) Manufacturers shall comply with fleet average greenhouse gas emission requirements as follows:
 - (a) The fleet average greenhouse gas exhaust emission levels for passenger cars, light-duty trucks, and medium-duty passenger vehicles that are produced and delivered for sale in the State of Maine by a large volume manufacturer for each 2009 and subsequent model-year are established as, and shall be determined in accordance with, the provisions set forth in California Code of Regulations, Title 13, section 1961.1.

- (b) The fleet average greenhouse gas exhaust emission levels for passenger cars, light-duty trucks, and medium-duty passenger vehicles that are produced and delivered for sale in the State of Maine by a small volume manufacturer for each 2016 and subsequent model years are established as, and shall be determined in accordance with, the provisions set forth in California Code of Regulation, Title 13, section 1961.1.
 - (c) Greenhouse gas credits and debits may be accrued and used based on each manufacturer's sale of vehicles subject to the greenhouse gas provisions of this section in the State of Maine in accordance with the provisions set forth in California Code of Regulation, Title 13, section 1961.1.
- (5) Optional alternative compliance with greenhouse gas emission standards.
- (a) Greenhouse gas vehicle test groups that are certified pursuant to California Code of Regulations, Title 13, section 1961.1(e)(2)(a) in the State of California may receive equivalent credit if delivered for sale and use in the State of Maine; and
 - (b) A manufacturer shall submit to the commissioner the data set forth in California Code of Regulations, Title 13, section 1961.1(e)(2)(a)(i) for Maine specific sale and use in order to receive the credit identified in subparagraph (a) of this subsection.
- B. Each manufacturer shall meet the following fleet requirements for the number of vehicles projected for sale to Maine.
- (1) Effective for 2004 and subsequent model-years, each manufacturer shall comply with the LEV II phase-in requirements, in accordance with Title 13, California Code of Regulations Section 1961.

8. Manufacturer Reporting Requirements.

- A. **Delivery Reporting.** Commencing with the 2001 model-year for passenger cars and light-duty trucks and the 2003 model-year for medium-duty vehicles, each manufacturer shall submit annually, to the Department, by March 1 following the end of each model-year, a report, itemized by test group, documenting total new vehicles delivered for sale to Maine.
- B. **Fleet Reporting.**
- (1) Each manufacturer shall submit annually to the Department, by March 1 following the end of each model-year, a report that demonstrates that the manufacturer has met the fleet requirements of Section 7 in Maine.
 - (2) For 2001 and subsequent model-year passenger cars and light-duty trucks and for 2003 and subsequent model-year medium-duty vehicles, each manufacturer shall submit by March 1 of the model-year, a report projecting the manufacturer's compliance with the model-year fleet requirements of Section 7 in Maine.
 - (3) If a manufacturer wants to bank VECs, GHGs or NMOG credits, the manufacturer shall submit annually, by March 1 following the end of the model-year, a report, which demonstrates that such manufacturer has earned VECs, GHGs or NMOG credits in Maine.

- (4) Each manufacturer shall submit a compliance report to the commissioner no later than May 1st following the completed model year demonstrating compliance with Sections 4(C) or 4(D). The compliance report shall include vehicle sales organized by engine family and identify the number of Maine ZEV credits earned. Such report may be amended based on late sales.
- (5) Commencing with the 2009 model year, each manufacturer shall report the average greenhouse gas emissions of its fleet delivered for sale in the State of Maine, using the same format used to report such information to CARB. Such report shall be filed with the commissioner by March 1st of the calendar year succeeding the end of the model year and shall include the number of greenhouse gas vehicle test groups certified pursuant to subsection 7 (A)(5) of this section, delineated by model type, delivered for sale into the State of Maine.

C. Recall Reporting.

- (1) Each manufacturer shall submit for 2001 and subsequent model-year vehicles, within 10 days of CARB approval, a copy of any CARB approved voluntary, influenced or ordered recall plan specified by Title 13, California Code of Regulations Sections 2114 and 2125, supplemented with the number of affected vehicles registered in Maine.
- (2) Each manufacturer shall submit recall campaign progress reports for vehicles registered in Maine, within the timelines of, and containing the information required by, Title 13, California Code of Regulations Sections 2119 and 2133. Reports need not be submitted to the Department if the equivalent reports have been waived by CARB.

D. Documentation.

A manufacturer, a dealer or a transporter of new vehicles shall, upon request, provide to the Department any documentation, which the Department determines to be necessary for the effective administration and enforcement of this Chapter.

9. Regional Document Repository.

Maine may enter into an agreement with other states to establish a regional document repository.

10. Dealer Inspection.

The Department or its agents may conduct inspections on any premises owned, operated, used, leased, or rented by any dealer.

11. Severability.

Each Section of this Chapter shall be deemed severable, and in the event that any Section of this Chapter is held invalid, the remainder shall continue in full force and effect.

AUTHORITY: 38 M.R.S.A., Sections 585, 585-A, 585-D.

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Amended: December 19, 2005, filing 2005-498

Appendix A

Title 13 CCR	Title	Section Amended Date
Chapter 1	Motor Vehicle Pollution Control Devices.	
Article 1	General Provisions.	
1900	Definitions.	12/22/99
Article 2	Approval of Motor Vehicle Pollution Control Devices (New Vehicles).	
1956.8	Exhaust Emissions Standards and Test Procedures — 1985 and Subsequent Model Heavy-Duty Engines and Vehicles.	7/25/01
1960.1	Exhaust Emissions Standards and Test Procedures — 1981 and through 2006 Model Passenger Cars, Light-Duty and Medium-Duty Vehicles.	11/27/99
1960.5	Certification of 1983 and Subsequent Model-Year Federally Certified Light-Duty Motor Vehicles for sale in California.	9/30/91
1961	Exhaust Emission Standards and Test Procedures – 2004 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles.	5/4/01
1961.1	Greenhouse Gas Exhaust Emission Standards and Test Procedures – 2009 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles	TBA
1962	Zero Emission Vehicle Standards for 2005 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles.	12/19/03
1965	Emission Control and Smog Index Labels — 1979 and Subsequent Model-Year Motor Vehicles.	12/22/99
1968.1	Malfunction and Diagnostic System Requirements — 1994 and Subsequent Model-Year Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles and Engines.	11/27/99
1976	Standards and Test Procedures for Motor Vehicle Fuel Evaporative Emissions.	11/27/99
1978	Standards and Test Procedures for Vehicle Refueling Emissions.	11/27/99
Article 6	Emission Control System Warranty.	
2035	Purpose, Applicability, and Definitions.	12/26/90
2036	Defects Warranty Requirements for 1979 Through 1989 Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles; 1979 and Subsequent Model Motorcycles and Heavy-Duty Vehicles; and Motor Vehicle Engines Used in Such Vehicles.	5/15/99
2037	Defects Warranty Requirements for 1990 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, and Motor Vehicle Engines Used in Such Vehicles.	11/27/99

Title 13 CCR	Title	Section Amended Date
2038	Performance Warranty for 1990 and Subsequent Model Passenger Cars, Light-Duty Trucks, Medium-Duty Vehicles and Motor Vehicle Engines Used in Such Vehicles.	11/27/99
2039	Emissions Control System Warranty Statement.	12/26/90
2040	Vehicle Owner Obligations.	12/26/90
2046	Defective Catalyst.	1/16/79
Article 7.	Procedures for Certifying Used Modifier-Certified Motor Vehicles and Licensing Requirements for Vehicle Emission Test Laboratories.	
2047	Certification Procedures for Used Modifier-Certified Motor Vehicles.	5/31/88
Chapter 2	Enforcement of Vehicle Emission Standards and Surveillance Testing.	
Article 1	Assembly-Line Testing.	
2062	Assembly-Line Test Procedures - 1998 and Subsequent Model-years.	11/27/99
Article 1.5	Enforcement of Vehicle Emission Standards and Surveillance Testing for 2005 and 2006 Model-year Heavy-Duty Engines and Vehicles.	
2065	Applicability of Chapter 2 to 2005 and 2006 Model-year Heavy-Duty Engines and Vehicles.	7/25/01
Article 2	Enforcement of New and In-Use Vehicle Standards.	
2101	Compliance Testing and Inspection — New Vehicle Selection, Evaluation and Enforcement Action.	11/27/99
2109	New Vehicle Recall Provisions.	11/30/83
2110	Remedial Action for Assembly-Line Quality Audit Testing of Less Than a Full Calendar Quarter of Production Prior to the 2001 Model-year.	11/27/99
Article 2.1	Procedures for In-Use Vehicle Voluntary and Influenced Recalls.	
2111	Applicability.	1/26/95
2112	Definitions.	11/27/99
	Appendix A to Article 2.1.	11/27/99
2113	Initiation and Approval of Voluntary and Influenced Emission-Related Recalls.	1/26/95
2114	Voluntary and Influenced Recall Plans.	11/27/99
2115	Eligibility for Repair.	1/26/95
2116	Repair Label.	1/26/95
2117	Proof of Correction Certificate.	1/26/95
2118	Notification.	1/26/95
2119	Recordkeeping and Reporting Requirements.	11/27/99

Title 13 CCR	Title	Section Amended Date
2120	Other Requirements Not Waived.	1/26/95
Article 2.2	Procedures for In-Use Vehicle Ordered Recalls.	
2121	Penalties.	1/26/95
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