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IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT
REGULATION
OF

NAME OF AGENCY

DEPARTMENT OF ENVIRONMENTAL PROTECTION

concerning

SUBJECT MATTER OF REGULATION

HEAVY-DUTY DIESEL ENGINES

The Regulations of Connecticut State Agencies are amended by adding section 22a-174-36a, as follows:

(NEW)

Sec. 22a-174-36a. Heavy-duty diesel engines.

(a) Definitions. For purposes of this section, the following definitions shall apply:

(1) "Approved by CARB for sale in the State of California" means, with respect to a heavy-duty diesel engine and a heavy-duty motor vehicle containing such engine, CARB has made a finding that such heavy-duty diesel engine or heavy-duty diesel engine family has satisfied the criteria adopted by CARB for the control of specified air contaminants contained in Title 13, Section 1956.8 of the California Code of Regulations.

(2) "CARB" means the California Air Resources Board.

(3) "Executive order" means a document issued by CARB stating that a specified heavy-duty diesel engine family or model year heavy-duty diesel engine meets all applicable requirements of Title 13 of the California Code of Regulations for certification and sale in California.

(4) "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.

(5) "Heavy-duty motor vehicle" means a motor vehicle with a gross vehicle weight rating of 14,001 pounds or greater.

(6) "Manufacturer's certificate of origin" means "manufacturer's or importer's certificate of origin" as defined in Section 14-165 of the Connecticut General Statutes.

(7) "Model year" means "model year" as defined in Section 22a-174-36 of the Regulations of Connecticut State Agencies.

(8) "New motor vehicle" means "new motor vehicle" as defined in Section 14-1 of the Connecticut General Statutes.

(9) "Ultimate consumer" means "ultimate consumer" as defined in Section 14-1 of the Connecticut General Statutes.

(b) Applicability.

This section shall apply to all heavy-duty diesel engines produced for the model year 2006 and subsequent model years and to new heavy-duty motor vehicles containing such engines that are sold, leased, offered for sale or lease, imported, delivered, purchased, rented, acquired or received, in the State of Connecticut except that this section shall not apply to such engines in vehicles listed in subsection (d).

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(c) Prohibitions.

(1) No person shall sell, lease, rent, import, deliver, or offer for sale, lease or rental a new heavy-duty motor vehicle in the State of Connecticut containing a heavy-duty diesel engine that is subject to this section unless the owner or lessor possesses documentation for such vehicle showing that such new heavy-duty diesel engine is approved by CARB for sale in the State of California.

(2) No person shall purchase, acquire or receive a new heavy-duty motor vehicle in the State of Connecticut containing a heavy-duty diesel engine that is subject to this section unless such person possesses documentation for such vehicle showing that such new heavy-duty diesel engine is approved by CARB for sale in the State of California.

(3) Documentation sufficient to satisfy subdivisions (1) and (2) of this subsection shall include an executive order or a valid manufacturer's certificate of origin stating that the subject engine is approved by CARB for sale in the State of California.

(d) Exemptions.

The following heavy-duty motor vehicles shall not be subject to this section:

(1) A vehicle transferred by inheritance;

(2) A vehicle transferred by decree of divorce, dissolution or legal separation entered by a court of competent jurisdiction;

(3) A vehicle purchased by a nonresident or nonresident business prior to establishing residency in the State of Connecticut;

(4) A vehicle sold for the purpose of being scrapped or dismantled;

(5) A vehicle sold directly from one dealer to another dealer;

(6) A vehicle sold for registration out of state;

(7) A vehicle designed and sold exclusively for use as "special mobile equipment" as defined in Section 14-165 of the General Statutes;

(8) A vehicle which has been designated to meet the standards promulgated pursuant to the authority contained in 42 U.S.C. 7521 and that is either:

(a) In the possession of a rental agency in Connecticut and is next rented with a final destination outside of Connecticut; or

(b) Registered by a rental agency in a state other than Connecticut and rented for use in Connecticut until return to the state of registration; or

(9) A vehicle that is an ambulance or emergency medical service organization vehicle, a fire department vehicle or a state or local police vehicle driven entirely or primarily in the course of providing medical, fire protection or police services.

Statement of Purpose: This section establishes a program to reduce emissions from heavy-duty diesel vehicles pursuant to Section 22a-174g of the general statutes. Any vehicles equipped with heavy-duty diesel engines of model years 2006 and beyond sold or otherwise transferred in Connecticut must be approved for sale in California.

CERTIFICATION

Be it known that the foregoing:

Are: [x] Regulations ☐ Emergency Regulations

[x] Adopted ☐ Amended as hereinabove stated ☐ Repealed

By the aforesaid agency pursuant to:

[x] Section 22a-174 of the General Statutes.

☐ Section_____of the General Statutes, as amended by Public Act No.____of the___Public Acts.

☐ Public Act No._____of the Public Acts.

After publication in the Connecticut Law Journal on August 20, 2002 of the notice of the proposal to:

[x] Adopt ☐ Amend ☐ Repeal such regulations

(If applicable): [x] And the holding of a public hearing on 24th day of September 2002

WHEREFORE, the foregoing regulations are hereby:

[x] Adopted ☐ Amended as herein above stated ☐ Repealed

Effective:

[x] When filed with the Secretary of State.

(OR)

☐ The day of 20

DATE SIGNED *(Head of Board, Agency or Commission)* OFFICIAL TITLE, DULY AUTHORIZED

In Witness Whereof: 12/31/02 Commissioner

SIGNED OFFICIAL TITLE, DULY AUTHORIZED

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.: Assoc. Atty. General 1/23/03

☒ Approved

☐ Disapproved

☐ Disapproved in part, *(Indicate Section Numbers disapproved only)*

☐ Rejected without prejudice.

DATE 2/25/03 SIGNED *(Clerk of the Legislative Regulation Review CommitteE)* Administrator

By the Legislative Regulation Review Committee in accordance with Sec. 4-170 amended, of the General Statutes.

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE SIGNED *(Secretary of the State.)* BY

INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes

2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.

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RECORDS & LEGISLATIVE SERVICES
SECRETARY OF THE STATE

Anne Gobin

Office of Secretary of the State
State of Connecticut
30 Trinity Street, P.O. Box 150470, Hartford, CT 06115-0470

Susan Bysiewicz
Secretary of the State
Maria M Greenslade
Deputy Secretary of the State

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Dept. of Environmental Protection
Office of the Commissioner

March 20, 2003

Hon. Arthur Rocque, Jr., Commissioner
Dept. of Environmental Protection
79 Elm Street
Hartford, CT 06105

Dear Commissioner Rocque:

This is to acknowledge receipt of two certified copies of the following regulation issued by your department concerning:

Heavy-Duty Diesel Engines (Abatement of Air Pollution).

Said regulation was received and filed in this office on March 4, 2003. The effective date of this regulation is March 4, 2003.

Very truly yours,

Peter J. Bartucca
Manager, Records and Legislative Services

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR MANAGEMENT
OFFICE OF BUREAU CHIEF
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DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF DEPUTY COMMISSIONER
FOR WASTE AND WATER